



City of Gahanna

Meeting Minutes

Property Appeals Board

200 South Hamilton Road
Gahanna, Ohio 43230

*Sarah Pollyea, Chair
Jason Ruark, Vice Chair
Holly Haines
Monica Moran
Elizabeth Smith*

Jeremy A. VanMeter, Clerk of Council

Tuesday, April 29, 2025

6:00 PM

City Hall, Council Chambers

A. CALL TO ORDER: Pledge of Allegiance & Roll Call

The City of Gahanna Property Appeals Board met on Tuesday, April 29, 2025, in Council Chambers. Sarah Pollyea, Chair, called the meeting to order at 6:04 p.m. Board Member Jason Ruark led members in the Pledge of Allegiance. The agenda was published on Friday, April 25, 2025.

Note: Holly Haines was appointed by Council on March 17, 2025, to the board seat vacated by William Sweeney (Seat 1 - Unexpired Term 1/1/2023 - 12/31/2025), and was sworn-in on April 24, 2025.

Present 5 - Sarah Pollyea, Elizabeth Smith, Monica Moran, Jason Ruark, and Holly Haines

B. ADDITIONS OR CORRECTIONS TO THE AGENDA:

None.

C. APPROVAL OF MINUTES:

2025-0053 Property Appeals Board Minutes 1.14.2025

A motion was made by Moran, seconded by Smith, that the Minutes be Approved. The motion carried by the following vote:

Yes: 5 - Pollyea, Moran, Smith, Ruark and Haines

D. ADMINISTERING THE OATH:

Assistant City Attorney Roth administered the Oath to all parties providing testimony for the board's public hearings.

E. APPEALS - PUBLIC HEARINGS:

PAB-0002-2025

SIDEWALK MAINTENANCE PROGRAM APPEAL CODE SECTION 903.4 - 909 Harmony Drive, Michael Greiner, Appellant; Department of Engineering, Appellee

Chair Sarah Pollyea read the appeal into the record and explained the rules of procedure for the public hearing. She stated that the Board would allow public comment, with each speaker limited to three minutes. She stated that the appellant would receive a total of 15 minutes, including time for any interested parties, and that the appellee would also receive a total of 15 minutes, including time for any interested parties. She stated that the appellant would then receive five minutes for further argument or rebuttal, followed by five minutes for further argument or rebuttal by the appellee. She noted that Board members could ask questions and provide comments throughout the hearing. Chair Pollyea also explained that, upon disposition of an appeal, the Board could find in favor of the appellant or appellee, find in favor with modifications, or remand the matter with instructions to the appropriate city official, employee, or body for further consideration and action.

Chair Pollyea opened the hearing on the first item and invited the appellant to speak, requesting that he come to the podium and state his name and address. Michael Greiner stated his name and his address. Upon inquiry from Chair Pollyea, Mr. Greiner stated that he owned the property. Chair Pollyea acknowledged his response and invited him to proceed.

Mr. Greiner stated that, after speaking with the attorney, he had decided to withdraw his appeal. Chair Pollyea noted the withdrawal and asked whether he wished to request a refund of his filing fee. Mr. Greiner stated that he did.

The appeal was withdrawn by the Appellant at the meeting on April 29, 2025.

Filing Fee Refund Requested (Appeal Withdrawn)

Mr. Greiner conferred with the Chair and Clerk regarding the process for the refund. Assistant City Attorney Roth also clarified with the Department of Engineering Mr. Greiner's status for not opting out of the program and instead participating in the program. Paige Wright, Transportation and Mobility Engineer, noted there was nothing additional required and the department would take record through the board's meeting and proceed

accordingly.

A motion was made by Smith, seconded by Haines, that Michael Greiner, Appellant, 909 Harmony Drive, Gahanna, Ohio be refunded \$50 for the filing fee of the appeal PAB-0002-2025 that was withdrawn. The motion carried by the following vote:

Yes: 5 - Pollyea, Moran, Smith, Ruark and Haines

F. NEW BUSINESS:

PAB-0001-2025

SIDEWALK MAINTENANCE PROGRAM APPEAL CODE SECTION 903.4 - 341 Chilton Place, Mary Burkett, Appellant; Department of Engineering, Appellee

The appeal was withdrawn by the Appellant on March 12, 2025.

Filing Fee Refund Requested (Appeal Withdrawn)

A motion was made by Ruark, seconded by Haines, that Mary Burkett, Appellant, 341 Chilton Place, Gahanna, Ohio be refunded \$50 for the filing fee of the appeal PAB-0001-2025 that was withdrawn. The motion carried by the following vote:

Yes: 5 - Pollyea, Moran, Smith, Ruark and Haines

Proposed Rules Amendments:

RULES-0001-20 25

Property Appeals Board - Proposed Amendments to Rules of Procedure 4.29.2025

Chair Sarah Pollyea stated that the City Attorney had submitted proposed amendments to the Board's rules of procedure for review. She asked whether the Law Department or the Clerk had any comments on the proposed changes.

Assistant City Attorney Roth explained that City Attorney Tamilarasan had reviewed the rules for all boards and commissions with the goal of making them as cohesive as possible, including aligning rules and timelines across boards. He stated that, when the rules for this Board were originally drafted, they included a provision allowing the Board to call city staff to testify. He explained that this provision did not make sense because, in appeals before this Board, the City served as the appellee and relevant departments and employees already appeared to provide testimony. For that reason, the proposed amendments removed that provision. He further stated that the amendments changed several timelines from seven business days to five business days and otherwise

cleaned up and refined the rules, which had not required much use since the Board's creation.

Chair Pollyea opened discussion among Board members and first recognized Board Member Smith. Board Member Smith stated that she reviewed Article 11 and asked why it had been deleted. Assistant City Attorney Roth responded that relevant city staff would already be present as the appellee, so the Board did not need the authority to call additional staff. Board Member Smith stated that, in the current case, Engineering Department staff were present because the matter involved engineering issues. She then asked what would happen if the Board decided, in its discretion, that it needed to speak with someone else. She expressed concern about losing the Board's discretion to request additional individuals.

Board Member Ruark referenced the Board's authority to remand matters as part of its powers. Chair Pollyea responded that the Board could remand with instructions to a city official, employee, or body for further consideration and action. She asked Assistant City Attorney Roth to confirm whether the Board could remand a matter and request that a specific individual appear at a later, rescheduled hearing. Assistant City Attorney Roth stated that the Board could do so, but explained that City Attorney Tamilarasan did not envision a likely scenario where testimony from a department unrelated to the appeal would be necessary.

Board Member Smith stated additional concerns. She explained that, while the Board could remand after a hearing, situations could arise in which, during preparation for a hearing, the Board determined it needed testimony from someone else. She provided an example of a hypothetical nuisance or barking dog appeal where the Board might want testimony from a police officer or another city employee. She stated that she opposed removing the Board's discretion to request such testimony.

Chair Pollyea thanked Board Member Smith. Board Member Ruark stated that he agreed with her concern in that scenario and had no further comments. Chair Pollyea then recognized Board Member Haines, who stated that Board Member Smith raised a good point and that she had nothing further to add. Board Member Moran stated that limiting the authority of a Board intended to promote transparency for the citizens of Gahanna conflicted with the Board's purpose. She stated that she

opposed any changes that would limit the Board's scope or its ability to obtain all relevant information.

Chair Pollyea stated that she had no additional comments. She explained that the Board could move to adopt the rules as proposed, adopt them with amendments to Article 11, or adopt them and then vote on amendments. She asked whether a Board member wished to make a motion.

Clerk VanMeter added comments regarding implementation and asked how Section 11.2 would operate in practice, including whether an individual Board member or the full Board would need to make a request, and how such requests would comply with open meetings requirements. Board Member Smith asked whether this situation had been contemplated previously, and Clerk VanMeter responded that it had not. Board Member Smith agreed that this raised a good point and suggested that the Board would vote by majority to request an additional person.

Assistant City Attorney Roth stated that he interpreted the rule to mean that a Board member would communicate a request through the Chair at least 48 hours in advance, the Chair would communicate with the Clerk, and the Clerk would notify the appropriate city staff member. He stated that such requests would need to occur in advance of the meeting, not during or after the hearing.

Chair Pollyea agreed that requests would need to occur in advance and discussed communicating requests to the Chair or Clerk, as well as potential limitations on the availability of appointed officials. Assistant City Attorney Roth stated that earlier communication increased the likelihood of attendance and noted that the Board could continue a hearing if the requested individual was unavailable.

Chair Pollyea asked whether there was any further discussion. Hearing none, she stated that the Board first needed a motion to adopt the proposed changes. Board Member Smith moved to adopt the proposed changes.

Chair Pollyea asked for a second. Board Member Moran requested clarification and stated that the intent was to strike Section 11 while

accepting the rest of the changes. Chair Pollyea explained that the Board would first adopt the changes as submitted and then consider a separate motion to amend Article 11 by striking the proposed redline changes. She asked again for a second, and Board Member Ruark seconded the motion. Chair Pollyea asked whether there was further discussion and hearing none, proceeded.

Board Member Smith then moved to amend the rules by adopting the proposed changes but excluding the changes to Sections 11.1, 11.2, and 11.3, leaving Article 11 otherwise intact, including Section 11.4 identifying the City Attorney or designee as legal adviser to the Property Appeals Board. Chair Pollyea clarified that the amendment would leave Article 11 unchanged and remove all redline edits. Board Member Smith confirmed that clarification. Board Member Moran seconded the motion to amend.

Chair Pollyea stated that the Board would proceed to a roll call vote on the motion to amend, which preserved Article 11 without the proposed redline changes, and directed the Clerk to conduct the roll call.

A motion was made by Smith, seconded by Moran, to Amend the motion to adopt all proposed changes to the Rules of Procedure, by incorporating all proposed changes, except for those striking Article XI sections. The motion carried by the following vote:

Yes: 5 - Pollyea, Moran, Smith, Ruark and Haines

Chair Pollyea stated that the motion to amend carried. She stated that the Board now needed to move to adopt the rules as amended, which struck the redline changes from Article 11 and retained Article 11 as originally written. She noted that the motion to adopt the rules had already been made by Board Member Smith and seconded by Board Member Ruark.

Chair Pollyea asked whether there was any discussion on the motion to adopt the rules as amended. Hearing none, she requested a roll call vote.

A motion was made by Smith, seconded by Ruark, that the Rules of Procedure be Approved as Amended. The motion carried by the following vote:

Yes: 4 - Moran, Smith, Ruark and Haines

No: 1 - Pollyea

G. POLL MEMBERS FOR COMMENT:

Board Member Smith stated that she had no comments other than thanking everyone for ensuring that the process moved smoothly.

Board Member Moran stated that it was a great meeting. She stated that having context for some of the rules, possibly through advance discussion or explanation, might have helped move the process forward, but she otherwise thanked everyone for the meeting.

Chair Pollyea then welcomed Board Member Haines to the Board and invited her to introduce herself and share a brief background. Board Member Haines introduced herself as a resident of Gahanna in Ward Two. She stated that she had lived in Gahanna for nearly four years and expressed excitement about serving on the Board and contributing to and supporting the City. Chair Pollyea thanked Ms. Haines for her willingness to serve and stated that the Board looked forward to working with her. Chair Pollyea thanked all members for making themselves available for the meeting and expressed appreciation for everyone's time.

H. ADJOURNMENT:

With no further business before the board, Chair Pollyea adjourned the meeting at 6:25 p.m.

Jeremy A. VanMeter
Clerk of Council

*APPROVED by the Property Appeals Board, this
day of 2026.*

Chair