



# City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

## Meeting Minutes Committee of the Whole

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

*Kimberly Banning, CMC, Clerk of Council*

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Monday, July 11, 2016

7:00 PM

Council Committee Rooms

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### CALL TO ORDER

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

ADDITIONAL ATTENDEES: Dottie Franey, Michael Blackford, Jennifer Teal, Mayor Tom Kneeland, Shane Ewald, Anthony Jones, Rob Priestas, Aaron Underhill, Residents, Police Chief Dennis Murphy, Joann Bury, Nicole Bent, Kevin Zeppernick.

\*Leeseberg left at 7:50 p.m.

**Present** 6 - Stephen A. Renner, Brian D. Larick, Nancy R. McGregor, Karen J. Angelou, Michael Schnetzer, and Jamie Leeseberg

**Absent** 1 - Brian Metzbower

### DISCUSSION ITEM

#### 1. Performance Audit

[ORD-0073-2016](#) TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO AUDITOR'S OFFICE FOR A PERFORMANCE AUDIT; AND TO SUPPLEMENTALLY APPROPRIATE \$100,000.

Nicole Bent, with the Ohio Auditor's office; to review the Performance Audit; Larick said have been discussing this over the last couple months; have discussed several programs; wanted a deeper understanding of the program and how it could benefit the City; it is an evaluation of performance of the City and whether there is an opportunity for cost savings; invited Nicole tonight to give us all an overview; the LEAP Audit program; and any steps needing to take if we want to consider this; Bent said they are division within the state Auditor's office; are analysts or consultants; began in 1995 and has since evolved; primary line of business at the beginning was the school districts; average audit cost is \$72K; average financial impact is

just over \$1 million; this is any one-time savings plus annual savings; for local governments, is \$14.2 dollars returned for every \$1 spent; three big steps; want independence - results and conclusions; first step is planning; take a deep look at all data and operations; find key areas for improvement; meet with all department heads; then come up with a scope; that scope document will outline the beginning and end of the document; then moved to fieldwork; will be interviews with staff, communicating with City; last piece is reporting; come up with recommendations for operations and turn that into a report; this piece is more internal; look at formal policies and procedures; laws and regulations that apply to our operations; look at leading practices; each person on their team specializes in different areas that our City needs; recently did a facility assessment; still working on that report; also have done capital reporting analysis; look at collective bargaining agreements, etc., have a wide basket to offer; just recently had House Bill 5 passed; gives our office the ability to do a piece for free; like a shared service component; not the main performance audit; opened the floor for questions; Larick asked to discuss the approach from a LEAP fund approach; Bent said can contract us for services; then there is LEAP fund; it is a loan; pay it back after 1 year of the report; puts the onus on the state's office; essentially providing a guarantee; we control the scope of the audit; analysis is independent, but this allows us to chose the scope areas; Larick asked the demands on the City's part; Bent said depends on how easy the data is; would not ask data format to be changed; would do that; 1-2 hours per week per scope area; at the most; one e-mail every other week on average; Schnetzer asked the general timeline; Bent said 6-7 months, maybe 8; depends on scope areas and how quickly the data gets to them and how easy it is to put together; Schnetzer asked the type of work from those department heads; is it just data; Bent said yes, and/or the interview piece; Larick asked what is required to move forward; Bent said with the LEAP application, is a 4-question page; would need to submit that; there is a contract; have brought draft copies of that to review if needed; would also need approval from the audit side but that is not a big deal at this point; have done their preliminary application; Angelou asked how many times have communities taken this process in this area; is this popular thing to do among cities; Bent said 2-3 a year; just depends; have a lot of different lines of business; required to do this for some areas; have done 67 local governments in the last 5 years; have done 3 in the past year; Larick said one of the reasons he looked into this, have continued discussing fiscal constraints and limited resources; if we can create resources without any real impact, negatively, would be a significant win; something we should be interested in taking advantage of; would like to see us move forward as quickly as possible; Mayor Kneeland said it sounds like a good program; am in; main concern is getting day-to-day operations done; sounds like this is fairly low impact; always looking for ways to

find areas we can control costs; said Jennifer Teal is full commitment; questions we have now are LEAP versus just funding; Teal said LEAP concept as explained is very interesting; as we have done our homework and will be entering into a contract; yes, you can delay payment but would still need to pull a PO and have supplemental appropriations; have not planned that; those logistics exist; do we lay those funds for 2017 with the new budget; remain protective of the staff's time and their resources as we move forward; it is exciting; idea of shaping and pushing our continuous improvements is exciting to think about; hope they validate the work we have been doing is meaningful; am in; Schnetzer asked if we have a ballpark what this may cost; Bent said LEAP audit, can write the contract not to exceed; would like to do \$100K; Schnetzer confirmed funds would not be discharged until a year after; Teal said it would be easier to just pay them; Larick said seems like we hear a level of support; would need a contract, appropriate funds, do a supplemental, and go through the legislative process; Renner fully agrees and supports the idea of rapidly getting this done; talking about increasing efficiency; Larick asked if the draft is a formal draft and do we need to further add to the application; Teal said will take a final look at application; McGregor asked for a timeline play-out of the emergency and waiver versus regular; asked Teal for their timeline and what is best for staff; Teal said can give time for interviews, in depth would come later in the year, after budget work; budget work just started; does not see too much of an issue; Schnetzer supports early timeline; Angelou asked if there would be time in the beginning that they are just gathering information that would not impact staff; Bent said this is not a typical audit and ask for multiple pieces of audit; this is our engagement; is our job to push the engagement along and not drag out; if there is a time that we need to sit on things for a month, that is fine; as we are collecting data and finding answers, will share that with the team; want the engagements to work; love repeat business; Angelou asked Teal if she sees this fitting in with the strategic plan; Teal said absolutely; would be a push if one of these lines link with our plan, we will push those; we can achieve those better and quicker and more effectively; Larick asked Ewald to look at this contract by Thursday.

**RECOMMENDATION: Introduce, Waive Second Reading, Emergency, Regular Agenda.**

## **PENDING LEGISLATION**

### **1. M/I Homes Pre-Annexation Agreement**

[ORD-0065-2016](#) TO AUTHORIZE THE MAYOR TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH M/I HOMES OF CENTRAL OHIO, LLC FOR THE FUTURE DEVELOPMENT OF A 62.3+/- ACRE

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PARCEL LOCATED ON DARLING ROAD SOUTH OF HANNAH FARMS SUBDIVISION.

Jones said want to identify items that have changed since we last met; the staff has met with the developer; have meet with representatives from Hannah Farms and County Engineer; want to address those; roadway section that came from last session; request to evaluate if Darling Road can remain open; County Engineer is willing to explore this option; concerned with it being closed and the flow of traffic; needs more analysis; will continue to meet with him, Rob and the developer; his determination will be made during the final plat; final plat lays out where the road will go; will be known impacts to Darling Road prior to this; emergency access will always be required; paramount for us; section 4 identified that the overlay text would require color renderings and floor plans; something that provides the City with confidence in what the end product will look like; section 5 was modified, changed the unobstructed use to passive use; concerned there would be activity that would impact Hannah Farms; Hannah Farms Home Owners Association (HOA) requested stub road be removed; Mayor agreed; was our goal to minimize Reynoldsburg New-Albany Road (RNA) access points; this project will no longer have a stub road per discussion with HOA; several questions about essential housing developments that have occurred in Jefferson Township; there have been 23 subdivisions, equates to about 2700 homes that have been allowed to be added based on plats; total acreage is 1355; equates to 1.99 acres per unit per acre in density; this is since 1994; Hannah Farms is 1.47; said Larick asked about pricing, pricing is very hard to get; went to Kitzmiller Crossing and identified \$370K, Village at Hannah Farms \$447K, Woods at Havens Run \$443K; Larick asked if that is current valuation; Jones said believes that is from auditor's website; in regards to the impact to school district; meeting with the superintendent and members of the school district on Wednesday to discuss the project in more detail; also reached out to Ohio Department of Taxation; specifically the division that is the head of real estate taxes; they provided a summary of property taxes being collected for Gahanna-Jefferson School District, as well as City of Gahanna and Jefferson Township; provided a memo that explains the three types of levies, bond types, millages, dating back to 1976 and what that equates to; in regards to new construction, does add to tax collections; inside millage and fixed rate; does not add tax rate for the fixed sum; if a City issues bonds in a certain amount, they cannot collect more on an annual basis to pay back those bonds; as more are approved, rates get lower; referred to as a fixed sum levy; Larick asked like getting a bond that built the building, you get more money with the netted costs; Jones confirmed; said those are the three levy types provided explanation to Council; said also a question about Planned Unit Districts (PUD) versus overlay text; PUD is a unique zoning classification; no baseline limitations;

whatever the site requires; an overlay has a baseline that makes those existing standards more strict; our PUDs are different and precluded from our code from being created; total amount of property taxes per home; per our tax rate a \$450K home should bring in \$12,397 in property taxes; schools get 53% of that, City gets a lot less, around 2 cents on the dollars; 7 mill charge will bring in 11 million dollars per home; on top of the property taxes; total taxation is \$13,891; includes total base taxes and the New Community Authority (NCA); the NCA is an additional tax that is requested by the property owner; they petition to have this tax added; last question is the process; spoke with Shane and the legal counsel for the developer; reviewed the process; first, Council will review and vote on the pre-annexation agreement; next is the petition to Franklin County by MI Homes; then Franklin County will review annexation petition; timeline depends on if the township objects; 4th step is Council approving a service resolution for the property; next the developer, staff and Franklin County Engineer will work on solutions for roadway improvements, green infrastructure, storm water management and zoning overlay text; this process would occur after annexation petition for Franklin County; then MI would submit a zoning application to be reviewed by our Planning Commission; would be for zoning change and final plat; must agree at this point on infrastructure items; if approved, it goes to Council; there are public hearings required; believes would have more than one public hearing; meanwhile, staff would prepare a New Community Authority (NCA) document; then Council will approve an annexation petition, zoning with overlay text, final plat and petition for NCA; this summarizes the process; a lot of timelines in between there; this is an overview; developer is here with their attorney.

Schnetzer asked about item 4; asked if this moves parallel or contingent; Ewald said once petition is filed, need service resolution within 20 days; Aaron Underhill said the township has authority to approve or disapprove which dictates timeline for County Commissioners; the 20 days comes in and requires the City to act within 20 days; will disclose which services will be provided if annexed; after that passage you have the right to approve or disapprove the annexation; certain thing governed by the statute; requires those waiting periods; Ewald said will not be a problem for response to the City; Schnetzer asked if need a thumbs up on 3 before 4; Ewald said that is one of the checkboxes, if they don't have it; Angelou said have been through a number of annexations; this is a different process; this is expedited so everything is done at the same time; asked when this came about; Underhill said law changed in early 2000s; various types of annexation petitions; would not want to annex the property unless it is rezoned; Renner said on item 3, the roadway access in the agreement; the process to determine if the road should be

determined; who determines and how is that done; Jones said the Franklin County Engineer; his staff would work with engineers for MI homes on traffic studies and impact studies; would determine what needs to be done on and off-site; have been working with them to ensure that they have all information needed; Renner asked for elaboration on partial access; Jones said discussed one-way in and one-way out; just discussion items; no analysis done; discussion was very broad; Renner confirmed Franklin County would look at that; Jones said yes; Renner said further on in section 3; will find and share with him and Shane; Schnetzer said will go back to the idea of overlay text; this will be the third meeting have brought this up; item 4 of the redline; additional text discussing the materials to be used, submitting floorplans; want some comfort that this is restrictive; have received countless emails, calls and have met with residents; part of the concerns are impacts to traffic and schools; in regard to schools, if we are consistent with what we are expecting to receive, theoretically there should be no students by definition; practically no impact to the schools; in regards to traffic, the one unit per acre density limit, guess if it is developed in that manner, you will have larger homes with more cars and possibly a 3 car garage; that will likely have an impact on schools as well as vehicles; 93 homes times 2 cars is 186 vehicles; 63 homes times 3 cars is 186 vehicles; net-net; no material difference at all; getting back to this comfort level and asked how we become assured we are talking empty-nester product even if the economy shifts; want to make sure we get what is being proposed; Jones said language in the contract states that the overlay text shall provide adequate specifications to provide the City the means to ensure and enforce the quality of architecture in the development; shall is definitive obligation; at the time the text comes to Council, have that discretion to see if the language is satisfactory; open to any suggestions; there is wiggle room for the City; Schnetzer said the teeth will come in the overlay text; Underhill said this is a roadmap; sets expectations for us; no ability in the legal sense to contract around the code; the City has a process and we intend to follow that and the code; this document and at this time, does not address that; Zeppernick said our intention is to come out of the gate with the empty nester product; designed for people to age in place; will be consistent with a two car garage; in the process now of putting two models of this in the Parkwood community in Jefferson Township; our intentions are to make that product work here; want to make sure we can make minor tweaks if approved; want to reserve the right to pivot; if for some reason, this just does not hit, do not want to jeopardize the project; we need to be in the \$450K range; should something fall through, would pivot to the single family product style; in analysis initially, if we get to the product we want, impacts to the school will be minimal; believes

after discussions, numbers would pay for any student attending the school; same would occur if we had to go to the other side; not our intention; want to make sure we have that option; would attach those floor plans; Schnetzer added for color on that product looks like from the square footage perspective; Zeppernick said would be larger; 3000+ square feet; 3 bedroom home; 2 car garage but an option for a third; would be a smaller width; empty-nester is a wide product; typically see the 3 car snap on option; having a lot of success in a community called Sanctuary of the Lakes; off Africa Road in Delaware County; happy to share those; Schnetzer asked if the market switches and requires them to go that route; asked if they would replace and do denser lots per the study; Zeppernick said probably not; the economics are still showing a price range that somewhat match; margins do not change a lot with lot size; changes with this product versus that product; planning on doing a lot of empty nester products; did a cost-benefit analysis for these; Angelou asked because this will be an older clientele, should be a good product, there is the homestead exemption; asked the number on lowering the amount; Zeppernick said very familiar; Underhill said we can run an analysis; Teal said we receive a rollback; state makes effort to make tax recipients whole; not a loss for us; Larick asked Jones if we have a statement from the schools; and do we have data in regard to student populations in the last 10 years and current population; Jones said do not but can ask that later this week when they meet; McGregor asked Scott Schmidt if he wanted to comment; Schmidt said we have not had a chance to sit down and talk with the Mayor and his team; concerned a little that some information does not take into account all variables; our .6 students that we average per house, does not depend on type of housing, depends on housing available; if a family that currently lives in Rose Run, moves to the new product, the new family moves into Rose Run; will see an increase of 50 students; may not be from this neighborhood; each year when we do enrollment predictions, call the City and look at number of building permits issued; use .6 as the school standard; Larick asked the occupancy of the schools; Schmidt said those numbers need revised and updated because of today's programs being delivered; those take up additional square footage; have 8 modular classrooms at Blacklick; doing some reading in storage areas; 50 students will not require a new building; not making a statement at this point; just because we are talking about the empty-nester, does not mean we will not get an increase in number of students; McGregor asked about the NCA; in our Charter it says taxes cannot be increased without a vote; does that apply; Jones said not taxes, are considered charges; are assessed under the authority of what an NCA is; McGregor asked about road vacation process; talked with County Engineer last week, said it was not a short

process; Jones said if a vacation, understands County Commissioners would need to approve that; correct, there is a longer timeline and process; will need identified as that process moves forward; part of that process; cannot speak to the County's timeline but they would have to approve; McGregor asked if believes they will object based on letter received; Jones said cannot say but knows they are not in favor of the project; Renner said understands if the Township objects it has to be on one item of the petition and not the annexation generally; Underhill confirmed; Renner said it has to be on one of the checklist items of the petition; said nothing in this agreement has changed the 7 members of Council that we can vote no on the annexation; Ewald confirmed; Renner asked if Jefferson Township has a restrictive overlay text, a proposed one, or that in the process, for the development; Jones said not sure if they have the means to do so or if they have that as part of their process; Underhill said with planned districts you can vary from the code and get less stringent; not sure if they have overlay; in our process can only can have a variance or get more restrictive; Renner confirmed we are putting more on this development than the Township with all the requirements; asked if that is fair to say; Underhill said absolutely; McGregor said Leeseberg sent list of densities and developments spreadsheet of Jefferson Township; Jones said 1.23 is the density; McGregor said thinking at first that it is not very different than 1.5; actually, they would have to lose 18 houses to get it equal to Kitzmiller Crossing; would have to drop quite a bit to get there; asked what Hannah Farms is; Jones said 1.47; McGregor said it is about the same.

**RECOMMENDATION: Regular Agenda.**

## 2. Tree Code

[ORD-0066-2016](#) TO ENACT CODE CHAPTER 914, TREE PRESERVATION, PLANTING AND REPLACEMENT, OF PART NINE, STREETS AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Blackford said three weeks ago Council heard feedback reference to the proposed tree code; have discussed the feedback; have provided comments in the Council report; the larger the lot, the more trees that will need to be planted; larger lots typically have larger buildings and larger parking areas; based on intensity of the development; looks at small and large lots the same; typically large lots have more trees on them; is an opportunity for large lots to have more tree preservation; would decrease onsite planting requirements; looked at a project under review right now and how the cost would impact their



development; is a 2.5 acre lot; is the typical lot size for development in the City; based on amount of trees, if subject to this new code; about 63 tree inches; have the capital investment dollars; actual cost would be .3% increase in this case; minimal cost compared to overall construction of the site; comment was made that it is unclear how this would impact heavily treed lots; said old code was based on development conditions; heavily treed lots had to plant more regardless; this code looks at all lots the same whether heavily treed or cleared; planting requirement is based off post development conditions and amount impervious; heavily treed lots could be considered favorable because you have more opportunity for tree preservation; would reduce onsite tree planting; Larick asked if it is one-to-one; Blackford said depends on the size of the tree, diameter; 20" diameter tree being preserved, onsite planting requirement is reduced by 20"; basically one-for-one; believes this is a fair code; takes circumference divided by pi; another comment about the code being bad for business and bad for citizens; we believe it is fair and balances things for citizens while recognizing needs to development; will add to aesthetics; the Central Park, primary area of concerns; they are subject to an overlay; they have additional onsite planting requirements that are fairly similar to the proposed code; the City has been without a tree code for three years now; looked at surrounding communities; we are one of very few that does not have tree planting code requirements; there is definitely a need for this language to be approved; Larick asked if it would be advantageous to provide a higher value to keeping older growth trees as opposed to the one-to-one; equal to 110%; Jones said that is an incentive; right now that is an additional cost savings; did not go down that path, thought it was fine, open to considering that; Blackford said at one point it was a half credit for onsite preservation; could be increased; would fully agree that the intent is to further incentivize the preservation, upping it from one to one and a half; nothing that would prevent us from doing that; would have an increased incentive to preserve trees; Larick said if we have a 10" tree or walnut in a rough spot but could be worked around; if it were more valued than a one-to-one; Jones said right now there is a protected tree; larger trees would get a greater credit; depending on type and size of tree; willing to explore that; becomes subjective, want objective; McGregor asked if you could say trees greater than 8" would have a greater incentive; Jones said not sure if landscape plan goes into more than just the actual caliber; Blackford said it can, most identify species type and size; would discuss with City arborist; if there was a certain type of tree we want to incentivize; certain tree sizes have a higher aesthetic quality; would be easier to say on size versus a list of species; can be done but will be more cumbersome; easy to identify a size; Schnetzer asked how we

mitigate the value of cottonwoods in the agreement; McGregor said there are hard woods and soft woods; Jones asked for time to come up with a recommendation per the request; McGregor said maybe under 8" or something along those lines; would probably not be difficult at that point to identify species; Jones said fine with bringing this back to Committee again; Larick asked the risk without the code right now; Jones said nothing that he is aware of.

**RECOMMENDATION:** Consent Agenda; postpone two weeks; bring back to Committee.

### 3. Cell Tower Proposed Code

[ORD-0068-2016](#) TO AMEND CHAPTER 1181, PERSONAL WIRELESS SERVICE FACILITIES, OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Ewald asked if there were any questions; set for public hearing on the 18th.

**RECOMMENDATION:** Introduce, Public Hearing; back to Committee.

### 3. Mutual Release

[ORD-0062-2016](#) TO AUTHORIZE THE MAYOR TO ENTER INTO A MUTUAL RELEASE OF ALL CLAIMS; TO APPROPRIATE FUNDS THEREFOR.

Ewald said have no update on this.

**RECOMMENDATION:** Hold in Committee.

## ITEMS FROM THE CLERK OF COUNCIL

### 1. Casa Hacienda Liquor Permit

[MR-0034-2016](#) MOTION RESOLUTION THAT THIS COUNCIL HAS NO OBJECTION TO THE TREX D1, D2, AND D3 LIQUOR PERMIT FOR CASA HACIENDA II INC DBA CASA HACIENDA GRILL, 1356 N HAMILTON ROAD, GAHANNA, OHIO 43230.

Holbrook said this is for a liquor permit at Casa Hacienda; located near Raising Canes at Morse and Hamilton; related to a recently approved TREX application; the Police Department had no objections.

**RECOMMENDATION:** Consent Agenda.

### 2. Paceline MOD Pizza Liquor Permit

[MR-0035-2016](#)

MOTION RESOLUTION THAT THIS COUNCIL HAS NO OBJECTION TO THE TREX D1 LIQUOR PERMIT FOR PACELINE PARTERS LLC DBA MOD PIZZA, 333 SOUTH HAMILTON ROAD, GAHANNA, OHIO 43230.

Holbrook said this is for a D1 liquor permit at MOD Pizza located in the Shops at Rocky Fork; from a recently approved TREX application; the Police Department had no objections.

**RECOMMENDATION: Consent Agenda.**

## **DISCUSSION ITEM**

**1. 4301.80-Community Entertainment District(Licenses); 4303.181(J) of ORC D5-J-Licenses; 4301.82-Designated Outdoor Refreshment Areas(Open Container)**

Larick said at the moment, is an evaluation from City Attorney; can City qualify for an entertainment district; items to the D5-J license; said community entertainment district requires a community greater than 20,000 and a certain value of development; asked is any of that investment able to be retroactive; like Creekside, this is the Olde Gahanna District; that is really the research; entertainment district strictly has to do with licensing; first, do we fall in the category that would allow this; second is outdoor refreshment area; open container law passed a little over a year ago; is a defined area that you are allowed to carry openly without carrying into another facility; potentially something that is helpful to an entertainment district area; code or legislature as it sits today would allow us to create that in April 2017; question is what are those steps and when can or should we begin that process if interested in pursuing that; Ewald said will find out; Larick said Community Entertainment District (CED), if you meet the requirements you can petition the state to give additional licenses that are then available at the state costs versus private market costs, which is considerably higher; kept within that district and cannot be transferred out; rules are convoluted and built for certain specifics; the designated outdoor refreshment area is just really waiting on the clock and determining if anything is in the legislature driving any impacts, and the steps to make that happen; will then determine if we want that to happen.

## **DISCUSSION ITEM FROM THE CITY ADMINISTRATOR & DIRECTOR OF FINANCE**

**1. Capital Needs Assessments**

[2016-0214](#)

Larick said started some questions earlier today, sent to Joann; looking for an understanding on where can place level of comfort on where to spend; based on volume of projects in CNA; is pretty restrictive; will get those questions out this week; any questions, should be brought forward; earlier we can get that line drawn is beneficial to all; Teal said we draw the line all the time; but brought this early because it feels when this is discussed in November, is a short amount of time to answer a lot of questions; would love to be able to get through some of that discovery with Council; those with linkages with the Strategic Plan; would like to have as much opportunity to discuss those.

**REPORTS: for information, no action requested**[2016-0235](#)

Angelou made a comment to Chief Murphy and thanked the Police Department and said how much we appreciate what they do; and how much our community appreciates them.

**Meeting continued under "Public Service & Safety Committee"**