



City of Gahanna

Meeting Minutes

City Council - Special

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

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

Kimberly McWilliams, CMC, Clerk of Council

Thursday, November 6, 2014

5:30 PM

200 S. Hamilton Road, Gahanna, OH 43230

A. CALL MEETING TO ORDER - Roll Call.

Gahanna City Council met for a Special Meeting, Thursday, November 6, 2014, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council Brian Larick called the meeting to order at 5:30 p.m. Agenda for this meeting was published on Friday, October 31, 2014.

Present 5 - Karen J. Angelou, Ryan P. Jolley, Thomas R. Kneeland, Brian D. Larick, and Michael Schnetzer

Absent 2 - Jamie Leeseberg, and Stephen A. Renner

B. PUBLIC HEARING -

1. Codified Ordinances of Gahanna - 161.18 CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY: The City of Gahanna is seeking public input prior to proposed legislative action.

The City Attorney said that the City's Tax Code could be more clear; we started to review Chapter 161 of the Codified Ordinances of Gahanna; at this time we're asking for public input regarding Chapter 161.18, which does require public hearings; our expectation is that through the normal legislative process there will be additional meetings that will allow for public input; the draft language is available to the public and the level of credit has not changed; the City's believes the new language reflects the intent that was first enacted in 1989.

President Larick opened the public hearing at 5:32 p.m.

President Larick read the rules into the record. The procedure is that proponents will have 7 minutes; opponents will have 10 minutes. There will be 3 minutes for rebuttal if there are opponents. The process is that individuals have time to speak within their time frame. The time is cumulative for all so there is a singular amount of time for all who wish to speak before or against. Any questions that are asked;

any responses; that all falls within that time window and doesn't provide anything additional.

President Larick asked for proponents.

Kate Moening, 255 Broken Arrow Road, Gahanna. I was here last night and just wanted to come back because I hadn't read anything; wanted to be able to absorb the changes and understanding after some conversations with some folks that this is not a change in any way. This is a clarification. I feel comfortable being a proponent of it after reading it, I would just like to offer comment that I believe you've done due diligence to try to clarify it as far as for the lay person to understand the lingo, maybe there could be additional clarification, particularly with the dates that are included in the second paragraph in Section B where it says "received on January 1989". I did not question it because after I had a discussion with someone I understood the reason it was there but it does sound a little like it could be something that is being post-dated. For a layperson, that is not something we would normally understand. Clarifying that in future public meetings and discussion would be valuable. I am definitely in favor of expending these funds for safety, streets and stormwater maintenance and don't think that changes it from anything. That is really all I had to say. Thank you.

President Larick asked for any other proponents. There were none.

President Larick asked for opponents that would like to speak.

Thomas Ywenger, 1025 Venetian Way, Gahanna. The City Attorney in his opening statement indicated that this was a clarification of the ordinance as was written approximately 25 years ago. I let some people read this without actually telling them what the basis was and they all interpreted it the way that the courts have found this so I guess my only opposition is how this is being presented to the public that it is changing the intent of something that was written 25 years ago and I don't believe anybody here was there.

Council Member Karen Angelou said I was here sitting in this seat but it wasn't in this building.

Ywenger continued duely noted; but an author of a document took a legal document has a duty to be specific and when it isn't, courts have normally found, at least in contract law, that it is held against that person as author of the document. I understand the City of Gahanna has the ability and will more than likely pass an ordinance. The fact that it is done retroactivley, I guess remains to be seen. I don't know that the City Council or the City Ordiance allows the City to do that

retroactively. You can call it a clarification but you are actually going back and amending how a law was applied and how taxes were collected if you read the letter of the retroactive enforcement. Thank you.

President Larick asked for any other opponents.

President Larick asked for rebuttal.

Tricia Kovacs, 527 Haversham Drive. As I've read through this and I read it before but I forgot my question. I hope it's okay to ask questions. The previous wording has a certain amount of money going toward the 3 different funds and now that we're going to give all of the money from the extra money gotten from people that work outside of Columbus going to go to these 3 things. Is it going to be more or less than what was previously allocated to those 3 purposes. It is more a question than a proponent or opponent.

City Attorney said that section was not effective after 1983; and it was only effective for that year; that is why it is struck through because starting in 1984 they actually allocated according to the terms of the 1984 paragraph; so therefore the code is no longer usable at this point.

Kovacs said thank you.

President Larick asked for any additional speakers. There were none. President Larick closed the public hearing at 5:39 p.m.

[ORD-0162-2014](#) TO AMEND CHAPTER 161, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

C. ADJOURNMENT.

5:39 p.m.; Motion by Jolley

Kimberly McWilliams, CMC
Clerk of Council

*APPROVED by the City Council - Special, this
day of 2014.*

Brian D. Larick