



City of Gahanna

Meeting Minutes

City Council

200 South Hamilton Road
Gahanna, Ohio 43230

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

Krystal Gonchar, Deputy Clerk of Council
Council may caucus at 6:30 p.m.

Monday, April 1, 2019

7:00 PM

City Hall, Council Chambers

A. CALL TO ORDER - Invocation, Pledge of Allegiance, Roll Call

Gahanna City Council met in Regular Session on Monday, April 1, 2019, in Council Chambers of City Hall, 200 South Hamilton Road, Gahanna, Ohio. President of Council, Brian Metzbower, called the meeting to order at 7:00 p.m. Vice President of Council, Stephen Renner, delivered an Invocation followed by the Pledge of Allegiance. Agenda for this meeting was published on March 29, 2019.

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

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

A motion was made by Larick, seconded by Renner, to amend the agenda to add Executive Session, under authority of Section 5.40(a) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. The motion carried by the following vote:

Yes: 7 - Angelou, Leeseberg, Renner, Schnetzer, Larick, Metzbower and McGregor

C. HEARING OF VISITORS

Jeannie Hoffman, 708 Waybaugh Dr.; would like to make sure that Council understands the importance of communicating this credit change to the community; would prefer that a letter be mailed to every resident before people go to the polls; do whatever it takes to get the message out to all residents, not just engaged residents.

Angelou added that if issue 12 passes, then this reduction in credit won't go into effect.

- Mayor Kneeland 2020 Census Partner Month Proclamation

Mayor Kneeland stated that there's a Census in 2020 and we need to provide a proclamation for the census as this is census partnership month; Mayor read the proclamation.

D. INTRODUCTIONS AND ASSIGNMENT TO COMMITTEE:

Vice President Renner introduced the items under Section D.

Ordinances - To Be Introduced and Assigned to Committee:

[ORD-0030-2019](#) TO REZONE 2.87 +/- ACRES OF PROPERTY AS SO, SUBURBAN OFFICE, SAID PROPERTY LOCATED AT 4297 & 4301 JOHNSTOWN ROAD; PARCEL ID NOS. 027-000142 & 027-000098; CURRENT ZONING ER-2, ESTATE RESIDENTIAL; AARON UNDERHILL, APPLICANT.

This item was introduced.

[ORD-0032-2019](#) TO AUTHORIZE AN AGREEMENT WITH GAHANNA PARKWAY LLC, FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 1140 GAHANNA PARKWAY; PARCEL ID NO. 025-007810; FOR A PERIOD OF TWELVE YEARS, FOR ONE HUNDRED PERCENT TAX ABATEMENT ON THE INCREASED VALUE OF THE PROPERTY; PART OF COMMUNITY REINVESTMENT AREA #3.

This item was introduced.

[ORD-0033-2019](#) TO AMEND CHAPTER 941- GARBAGE AND RUBBISH COLLECTION, OF PART FIVE-OTHER PUBLIC SERVICES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

This item was introduced.

E. CONSENT AGENDA:

Minutes - To Approve:

[2019-0046](#) Meeting Minutes for the Regular Council meeting on March 18, 2019, Committee of the Whole & Finance Committee meetings on March 25, 2019; Committee of the Whole and Finance Committee meetings on

January 28, 2019.

These Minutes were approved and filed on the Consent Agenda.

Ordinances on Second Reading:

[ORD-0028-2019](#) SUPPLEMENTAL APPROPRIATION- Insurance Claim Proceeds.

This Ordinance was adopted on the Consent Agenda.

[ORD-0029-2019](#) TO AUTHORIZE THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) FOR THE ACCEPTANCE OF A GRANT AND TO SUPPLEMENTALLY APPROPRIATE SAID FUNDS TO THE CAPITAL PROJECTS/IMPROVEMENT FUND.

This Ordinance was adopted on the Consent Agenda.

[ORD-0031-2019](#) SUPPLEMENTAL APPROPRIATION- Refuse Escrow.

This Ordinance was adopted on the Consent Agenda.

Pass the Consent Agenda

A motion was made by Angelou, seconded by Renner, to Pass the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Angelou, Leeseberg, Renner, Schnetzer, Larick, Metzbower and McGregor

End of the Consent Agenda

F. PUBLIC HEARINGS: None.

G. COMMITTEE UPDATES: None.

H. CORRESPONDENCE AND ACTIONS:

Clerk

None.

Council

None.

I. SECOND READING OF ORDINANCES:

To Amend by Substitution and Adopt

[ORD-0116-2018](#) TO AMEND SECTION 161.081, CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY, OF CHAPTER 161, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

A motion was made by Renner, seconded by Schnetzer to amend by substitution and adopt ORD-0116-2018. Schnetzer said to continue the line of thinking from a few weeks ago, the preference would include reference to existing tax rate that the city has; if issue 12 were to pass, the credit would be 100%; there would be no need to reduce the credit; if issue 12 fails then it would be necessary; a few weeks ago we asked the City Attorney to write language based off the discussion at the Committee Meeting; don't see any changes.

Ewald said that Schnetzer was correct; was asked to look at the option of identifying appropriate tax rate at the credit level Council is suggesting; based on mid step that we are taking, it is problematic to adjust midyear rate with a duration time period; what is meant by that, is this is clearly broken down by "as of this date, here's your credit level" until finally, you reach Jan. 1 of next year and "here's your credit level"; when introducing tax rate and making midyear adjustments it complicates the language; given the issue we are having now, would not want to leave that for our successors one day; have reached out to outside counsel to see if there were other options.

Angelou asked if this were to change at the beginning of next year, is that problematic. Ewald said it is less problematic at the full year, or just make one adjustment; notice that our tax rate is separate; would urge debate amongst yourselves and tell me your preference. Larick said there are a variety of reasons behind the concern over changing this; to Ewald's point, want to ensure we don't put ourselves at risk; wants this to be good legislation; legally supportable; would like to postpone to date certain; would support modifications to this.

Angelou said that in our discussion of 50% as of July 1, and 0% as of Jan. 1, asked if that is where the difficulty is. Larick said no; fine with amount; wants to clean up language. Angelou stated she wants to ensure that we leave people with the knowledge of what's going on; voting begins April 9; would like people to know before voting; asked Larick to

be more explicit with his thoughts. Larick said language should be tied to a tax rate as opposed to dates; we have legislation on the table that is wide open instead of being focused like what's on the ballot.

Metzbower asked Ewald if we were to pass this and issue 12 passes, would that would supersede this. Ewald said if issue 12 passes then this won't go into fruition; if this passes today, it does not go into effect until the outcome of issue 12, and then July 1, if it fails; stated that we attend these meetings and we know the language and code; what we can't forget is that residents don't live and breathe this and maybe don't understand the intricacies; the language will always be construed against the city. Renner asked Ewald to confirm if outside review of current proposed legislation says that by doing this July 1 reduction, there's a risk. Ewald said no, said this code is solid; if we inject taxable rates in this then there's a high level of risk because you would be adjusting on a durational time scale; if you want to put additional constraints about where the money would go, would like to add that was included under Section C previously, and was asked to remove that; we can put it back or add something different. Renner said we have already publicly said we need to balance if issue 12 does not pass; now we are talking about another delay; the next available time on our normal schedule is April 15; can do a special meeting; feels an extreme sense of urgency to resolve this as quickly as possible; would like to make a motion to scrap that piece of the code tonight and pass this for 0% on Jan. 1. Ewald asked if he wants to remove the mid-point. Renner confirmed, due to extreme sense of urgency.

McGregor asked if two ordinances would make any difference, to separate them. Ewald said he does not know how that would resolve the issue. McGregor asked if the 50% was fine if not tying to a rate. Ewald said it needs to be based on a foundation, not a duration. Schnetzer asked what is the triggering mechanism. Ewald said this is contingent on the Ordinance being passed by the electors. Schnetzer said that's in Section 4. Shane said "subject to rejection." Schnetzer said he's comfortable voting on that tonight; if Larick makes changes, then it would get back to us by Friday, maybe Monday, and we would need to have time to digest those changes.

Larick said lots of time and energy has gone into writing legislation for the ballot issue; time and time again we have talked about restricting spending; this does not have any of that; this is a shortcut. Schnetzer asked about drafting; if we are going to carve up the credit, do we feel confident that the information is available to write that legislation. Larick

said it is simple, a rate defined at 1.5 percent with zero credit is the same dollar amount; would duplicate what is done with issue 12; one percent is divvied up. Metzbower said for issue 12 there was an establishment of 3 funds. Larick said no money is going to general fund for issue 12.

Metzbower asked about the amounts this reduction would bring in. Schnetzer said the zero percent would bring in additional \$8 million. Metzbower said that's for an entire year, not half. Larick moved to postpone to date certain to April 8. Angelou said this has to be written clearly and precisely. Ewald said what he is hearing is to build in restrictions based on issue 12, can work with Larick on that, secondly, the framework is ok but are we removing 50% in July. Larick said if it can be done, then leave it in. Metzbower said that would not generate revenue here and now; July 1 was purposeful in hopes of being able to provide more funding for the administration. Larick said he believes this can be done.

Renner asked if there's enough time to have outside counsel review and resubmit by the end of the week. Ewald confirmed. Angelou said we are in the process of hiring for camps and pools; if issue 12 does not pass and we don't go down to 50%, will there be money for those people hired. McGregor said we are funded for 2019. Larick said the budget passed for 2019 includes funding for pools and other activities, so unless there's some other change, those positions are funded; the pools are funded to be open until school starts with a one hour reduction in hours. Angelou said she wants to ensure they will be able to be funded; we have frozen salaries at this point and those will remain frozen. Larick said the forecast has not changed; the positions that were defunded are effective June 1, based on the passed budget; question is whether or not the position could be re-funded is dependent on issue 12.

Angelou said we had Coffee with Council on 3/30 and had great questions about these things; had a question about people working in different cities but living here, they will have to pay another 1%; if we don't get money from issue 12 then we may have to make more cuts. Schnetzer said the money those non-residents pay to Gahanna for working here amounts to around \$4 million leaving the City. Mayor said by increasing the income tax rate to 2.5%, would get us that \$4 million.

Larick reiterated that the motion on the table is to postpone to date certain, due back Monday, April 8; seconded by Schnetzer. Metzbower asked if we want to hold a special meeting this week. Angelou asked the

Mayor to advertise on the signs throughout the city.

Schnetzer said Council rules allow for reconsideration; would entertain holding a special meeting sooner to vote on this. It was determined to have a special meeting sooner. Larick said if the motion to reconsider passes, then the date would be April 5. Schnetzer said the sole purpose was to get communication out sooner. McGregor suggested having an informational meeting, perhaps in the form of Coffee with Council. Larick suggested Saturday morning on April 6. Renner said he still stands firm that a letter needs delivered to every household in the City. Leeseberg asked how we will pay for this. Renner said we will look at the budget. Leeseberg said this conversation feels similar to January meetings where we scrambled to hold special meetings to get the budget passed; we have defensible legislation and he wants to get this out so that GRIT can keep working; does not want to sabotage this, which is why he voted no to get this on the ballot in May; we have had no less than 3 Finance Committee meetings to discuss this.

Metzbower stated that we want to be as transparent as possible; we should have already had this ready for tonight. Renner stated that Leeseberg made good points about having already discussed this in meetings; does not understand why we are doing this at the 11th hour; urges for simplicity; please pass this. Schnetzer said implied in the motion is the intent of a better path; is also fine voting on this tonight; said whatever is brought forward, this should be voted on in a unanimous fashion. Metzbower asked if those funds which would be generated by this could be used to re-fund the positions which were defunded. Ewald said the way the language is now, yes; money would go into the general fund; the language Larick is suggesting, funds would go to parks, safety, streets. Schnetzer said the credit is an entitlement to residents working outside the city; people living and working inside the city pay 1.5%; people living outside the city and working in the city will see an increase. Metzbower said he will be voting "no" on this. McGregor said this is opposite of what issue 29 was; we said we would have targeted monies. Angelou confirmed. Schnetzer reiterated that he was ok with the language but will support a re-write to come back on 4/5/19. Metzbower stated he agrees with the buckets of targeted funds. Renner said we need to make the code more explicit; we have been on the record many times over and have expressed how we are going to spend the money; just cautious that we are delaying. McGregor apologized for not having thought of those additions sooner; wants people to better understand where the money is going. Ewald confirmed that the issue 12 buckets would go back into the language. Metzbower confirmed the time for the

Special Meeting would be at 6:30 p.m. on Friday, April 5.

A motion was made by Larick, seconded by Schnetzer, that the Ordinance be Postponed to Date Certain, to the City Council - Special, due back on 4/8/2019. The motion carried by the following vote:

Yes: 4 - Angelou, Schnetzer, Larick and McGregor

No: 3 - Leeseberg, Renner and Metzbower

A motion was made by Schnetzer, seconded by Renner, to Reconsider the Postponement to Date Certain, April 8. The motion carried by the following vote:

Yes: 6 - Angelou, Leeseberg, Renner, Schnetzer, Metzbower and McGregor

No: 1 - Larick

A motion was made by Larick, seconded by McGregor, that the Ordinance be Postponed to Date Certain to the City Council - Special, due back on 4/5/2019. The motion carried by the following vote:

Yes: 5 - Angelou, Leeseberg, Schnetzer, Larick and McGregor

No: 2 - Renner and Metzbower

To Amend by Substitution and Adopt, As Emergency

[ORD-0015-2019](#) TO AUTHORIZE THE MAYOR TO SIGN AND ADOPT THE PAY PLAN ADMINISTRATION POLICY, RETROACTIVE TO JANUARY 1, 2019; AND TO DECLARE AN EMERGENCY.

Larick asked when the Chair refers to the amendment to be adopted, which attachment is he referring to. Metzbower asked which is the current. Larick stated that it was the attachment which included the date 3.25.19.

A motion was made by Larick, seconded by Renner, that the Ordinance be Adopted, as Amended, as an Emergency. The motion carried by the following vote:

Yes: 7 - Angelou, Leeseberg, Renner, Schnetzer, Larick, Metzbower and McGregor

J. FIRST READING OF ORDINANCES: None.

K. RESOLUTIONS/MOTION RESOLUTIONS: None.

L. REPRESENTATIVES:

Community Improvement Corporation (CIC) - Larick

Larick stated that he was unable to attend. Metzbower stated that there was a discussion about a separate fund and making a donation to GRIT; they also reviewed the yearly audit.

Mid-Ohio Regional Planning Commission (MORPC) - Angelou

Angelou stated that the meeting next Thursday will be for the Executive Meeting; that is also Patrick Monaghan's last day; he is leaving the Senior Center and took a job at Upper Arlington.

Governmental Liaison - Metzbower

Metzbower stated that he met with the School Board last week to inform them that we were holding discussions on the tax credit.

Convention & Visitors Bureau (CVB) - Schnetzer

Schnetzer was unable to attend the last meeting. Laurie Jadwin was in attendance, so she provided an update; Gahanna was featured in City Scene magazine; showcased Travel Expo. Metzbower noted that Gahanna was highlighted in the Beatty Bulletin from Congresswoman Joyce Beatty.

M. OFFICIAL REPORTS:

Mayor

No report.

City Attorney

No report.

N. COUNCIL COMMENT

Angelou thanked City Attorney Ewald for his work on this tax credit language; hopes it doesn't go into effect because we are looking forward to issue 12 passing; nephew lost his leg in a motorcycle accident some years ago and now has infection, asked for their prayers. Metzbower thanked Larick for his hard work; believes we are on the path we need to be on; we are up here in comradery, which is important.

- O. EXECUTIVE SESSION: to go into Executive Session under authority of Section 5.40(b) of the Council Rules of Procedure to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit- for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.**

A motion was made by Renner, seconded by Schnetzer, to go into Executive Session under authority of section 5.40(b) of the Council Rules of Procedure to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit- for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; and

to go into Executive Session under authority of Section 5.40(a) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Council rose to report to Executive Session at 8:34 p.m. Chair Metzbower invited the Director of Parks & Recreation and Director of Planning & Development to join Council in the Council Conference Room. Metzbower later invited David Hodge to join Executive Session.

Council rose to report from Executive Session at 10:02 p.m. with no action taken.

The motion carried by the following vote:

Yes: 7 - Angelou, Leeseberg, Renner, Schnetzer, Larick, Metzbower and McGregor

- P. ADJOURNMENT**

At 10:02 p.m.