



City of Gahanna

Meeting Minutes

Committee of the Whole

200 South Hamilton Road
Gahanna, Ohio 43230

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

Krystal Gonchar, MPA, Clerk of Council

Monday, October 25, 2021

7:00 PM

Council Chambers

A. CALL TO ORDER.

Vice President of Council Nancy McGregor called the meeting to order at 7:00 p.m.

B. ITEMS REFERRED BACK TO COMMITTEE:

1. [ORD-0060-2021](#) AN ORDINANCE TO ADOPT A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED ONE YEAR; AND TO DECLARE AN EMERGENCY.

Bowers stated that she had questions; wondered if the Administration had more information. Director of Economic Development Nate Strum stated that he did research and found that Columbus has custom legislation for notification; Westerville and Worthington have a ban across the board; Whitehall had no legislation; regarding safety, no municipality was willing to share any data. McGregor said in theory we could do a moratorium on some parts but there are four different activities. Strum stated that there is cultivation, production, dispensary; could do a moratorium on one or all. McGregor asked if the distribution was from a warehouse or a dispensary. Strum said he is unsure. Mularski stated that the current proposed language is on all; but distribution could be either one of those two things; this would give time for the city to review which ones they want to include in the future. Strum stated that testing is the fourth area: cultivation of, processing of, retail dispensing of, and testing of.

Bowers stated that the purpose of the 2018 moratorium was to investigate, engage the community, and research questions about impact; we understand that this was not accomplished by the prior administration; what is the process and timeline moving forward. Mayor Jadwin stated that the one-year was based off the recommendation of the City Attorney; if council wants a six-month then they will create a six-month plan. Leeseberg stated that the next three months would be budget season, and then there will be a new council member in January, understands the request for one-year is so that administration can work with council; then why move forward with this now; understands it's to prevent anything from happening in the meantime. Jadwin stated that they are getting inquiries now. Strum stated that they received an inquiry this afternoon, for a dispensary. Bowers asked if a business is zoned for commercial and signs a lease and then we slip in a moratorium, what exposure does the city have. Mularski said if they are not zoned for it now and we put a moratorium in place then they can't be zoned for it. Bowers reiterated if they are zoned for it today. Mularski said there wouldn't be a liability, they would be grandfathered in. Leeseberg said there is a Nov.4-18 window for the state, hence the recent inquiries; if you are zoned for it then you can begin getting the provisional license, which puts you in the higher priority pile. Bowers asked if Strum could share the legislation he obtained from other cities. He confirmed.

McGregor asked if there was any interest in removing some of the uses from the moratorium; was thinking cultivation is just agriculture. Leeseberg said that testing could produce high paying jobs in a laboratory setting. McGregor was also considering it from a job perspective. Bowers reminded them that Strum said previously that cultivation would not be likely due to cost of land and controlled warehouse space. Strum confirmed that the testing and dispensary options would be more likely in Gahanna. McGregor stated that she would be in favor of a moratorium on the dispensary but perhaps the other uses should be allowed. Bowers stated that this is for medical marijuana only; for people who have a license with the state.

Renner urged people to drive by the facilities where the operations occur, especially at times when they are crowded with patrons; does not want these in Ward 1, which has a lot of areas that are targeted for commercialization; does not think it's right for Gahanna. Angelou stated that she suggested contacting resident Lloyd Pierre-Louis; asked Mayor if she was able to reach him. Mayor stated that she had not. Pierre-Louis happened to be sitting in the audience and stated that he would try to answer any questions they had; stated that he's an attorney and part of his practice includes medical marijuana; works with people who try to obtain licenses; has a client who is interested in dispensary in the city;

not here to advocate for one position or the other but will try to answer from an education perspective. Angelou asked if as a citizen, is this something we should not be afraid to do because of issues it may cause or is it something watched so much that there would not be any problems. Pierre-Louis stated that his client would be opposed to moratorium but as a resident does not have an issue with it; dispensaries can be limited by number; has not seen the parade of horrible's that some people are concerned about; the licenses are extremely regulated with background checks; dispensaries have highly regulated security requirements; must have a medical card to enter the site; the Board of Pharmacy can access video surveillance at any time; New Albany allowed for police search at any time; there are guardrails short of a moratorium; if this is passed then it will stop dispensaries due to state deadlines for applications.

Angelou asked if the payment for obtaining the product, is it all in cash, which creates an issue with security. Pierre-Louis confirmed that there are very minimal financial institutions that will allow for transactions. Angelou stated that it's expensive. Pierre-Louis said the price per ounce is high; unsure of street value for comparison. Bowers asked about the timeline for the process. Pierre-Louis reiterated what Leeseberg had stated earlier. Renner stated that he is aware and sensitive to the fact that people have prescriptions for this; there are other dispensaries very close to the city; has questions about the market for these. Pierre-Louis said he has clients who are in the market. Renner stated that we are sympathetic to residents who have these prescriptions, but again, this is not what we are discussing; why are people interested in opening up shops here. Pierre-Louis stated that his practice does not go out and find locations; locations are found due to population and patient counts; when Board of Pharmacy released statement that they are allowing more, it was based of registered patients and based off each district; can't answer specifically why Gahanna. Renner concerned with public safety.

Schnetzer stated that he wants to reframe the ask in front of them; the Administration has asked for one year; that's what they felt they needed; if that's the length of time they need for research and evaluation, then would consider their request. Strum said he didn't think anyone was prepared for this new round of expansions; will continue to monitor as it evolves. Bowers said she is uncomfortable with the timeline being the length of the moratorium would like to craft it narrowly and extend if needed; would like to explore range of options. Jadwin stated that was the reason for the moratorium; to pull sample ordinances, etc.; would prepare for community and Council input.

McGregor asked if the four terms that Nate provided should be added. Mularski stated that in Section 2 of the Ordinance, testing should be included; confirmed with the Clerk that it would be changed.

Recommendation: Second Reading; Regular Agenda 11/1/2021.

2. [ORD-0064-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH VONAGE BUSINESS INC. TO PROVIDE UNIFIED COMMUNICATIONS AS A SERVICE.

Larick stated that this was coming back because he was looking for more information; thanked IT Manager for additional information; having the ability to review detail is helpful in making decisions; looked at 3 proposals and all seem within reason; had an opportunity to understand some of the decision making; no questions at this time.

Recommendation: Second Reading; Regular Agenda 11/1/2021.

C. RECOMMENDATIONS FROM PLANNING COMMISSION:

1. [ORD-0066-2021](#) AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF GAHANNA ADOPTED BY ORDINANCE 198-96 ON NOVEMBER 19, 1996 AND AS SUBSEQUENTLY AMENDED: Changing the Zoning District of a 1.59 +/- acre parcel located at 5847 & 5875 Taylor Rd.; PID#s 025-000110 & 025-013635 from Office, Commerce and Technology (OCT) District; to Two-Family Residential (MR-1) District; VRGII, Jordan Fromm, applicant.

Director of Planning Michael Blackford provided a summary of the zoning request; see attached presentation, and Planning Commission Meeting Minutes attached; recommended approval by unanimous consent. Applicant Jordan Fromm is in attendance. Schnetzer asked about future Land Use Plan notating that area as being commercial; what is the option value of that land if commercial; is there viability for that. Blackford stated that it would be very difficult to develop to the south because of being too narrow; the property to the west was annexed for residential use; to the east is very narrow and a city owned property, and then residential; would be challenging even with variances; has only received inquiries for residential purposes there.

Bowers asked if this was located in a CRA. Blackford confirmed, is in CRA 3. Bowers asked if the applicant would be seeking an abatement. Fromm stated that he has not decided whether to do so. Leeseberg asked if the existing home would remain. Fromm confirmed. Leeseberg asked what variances were approved. Blackford stated that they were for setbacks; for the garage location; and conditional use extended for three years. Leeseberg asked if those variances were across the entire property or just existing structure. Blackford confirmed only for the existing structure. Larick asked if this were to be split into 2-4 property units would they still be considered singled family. Fromm stated that they will follow the market of either single-family or duplexes; but there's a lack

of buildable space on the site. Larick asked about price points. Fromm said market rate; the neighboring conservation is a selling point. McGregor asked about the density. Blackford said 2.5 units; based on two lots on 1.59 acres, so double that if they end up doing duplexes; 8 units instead of 4. McGregor asked why it was changed from residential. Blackford said unsure but use has been residential. Jadwin stated it's a post 1994 CRA.

Recommendation: Introduction/First Reading on 11/15/21; Second Reading, Public Hearing on 12/6/21.

2. [ORD-0067-2021](#) AN ORDINANCE TO AMEND PART ELEVEN, PLANNING AND ZONING CODE, CHAPTERS: 1105, 1108, 1131, 1133, 1151, 1169, 1177, 1181, and 1187, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.

Clerk stated that the objective for the code changes is to modernize the way public hearing notices are published. Similar changes were proposed in 2019; Planning Commission recommended approval to Council by unanimous vote; brought forward again this year and no comments from the public; the Commission recommended approval again; felt it was appropriate in 2019 and felt it was still appropriate today; the current ask is to move away from publishing ads in the newspaper, specific to Planning Commission Applications; the internal processes are limited by functions and deadlines of the local newspaper, which is not truly a local paper any longer; paper printing has been outsourced to Indiana; notary services have been outsourced to Wisconsin; the Rocky Fork Enterprise distribution has changed; it is now a combined paper of Gahanna and New Albany and is not consistently delivered to all residents; the costs of running ads in the paper continues to increase while there are numerous other options for publishing notices at a zero cost to taxpayers, which are more effective in reaching people in larger numbers; in order to process, we need the applications in some instances, up to 3-4 weeks ahead of a planning commission meeting in order to meet newspaper deadlines; if the code changes, we can greatly reduce applicant wait times, but still have the notices out in the week preceding the meeting, or 2 weeks preceding the meeting, depending on the application type, by posting on the official city website, and ancillary outlets; we would be cutting out at approximately 2 weeks minimum of dead time; earlier this year Ohio Municipal League provided testimony to the Senate Finance Committee, calling for state leaders to ease municipal public notice requirements for items required by Ohio Revised Code; those requirements predate the internet age; the COVID pandemic has forced governments to modernize communication methods by using things such as official websites and social media; it

has forced offices to find creative ways of reaching the public and it has forced the public to utilize other methods of getting their information; we tried prior to COVID, prior to the telecommuting wave to modernize our processes, but because of COVID we have gotten better at communicating electronically and residents have become more receptive; the timing is right.

Larick stated that using the official website and electronic means of communication is efficient and broad based, maintaining a prominent location here at City Hall for those folks who don't have access to the internet or simply prefer that method, seems to cover both ends; is a very good process.

Recommendation: Introduction/First Reading 11/1/21; Consent Agenda 11/15.

D. ITEMS FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES:

1. [ORD-0068-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE AMENDED AND RESTATED AGREEMENT WITH THE CENTRAL OHIO HEALTH CARE CONSORTIUM (COHCC) FOR THE JOINT SELF-INSURANCE PROGRAM EFFECTIVE JANUARY 1, 2022.

Director of Administrative Services Miranda Vollmer read from the attached Report to Council. No questions from Council.

Recommendation: Introduction/First Reading 11/1/21; Consent Agenda 11/15/21.

2. [ORD-0069-2021](#) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO ADDENDUM TO EXTEND SERVICE AGREEMENT FOR A THREE-YEAR PERIOD WITH SEDGWICK CLAIMS MANAGEMENT SERVICES, INC., AS THE PROVIDER FOR THIRD-PARTY ADMINISTRATION SERVICES FOR THE SELF-INSURED WORKERS COMPENSATION PROGRAM AND STATE FUND CLAIMS.

Vollmer read from the attached Report to Council. No questions from Council.

Recommendation: Introduction/First Reading 11/1/21; Consent Agenda 11/15/21.

E. ITEMS FROM THE DEPARTMENT OF PUBLIC SERVICE & ENGINEERING:

1. [ORD-0070-2021](#) AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GAHANNA; TITLE THREE PUBLIC UTILITIES - CHAPTERS 921, 927, AND 929.

Director of Public Service & Engineering Grant Crawford read from the attached Report to Council; the language says they need a waiver, but they do not in fact. Angelou asked about the cans, will we just have one for everything. Crawford said there will be one for recycling and one for

the other; Local Waste will supply. Angelou asked if they will have composting. Crawford said no. Jadwin said they are working on a grant application for food waste composting. McGregor asked about smaller can options. Crawford said the company will ask residents to try it out for a time period and if it's not manageable then they are open to supplying a smaller cart. Larick asked about the yard waste process. Crawford said it should be placed at the street on the same day as trash. Larick asked about overage. Crawford said overage is ok; can put out as much as you want. Angelou asked about large items. Crawford said they ask that a call be placed ahead of time; same as now. Bowers asked about carryout service. Crawford said the collector will walk up to the house to collect the trash; is not common; they also provide a handicap service. Bowers asked if 941.02 is being edited. Crawford said no.

Recommendation: Introduction/First Reading 11/1/21; Consent Agenda 11/15/21.

2. [ORD-0071-2021](#) AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GAHANNA; TITLE FIVE - OTHER PUBLIC SERVICES: CHAPTER 941 - GARBAGE AND RUBBISH COLLECTION.

Crawford provided a summary of the attached report. No additional questions.

Recommendation: Introduction/First Reading 11/1/21; Consent Agenda 11/15/21.

3. [MT-0016-2021](#) A MOTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE & ENGINEERING PERMISSION TO BID THE CHERRY BOTTOM ROAD STABILIZATION PROJECT.

City Engineer John Moorehead stated that this is a request for a motion to bid; the bank is slipping downhill due to the stream. Angelou asked if there was a grant on this. Moorehead said Congress Woman Beatty had pushed for this. Jadwin stated that Jennifer Syx was completing the grant application; issue with timing; will look to alternate funding sources. Moorehead said there are strings attached to grant funds; included design; is a sensitive matter; if road shows signs of distress then we need to move forward faster. McGregor asked about actual plans. Moorehead said there is a proposal for sheet piling; in 2010 there was a sheet piling; is a structural sheet of metal 30' tall driven down into slope; forms a wall to hold slopes up; is cost effective and quick to install. Schnetzer said when he was onboarded in 2014, this was noted by the then city engineer that this issue was coming; what was done was temporary in nature; would like this moved forward as quickly as possible.

Recommendation: Consent Agenda 11/1/21.

F. ITEMS FROM THE DEPARTMENT OF FINANCE:

1. [RES-0036-2021](#) A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS AMONG VARIOUS ACCOUNTS - CARES Act Funds.

Director of Finance Joann Bury read from the attached report. No questions from Council.

Recommendation: Consent Agenda 11/1/21.

2. **Delivery of the 2022 Annual Budget**

[2021-0228](#) 2022 Annual Budget for the City of Gahanna.

Bury stated that the 2022 Annual Budget book was presented this evening and a formal presentation would be next week at the regular Council meeting on 11/1/21; when looking through the document, if there's anything you would like to address, please share with the Finance Chair; if you are looking for ideas on where to start, I would look at All Fund Summary, General Fund Overview, and submittal letter. McGregor said there will be more discussion next week.

G. **COUNCIL EXPIRING TERMS:**

1. [2021-0224](#) Board/Commission/Committee Expiration Report: For Terms Expiring 12/31/2021.

McGregor stated that the Clerk pulled the list of expiring terms in preparation for appointments for end of year. Larick stated that they will hold an executive session to work out a plan for the process.

H. **ADJOURNMENT.**

Meeting adjourned at 8:49 p.m.