



# 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, June 27, 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: Shane Ewald, Joann Bury, Jennifer Teal, Mayor Tom Kneeland, Anthony Jones, Mark Thomas, Troy Euton, Michael Blackford, Dottie Franey, Rob Priestas, Chief Dennis Murphy, Chief Brad Shull, Chief Fred Kauser, Lieutenant Jeff Spence, Press, Residents.

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

### UPDATES FROM THE FIRE DEPARTMENTS

#### 1. Mifflin Township Fire

Chief Kauser said he sent his report out earlier today; run activity in May and June are up for both agencies; entering summer season; done some training with Gahanna PD, Service and other administration on emergency operations recently; regional emergencies, will be a call in to set-up the emergency operations center (EOC); last night's weather was significantly more severe; 2:00 am, they are up and about looking over the city to maintain services; want to cover everything as much as possible; other notes about things residents should be mindful of; during weather season can go to Franklin County Emergency Management Agency's website for information; should be prepared for power outages, flooding, etc.; don't hesitate to call for help; operationally, can see the run activity; participated in the Blues & Jazz Festival; weather was great; had a handful of significant emergencies; overall, able to manage all events with no loss of life; just completed planning with the City and are ready to go for the July 4 event; administrative updates - in the process of hiring additional firefighters; anticipate hiring nine on July 19; beginning of a phase of replacing about 10-15% workforce due to

planned and scheduled retirements; became a fulltime fire department about 25 years ago; a number of firefighters are now retiring; it takes 4-5 months to orient a new firefighter to serve on the trucks or ambulances; 2017 operating budgets are due; being reviewed now; currently operating within budget and expect to remain in budget for the remainder of the year; Leeseberg thanked House 133; had an HOA meeting and they brought over the big trucks to let kids play and learn; shout-out to those guys; really appreciates that; Kauser said enjoy meeting residents when not an emergency; if you have a civic event or community invite, please reach out to us, would love to talk to you.

Larick reminded everyone that notifications have gone out to get off of CodeRed and onto AlertFranklin County; is a free service; register at AlertFraklinCounty.org with a login; when a significant event occurs, will get a phone call or text.

Larick asked Chief Shull from a fire standpoint about a potential development in Jefferson Township; asked if there are any comments on fire impacts, demands or concerns; Shull said in any situation where you run into an increase of more bodies in a small area, will be an increase in responses; nursing home facilities, will be making certain types of runs there; knows type of runs for residential; in Jefferson Township, our median age for homes is 40; will increase EMS calls as the population ages; in regards to that area, cannot begin to speculate; do not know the demographics and particulars; obligated to cover that area; McGregor asked if there is an issue with closing Darling Road as far as response time; Shull said anytime you close a road, likely to be an impact; many things you see that is not indicative of any one situation; not favorable to see roads close in general.

## **2. Jefferson Township Fire**

Chief Shull gave an update; said were able to acquire a grant to purchase new equipment for dispatch centers for Gahanna and MECC; have little or no out of pocket expenses for that; will save just under one million dollars for this; have already appropriated funds; Jefferson is hosting; will be reimbursed; excited to get this on the road.

[2016-0232](#)

## **PENDING LEGISLATION - DIRECTOR OF DEVELOPMENT**

**1. 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.

Jones said Michael Blackford is here to discuss changes based on previous feedback; Blackford said there were a couple of suggested changes; and a request to look at recent development; those changes have been made; in reference to the offsite planting requirement, moved language to fee schedules, which are evaluated every year; also clarified trees damaged during construction process are replaced and not replanted; do not mean to replace a damaged tree; and there was a request to look at the Shops and Rocky Fork and Kemba area; both built around same time; Shops at Rocky Fork did not have any tree preservation; had a large impervious area; they were required 45 trees with code and they planted 55 trees; it would not meet the proposed language; would need another 40-48 trees; Kemba had 3-4 large trees preserved onsite; they had 109 tree inches preserved; they far exceed any code requirements; would have met proposed language and not had any additional requirements except parking; happy to answer any questions; McGregor thanked him for that work; Jones said some of the results spoke to how preservation can impact the requirements; Metzbower confirmed this would not be retroactive; Jones confirmed, would be going forward; Angelou asked if you were able to look at the statements from Mr. Jordan Fromm last week; Jones said in that process right now; have not been able to articulate some of our responses to their points; trying to identify ways to address those; Angelou asked if they are meeting him this week or next; Jones said meeting internally with staff based on our goals; Larick asked if we would discuss this in Committee until that discussion has happened; Larick said language refers to impervious pavement and parking areas; if they put in impervious paving, structures that would have been solid asphalt or concrete, how does this get impacted; Jones said not taken into consideration impervious paving, only standard impervious surface; Larick asked if Shops at Rocky Fork would have put in an impervious paving parking lot, would this code be relevant; Blackford said would be relevant; would be impervious surface; pervious pavement is not impervious; not the typical 70%; would be around 55%; would be based on that reduced number.

**RECOMMENDATION:** Back to Committee.

**ITEM FROM THE DIRECTOR OF DEVELOPMENT**

## 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 PARCEL LOCATED ON DARLING ROAD SOUTH OF HANNAH FARMS SUBDIVISION.

Jones said since last Committee meeting have been comments and questions brought forward; have tried to address within the agreement and the Council report; wants to discuss what the pre-annexation agreement is; have seen agreements come in recently; seeing a lot of interest; the City of Gahanna identified an approach and strategy that is imperative as we consider these projects; we are not actively pursuing; not soliciting new residential; goals are primarily commercial; residential is dealt with as they come in; also want to ensure there is additional revenue associated with the annexation; will offset expenses and generate revenue; so the City will not see long-term impacts from new infrastructure and services; will also have a pre-annexation agreement that will outline the terms and obligations of developer; does not entitle for an annexation; outlines obligations of the City and the developer throughout the process; Council will have final authority to accept annexation; this is the first step in that process; and also the zoning; thanked Council for indulging the background; the agreement as structured now covers the shown bullet points on the slide; will go over how the process will work; will need an annexation petition, service resolution - which says we have a level of service to provide the area; will not provide water or sewer; roadway access identifies the location and requirements; land use, new community authority (NCA), and green infrastructure; parkland, does the city want it and where will it be located; tax increment financing - not proposing a TIF at this time; NCA, has been a lot of discussion; we have accepted the one annexation; this would be similar; green infrastructure - they are working with the developer to satisfy the request; reviewed the process on the PowerPoint slideshow (attached); first step is the pre-annexation agreement; said the pre-annexation agreement is not accepting the annexation; is saying what needs to be done to consider the annexation request; if this were to move forward, the developer would then file for petition for annexation; which includes a service resolution; goes to the County for review; developer would then submit plans to Planning Commission in a zoning application; which would include an overlay text and a storm water management plan; during that time, a new community authority document would be prepared; this is the legal obligation if it were to be annexed; cannot create an NCA on our own; has to be submission of

the property owner; would have to wait for the property to be annexed; Council would then consider for approval the following: annexation petition, zoning text with overlay limitations; storm water plan and petition for NCA; engineer and Planning Commission must approve; this is a several month process; County will have to review; not sure how long County takes for reviewing annexations; zoning changes take up to 6 months, depending; in response to developers request to come into the City, we have worked hard to ensure revenue component; also worked hard to bring in the character of what is in the area; density being proposed is 1.5 units per acre; estimated price for the home starts at \$450K; 93 homes are part of the development; that number is one less home than was previously provided and the developer will get into why that happened; same footprint exists; one homeowner on Reynoldsburg-New-Albany asked to be excluded from the plan; per Council's request; added language to the agreement for the turn radius, wanted to make sure emergency vehicles have sufficient access when coming from the west; clarified pedestrian connectivity coming from the south; language was changed to add the overlay text; specifically to eliminate exterior facade to natural elements; and limiting the size; required a minimum size for homes; said McGregor brought up a point to HOA long-term sustainability; similar to rezoning request to Meadowbrooke; have a clause stating once HOA is established, has to provide documentation to City that is legally binding to allow us access to the property; have to give notice to fix it; this is the strongest place to put this other than taking ownership ourselves; not in the position to determine at that time; Larick asked for clarification on being brought back on HOA; asked if it is actually against the owners: Jones said it is the real property as defined; Larick said so it is the owner; Jones said will leave that to the City Attorney; Ewald said yes; Jones said section is somewhat different as well; feel that the 5 acres adjacent from Hannah Park should be under the City's ownership; at first it was going to be part of the open space; after speaking with the Parks & Recreation Department, will require some fencing and match the Hannah Farms Park; want to be able to use it for passive activities; 5 acres are better in our control abutting our property; also tried to identify additional language from Code 1195.05; the post construction run-off control measures; due to Renner's comments; also added language to preserve mature trees in the open space; ensured plan would be considered by Council at the time of the zoning change consideration; would not be a decision without all the information given to Council; is our effort to limit the exposure risk the City has before accepting something they may not want; and Exhibit B changed some of the footprints for the project; turn over to developer who will highlight some of the project; Kevin Zeppernick, Vice President of land for M/I Homes; said this is a project targeting off of Route-605 (Reynoldsburg New-Albany Road); assembled four property owners; had a fifth for a

period of time; an access parcel; showed that location on the map; access parcel the gentleman had a change in terms; he came to us and asked to be let out of the contract; discussed how he would be involved; he will still have some frontage; would no longer be part of the project; would also not be annexing them into the project; are at 93 lots; is a 1.5 density per acre; have about 23.5 acres in green space; average lot size is pushing between 80 and 90; all meeting minimum SF-3 code; meet all of the qualifications; project from an estimation standpoint will take about 3 years; targeting a new product not done in central Ohio before; currently building in the Washington D.C. area; ranch product is not age restricted but is age targeted; thinking average price will be in the \$450K range; smallest plan is 1800 square feet; up to 2400 feet; all have full basements; most of the actual projects will have a two-car garage; have an option for 3 car; excited about bringing something like this to the area; despite price point, keep linear feet down in the front of the house; widest you will typically see is 50'; reason is every linear foot you add is more pipe feet you have; challenging to stretch a home wider; a lot of these projects move from 60-70' wide; when you walk into a home, even though you have a garage, you get an expansive view; from a street standpoint, get a strong elevation; even with a ranch, has some good height; fits quite well into the area; we are about a year into this process; did initially go to the Township; was not a fit for that time; found this product-type in the February timeframe; previous submission to Township was 106 units; excited about continuity going into Hannah Park; the 5 acres you see on the map, will likely go to the Parks Department; want the selling feature of having a great park; Darling and Rovilla Road, open to what the City wants; wants primary entrance to be off of 605; want all emergency vehicles to be able to access; have done the best we can to pull homes into the interior; want a large buffer; want to ensure a green necklace around the community; Larick said he mentioned 2-car option, standard, asked if all would have a 2 car garage; Zeppernick confirmed; Larick asked about space around the home; Zeppernick said most of it is being farmed; Larick said developed; Zeppernick said have not gotten that far into the project; would want Gahanna's input; McGregor said reference closing Darling Road; is a very narrow road; this would be adding more cars; have a hard time closing Darling Road; asked why we would allow; Zeppernick said would be open to discussion with the City; could leave the opportunity to open the road in the future; original assessment from County; would be detrimental to the area; improvements are necessary; if they are already recommending us not to do it, or if you do, would potentially need easement or right-of-way eminent domain; left open to future discussion; happy to explore that option; Larick asked Priestas for comments; Priestas said if left open as an access, would be requirements that should be constructed on Darling; would leave that up to the developer; would impact the residents in the area; roadway

condition is not at current standard; would need to be brought up to adequate standards; Leeseberg asked if they were the only access, if the access of RNA is sufficient; Priestas said would most likely need a left turn lane; would be through the County Engineer's office; Leeseberg said if you did a secondary access off Darling and improved the middle, does that meet our requirement; Priestas said does not believe so; Angelou asked for it to be shown on the map; Priestas showed on the map and said the turnaround would need improvement to meet County requirements; Zeppernick said one other concern initially with surrounding neighbors was traffic; what would additional 90+ lots do to the neighbors; if surrounding neighbors are fine with this, this is something we can explore; Leeseberg asked original number of homes proposed to Township; Zeppernick said around 106; possibly even higher at the 130 range with a certain product; then lowered to around 106 with the submission; Metzbower asked if he is confident with the price point; Zeppernick said fairly confident; others having huge success with this; have to do it in the right target market; great thing about this is having this built somewhere; seeing this now in Washington DC; they are around \$700-750K; the \$450K range believe is a sweet spot; Angelou said looking at the product in Virginia, some are in the \$800-900K range; Zeppernick said try not to over promise but if they want to option up on the inside, options will be there; Angelou asked about the type of product and the all natural; Zeppernick confirmed, is now in the text; will not see a vinyl product on this house; Larick asked facade or all around; Zeppernick said all four sides will be all natural; Schnetzer asked for additional from administration; one of his concerns with many items discussed; looking through the future; expecting a recession before this is done in 3 years; asked what protections are in place so the project doesn't change with time; want to make sure we get what we are being presented with; asked what text is in place; Jones said can meet that in two ways; want to ensure exterior facade is a certain caliber that speaks to the price point; exterior facade, that is one point that we feel will govern the homes on that property; and the overlay text would require every lot to be constructed in that manner; Hannah Farms hit a break during the last recession but they are finishing up; no matter what is built, will be built to this standard; also the square footage correlates with the pricing; nothing will be less than that; no matter what is built, will have that level of standard; nothing saying it has to be built in a certain timeframe; Schnetzer said there was another product in the city that it was built and then it changed hands; what was proposed was not developed; asked if code here is sufficient to restrict that; Jones said zoning code goes with the land no matter who owns it; all 61 acres will have to adhere to those standards; if not, they must come back to Council; once the zoning is passed, goes with the land; Leeseberg confirmed with the overlay, not a standard zoning; change of product to meet basic, will not happen;

Jones confirmed, said overlay adds restrictions; will be ironed out at the next phase; Zeppernick said discuss these things each week; do not believe we will see the recession like we did in 07 or 08; in 40 years, MI has never walked from a development site; we can attach elevations and floorplans to this agreement; can commit to those; Aaron Underhill said would rather attach to the text; at the Planning Commission level; Renner thanked Jones for the summary in the beginning; said the City did not solicit this; showed what we require at this point; thanked the discussion on being open to Darling Road; asked when we should have that discussion; a roadway access bullet was on the slide; Jones said agreement states emergency access only; could tweak that language; text now says emergency access; improving Darling Road, would lean on others to assist with that; is Council's prerogative; more we put in, the better the certainty; Renner said would like to put in language to explore the alternatives; Jones said can work with Shane and Aaron Underhill; Larick said proposal to close Darling was the original plan by MI; asked where it started; Zeppernick said started with the County; County wanted the road closed; said unless able and willing, do not have enough right-of-way in that area; have a lot of Township members in the room; open to hear concerns; know they have a voice here as well; heard very strong feedback that they did not want the additional traffic; this would go through engineering; could make it one way in; would not improve the road and add traffic, but would leave them open from both directions; would not be cut through; would give a little more flexibility; would be open to explore opportunities; Angelou asked, demographics, the age they are looking for; Zeppernick said around 60 years of age; likely from the area; maybe Township or New Albany; want a first floor master; likely do not have kids in school; have an offering close in New Albany; is an empty nester; missed the market by a bit; narrower lots; looked at demographics and see there is a need; Angelou said knows demographics are changing in the next 30 years; want to go with the schools; assuming the schools have been given some sort of impact; do they want this and can they handle this; 93 is better than 106; Jones said spoke with superintendent at the very start of this process; indicated that is about .5 child per household standard throughout Gahanna; that .5 could be lower with this product type; they told us the cost to educate a child is \$11K annually; our model takes revenue at the price point and is compared; schools would generate \$618K a year; costs would be \$513K; would be a net revenue; did the best they could to take into consideration; Angelou said if this all works out, asked how many bedrooms; Zeppernick said all two-bedrooms first floor, with a flex room; Angelou said that in itself could deter people with many children; Zeppernick said could also build out the basement; Larick said in regards to green infrastructure; as a direction for us as a community; see there has been some change in the language; the concepts, does this code meet those



expectations for water management practices; Priestas said it does; our code sections specifically address water volume and quality requirements; developers would provide a minimum of 50% green infrastructure; something we would have to determine with actual numbers later; feel comfortable with the language; Leeseberg said 50% is above what we usually ask; Priestas confirmed; Zeppernick said would also work closely for green infrastructure and maintenance; Larick said 50%, asked if that is inclusive to open waters that are untouched; or it does not include those and in consideration; Jones said entire project; Renner said he did introduce the City to a high-quality water specialist; Mayor has made great latitudes to where staff will meet later this week; Zeppernick said met once this week; they are having a follow up; meeting also on Thursday; Larick said also sent out questions that he is still waiting on a response from; Metzbower asked how the number 7 in arrived at for mills; Jones said estimated cost for project and feedback from multiple departments; 106 is what was worked with regards to revenue; took estimated costs annually and revenue; tried to get as close as possible to see the benefit to the City; the zero impact, is not worth our efforts; comparable to what is in the area; feels this is as aggressive as we can be; Mayor Kneeland said we also looked at from a loading perspective as to what the market can bear; struggling today with maintenance and infrastructure; looked at this from a pragmatic perspective; we can say 10 mills, but the developer can say no thank you, these seem to be bringing a component to the area; as we are visiting businesses, learning more of what the community needs; looking for some executive housing from a development standpoint; learning as we visit with businesses; the demographics are changing; the area is changing; want to capture that; want to be best in class and right with the market; Angelou said called Mr. Jones on Friday about that; there was some need for clarifying how this would go on for many years and not fall apart; Jones said spoke with legal counsel, Greg Daniels, from Squire, Patton and Boggs and in the long-run how they will maintain the expectations; the code was changed in 2011 to allow for the City to choose to create an alternative method of establishing the board of commissioners; we are proposing Council appoint all 7 members of the NCA; Council would have full authority to appoint those who would oversee the NCA; would require the NCA to enter into a legal contract with the City to administer the 7 mill charge on the residential projects identified; we would have the political authority as well as a legal contract; in this instance would be charging the 7 mills; can renegotiate the contract; would give them as much comfort as needed; Angelou asked if this was for a 5, 30 or like 100 year-term; Jones said our model is based on 25-year resurfacing and 50-year re-construction; really Council's prerogative; no deadline; Angelou asked if this would be any citizen in the City of Gahanna; Jones said does not have to come from a specific area; there are NCA's over

primarily commercial; alternative method state allowed is to allow Council to make appointments; in most instances is the petitions body; Angelou asked if they can say all members of Council; Jones said there isn't any limitations; will confirm that; Larick said would like to see this back in Committee; needs to follow-up on some items; Zeppernick asked if it is possible to do a first reading; on very sensitive timelines; Larick confirmed this is a 3 year project; asked if 2 weeks would hold that; Zeppernick said not 3 years for the folks selling the land; Angelou said we have two readings; Leeseberg said okay with first reading; Schnetzer asked if there is a benefit to first reading; Larick said speaker slips; Metzbower asked what the difference in flexibility is; Larick said if it is not put on first reading, it goes to Committee with option for moving forward; explained the process for Council readings; Renner said good with going to first reading; definitely have it go back to Committee; to show the interest; the developer is coming to play with some of the amendments that we are discussing; we still have freedom to postpone or table the item.

**RECOMMENDATION: Introduce, Back to Committee on 7/11/2016.**

## **ITEMS FROM THE CITY ATTORNEY**

### **1. Mutual Release**

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

Ewald said are still negotiating language changes; have not come to an agreement as this point; will be bringing this back; no item for tonight.

**RECOMMENDATION: Back to Committee.**

## 2. Personal Wireless Service Facility Code Change

[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 said have been attending Planning Commission meetings and interacting with the public; Planning Commission approved the draft copy; were some changes incorporated into the final version; Larick confirmed it is set from a legal perspective; Ewald confirmed; said we have requested a public hearing; Renner said has not been advertised yet; a public hearing will be 7/18; Angelou asked if it should be introduced; Ewald said we have built in enough time that it does not; Larick said hearing will be second Council meeting in July; second reading will be August; first reading will be the night of the public hearing; Ewald said that should keep us on the timeframe.

**RECOMMENDATION:** Introduce and Public Hearing on 7/18/2016.

## ITEM FROM THE DIRECTOR OF FINANCE

### 1. Tax Budget

[MR-0033-2016](#) MOTION RESOLUTION TO APPROVE THE 2017 ANNUAL TAX BUDGET AS SUBMITTED TO COUNCIL ON JUNE 27, 2016 AND TO DIRECT AND AUTHORIZE THE DIRECTOR OF FINANCE TO DELIVER SAID TAX BUDGET TO THE FRANKLIN COUNTY OFFICE OF BUDGET NO LATER THAN JULY 20, 2016.

Bury said this is the 2017 tax budget; needs to be filed on or before July 20; based on continuation of operating model from 2016; does not include any one-time capital or other items discussed for appropriations; Larick confirmed this is for the upcoming year; Bury said correct.

**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 can move this to next Committee meeting based on discussion tonight.

RECOMMENDATION: Committee on 7/11/16.

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

### 1. Capital Needs Assessments

#### [2016-0214](#)

Teal said have received no questions from Council; as we discussed earlier, if you have any discussion questions, give us a heads up the week prior; will be able to bring that; will keep this as an open discussion item over the next 2 Committee meetings; wanted to allow for plenty of questions; Larick said the current estimate is a guess, not a hard and fast number; is the 1.7 million going to be added based on trend; Bury said does appear we will be leaning toward another surplus; Larick said from a personal comment, have no concerns with finding effective ways to use that 1.7 million; have had multiple discussions about our revenue streams; have concerns about putting into items with an at risk future and no means to recoup those; not recoupable; except the 1.7; recognize the strategy and work that has been put in; have a gap between objectives and future resources; Mayor Kneeland said met with Joann and Jennifer last week to discuss the amount we are collecting over estimate; being conservative; will provide an internal plan to get behind and provide continuous funding and have dedicated funding sources; had the same concerns; discussed multiple times with Mr. Schnetzer the future; would like to attack the most basic ones first; will be bringing a plan forward; Larick said would be much happier with having less unplanned at the end of the year and more effectively planned with our regular plan and tighten that up; within reason; based on our budget level, that is measurable; Mayor Kneeland wants to understand how the estimate is built; are we being too conservative; not something he has a good handle on at this point; Larick said does not remember ending with less than we planned; we have to plan and make better use of the funds.

RECOMMENDATION: Committee on 7/11/16.

**REPORT - for information only - no action requested.**

#### [2016-0232](#)

**ADJOURNMENT**

8:26 p.m.

**Kayla Holbrook, Reporting**