



JOINT MEETING MINUTES

Planning & Zoning Commission (PZC), Architectural Review Board (ARB) and Board of Zoning Appeals (BZA)

Thursday, July 16, 2026

CALL TO ORDER

Mr. Bitar called the meeting to order at 6:30 p.m. in the City Development Building, 5200 Emerald Parkway.

ROLL CALL

PZC members present: Mr. Alexander, Mr. Chinnock, Ms. Damaser, Mr. Garvin, Ms. Harter, Mr. Way

PZC members absent: Ms. Newell

ARB members present: Mr. Cotter, Ms. Patt-McDaniel, Mr. Seidel, Dr. Stechschulte,

ARB members absent: Ms. Suleiman

BZA members present: Mr. Murphy, Ms. Tyznik

BZA members absent: Mr. Anderson, Ms. Dalesandro, Mr. Linville

Staff members present: Bassem Bitar, Sarah Holt, Thaddeus Boggs, Tammy Noble, Rati Singh, Mara Hunter, Pablo Ruiz Lopez, Camaren Williams

Others present: Ethan Lower and Sarah Bongiorno, planningNEXT

TRAINING

Mr. Boggs delivered a legal framework presentation covering four primary topics: open meetings law, public records, Ohio ethics law, and the legislative and quasi-judicial roles of the respective bodies.

Open Meetings

Mr. Boggs provided a review of Ohio open meetings requirements, noting that all public bodies are required to deliberate and take action only in open meetings that the public may attend and observe. A meeting is defined as any prearranged discussion of public business by a quorum of the public body. He noted that for the Planning and Zoning Commission, which has seven members, a

quorum of four constitutes a meeting, while for the Architectural Review Board and Board of Zoning Appeals, each with five members, a quorum of three is sufficient.

Mr. Boggs cautioned members against discussing public business in informal gatherings, even when a quorum is not physically present, in order to avoid disputes about whether deliberation occurred outside of an official meeting. He also addressed the practice known as a "round robin," whereby less than a quorum meets sequentially to circumvent open meetings requirements, noting that Ohio courts have prohibited this practice.

Mr. Boggs referenced a notable case from the City of Cincinnati in which city council members engaged in text message discussions regarding their city manager. The court determined that these communications constituted the functional equivalent of a meeting not conducted in the open, ultimately requiring the council to produce minutes from those exchanges and resulting in legal penalties and public embarrassment. He advised all members to exercise caution when discussing city or board business in writing, whether by text, direct message, or email.

On the subject of executive sessions, Mr. Boggs explained that these are available only for specific statutory purposes, must be called properly, and are relatively uncommon for boards and commissions. The most typical uses include discussion of officer appointments and consultation with legal counsel regarding pending or imminent litigation. Any matters discussed in executive session are to be treated as confidential.

Public Records

Mr. Boggs explained that a public record is defined broadly and is determined by content rather than by where it is stored. Any document, text message, voicemail, voice memo, or email discussing the functions, policies, decisions, or activities of a public office qualifies as a public record and is subject to disclosure. He emphasized that private email accounts may contain public records and urged all members to use their City of Dublin email addresses for all city-related communications to facilitate retrieval in the event of a public records request or legal discovery.

He noted that personal notes taken during a meeting, so long as they are not shared with others or provided to staff, are not considered public records. However, once those notes are shared, they may become part of the deliberative record.

In response to a request for clarification regarding whether a one-on-one text message, as opposed to a group communication involving a quorum, could constitute a public record, Mr. Boggs confirmed that it could, reiterating that content governs the determination.

Mr. Way raised a question regarding the use of artificial intelligence tools. Mr. Boggs acknowledged that this area of law is still developing. He offered the view that using an AI-assisted research tool is likely no different from a records perspective than using a conventional search engine. However, he advised that content generated by a generative AI tool and subsequently shared would likely constitute a public record. He further cautioned that inputting confidential or attorney-client privileged information into an open-source AI platform could result in the loss of that privilege, as the information would no longer be treated as confidential. He invited any member with a specific AI-related use case to contact his office for individualized guidance.

Ohio Ethics Law

Mr. Boggs urged members to seek legal counsel at the first indication of a potential ethics concern, rather than attempting to resolve such questions independently. He outlined the core prohibitions under Ohio ethics law, including the prohibition on participating in matters that may affect a member's financial or fiduciary interests, those of family members, or those of business associates. He also noted that accepting or soliciting things of value that could improperly influence the performance of official duties — including gifts, travel, meals, golf outings, or event tickets — may

violate the ethics law. He advised that when in doubt, members should contact the Law Director's office, which can in turn seek a formal or informal opinion from the Ohio Ethics Commission.

Legislative and Quasi-Judicial Roles

Mr. Boggs distinguished between the legislative and quasi-judicial roles of the boards and commission. In their legislative capacity, members are making policy recommendations, ultimately to City Council, and have broader discretion, including the ability to conduct independent research and engage with residents outside of formal proceedings. In their quasi-judicial capacity, members are applying existing law to a specific set of facts in the record and must avoid ex-parte communications. If such communications do occur, they must be disclosed on the record so that all parties have an opportunity to respond.

He emphasized that quasi-judicial decisions are subject to appeal, and that the purpose of the hearing process is to create a record sufficient to support the decision if reviewed by a court. He noted the importance of swearing in witnesses for administrative applications, the permissibility of cross-examination in appropriate circumstances, and the legal risk of failing to adhere to these procedural requirements.

Making a Good Record

Mr. Boggs advised members that when deliberating, they should articulate on the record the specific criteria that are informing their vote. He encouraged members to begin the information-gathering phase of hearings with open-ended rather than leading questions, noting that leading questions both limit the information gathered and may give the appearance that a decision has already been reached.

He also addressed the increasing trend of members receiving individual emails from residents advocating for particular positions on specific applications. He advised members not to respond to such communications and to forward them to staff, where they can be entered into the public comment record and considered in that context.

Ms. Damaser inquired about the status of neighbors who approach commission or board members directly — whether they are considered parties to the action. Mr. Boggs indicated that the answer depends on the nature of the communication and the type of proceeding, and that he would prefer to be informed when such contacts occur.

Ms. Harter asked whether a brief acknowledgment email could be sent to constituents who write directly to members, to confirm receipt and that the communication has been forwarded to the City. Mr. Boggs confirmed that a brief, factual acknowledgment of that nature would be appropriate.

EFFECTIVE MEETING MANAGEMENT

Ms. Bongiorno delivered a presentation on community engagement and effective meeting management. She noted that the session was informed in part by a pre-training survey completed by approximately eight respondents among the boards and commission, which reflected broad support for public engagement, a recognition of the value of empathy and active listening, and concerns about misinformation and role clarity.

National Context and Setting the Stage

Ms. Bongiorno offered broader context for challenges in public engagement, referencing the concept of the "great detachment," articulated by writer David Brooks, which describes a decline in social trust, a rise in isolationism, and a weakening of traditional community anchors such as

family, religion, neighborhood associations, and civic organizations. She connected this national trend to the increasing emotionality observed at local public meetings, noting that planning-related discussions have increasingly become a venue where residents express broader political frustrations. She emphasized that the conduct of board and commission members in the public arena directly shapes the culture of civic participation within the community.

Ms. Bongiorno identified several factors contributing to difficulty in public engagement, including a decline in civic decorum, the heightened personal stakes for those living adjacent to proposed developments, accumulated frustration from prior processes, and the tendency of individuals to arrive at meetings already in an adversarial posture. She noted that general increases in social anxiety and disconnection from neighbors and institutions have made productive engagement more challenging. She cited a recent report from national civic leaders suggesting that, despite these trends, people remain willing to participate in civic life and seek productive engagement.

Ms. Bongiorno also outlined the various motivations that bring residents to public meetings, including the desire to receive information, influence a decision, voice approval or dissatisfaction, seek reassurance, exert accountability over the public process, or support neighbors. She noted that understanding these motivations can help boards and commissions better respond to the emotional dynamics of a given meeting.

Role of Boards and Commissions in Community Interaction

Ms. Bongiorno summarized the role of boards and commissions as creating a process that is fair, respectable, and legally defensible, and then managing meetings in a way that reinforces fairness, transparency, and public confidence in decision-making. She emphasized that the chairperson sets the tone and that all members contribute through their body language, attention, and conduct. She noted that established processes should be communicated clearly before and during meetings, and that the most difficult challenge is maintaining productive public participation under pressure.

SMALL GROUP DISCUSSION

Ms. Bongiorno introduced four scenarios for small group discussion, developed in coordination with city staff to reflect circumstances relevant to Dublin. Each table was assigned one scenario. Following the small group discussions, each group reported out to the full assembly. Mr. Lower of Planning Next recorded key points on a flip chart.

Scenario 1: Tense Meeting

The group assigned to this scenario discussed how to respond when a resident approaches the podium visibly upset and makes accusations about the integrity of the process, with other attendees in the room responding with applause.

Mr. Cotter reported on behalf of the group. The group recommended that, where possible, the chairperson establish clear meeting decorum expectations at the outset of the meeting before tensions arise. When a resident is speaking, the member agreed that the speaker should be allowed to complete their allotted time without interruption. Any response from the body should be directed through the chairperson rather than individual board or commission members, in order to maintain order and prevent escalating exchanges. The group emphasized that the meeting must continue to progress toward a decision and that public comment, however contentious, should not cause the meeting to stall.

Mr. Way raised a related scenario involving residents who approach the dais before the meeting begins or during breaks. The group acknowledged this as a source of awkwardness, distinguishing between friendly social interaction and attempts to discuss the substance of a pending case. It was

noted that members in such situations should direct individuals to await the public comment period and take their seat.

Ms. Bongiorno suggested that a brief statement or even a short video, similar to the reminders shown before a film in a theater, explaining meeting decorum, time limits, and expectations could be a useful tool to be deployed at the outset of meetings and made available on the city's website. Several members affirmed that reminders about the three-minute comment period and the prohibition on applause cannot be communicated too frequently, even if they do not always prevent the conduct in question.

Ms. Harter noted that when members write down a speaker's first name during their comments, it serves as a humanizing practice that signals genuine attention. The group affirmed the importance of making eye contact with speakers and demonstrating active listening.

Ms. Maxwell noted that members have access to the Chamber through a side entrance near the executive session room, which would allow them to be seated on the dais without passing through the lobby and encountering members of the public before the meeting. This was offered as a practical measure to reduce unintended pre-meeting interactions. Mr. Way noted that he does not personally object to interacting with members of the public and views his visible presence as a demonstration of his commitment as a volunteer. Both perspectives were acknowledged as valid.

Scenario 2: False Information

The group assigned to this scenario discussed how to respond when a resident makes a factually incorrect statement during public comment.

Mr. Way reported on behalf of the group. The group affirmed that the appropriate first response is to defer to staff for clarification, and in matters involving legal interpretation, to defer to the Law Director. The group noted that this practice not only corrects the record but also demonstrates to the speaker that their comment was heard and taken seriously, even if the board or commission ultimately relies upon the staff's interpretation.

Ms. Damaser added that explicitly asking staff to address the discrepancy raised by a neighbor's comment communicates to that neighbor that the board listened and engaged with what was said, which can help to de-escalate tension even when the final determination does not align with the resident's position.

Mr. Alexander emphasized the importance of reinforcing to members of the public that decisions are based on the applicable code and not on personal preferences or agendas. Ms. Bongiorno noted that the appropriate time to contest underlying policy — such as a comprehensive plan provision — is during the policy-making process, not at a board or commission hearing where the policy is simply being applied. She acknowledged that many residents are unaware of this distinction and that gentle, informative reminders are valuable.

Mr. Chinnock observed that having subject-matter experts present at meetings — such as traffic engineers or other technical staff — is a significant asset and helps to address misinformation authoritatively in the moment.

Scenario 3: Intimidation

The group assigned to this scenario discussed how to respond when a speaker or group of speakers employs tactics intended to exert pressure on the board or commission, such as referencing legal counsel, media coverage, or electoral consequences.

Ms. Patt-McDaniel reported on behalf of the group. The group's primary recommendation was to remain focused on the matters actually before the body, stating clearly what is being considered and voted upon, rather than calling out what cannot be considered. The group recommended

acknowledging and thanking members of the public for their participation regardless of the content or tone of their remarks, and then redirecting attention to the application or agenda item at hand. Ms. Patt-McDaniel commended the chairperson's practice on the Architectural Review Board of clearly stating what items are being voted upon and avoiding engagement with contentious exchanges from the audience.

Ms. Damaser added that statements such as references to legal counsel or media presence carry little weight in the deliberative process, as those are recognized rights of citizens, and noted that the focus of the body should remain on the substance of the development or application under review.

A member noted that when members of the public attempt to film proceedings with their personal devices, a constructive response is to inform them that the meeting is already being live-streamed, which provides a more complete record than personal recordings.

Scenario 4: Personal Attacks

Although this scenario was not formally assigned to a table group due to the number of attendees, it was discussed collectively. The scenario involved a resident making a personal accusation against a named commission member during public comment.

Members agreed that the chairperson should intervene in such situations, and that the member who is the subject of the comment should not personally engage or respond. Ms. Patt-McDaniel acknowledged the personal difficulty of restraining the impulse to respond, but affirmed that non-engagement is the appropriate course of action. It was suggested that if the personal attack is directed at the chairperson, the vice-chair may need to assume that responsibility.

Mr. Way raised the related situation in which staff members are personally attacked during public comment, which the group acknowledged had occurred on prior occasions. Mr. Chinnock noted that during deliberation, commissioners can and should acknowledge the level of effort and expertise that staff brings to each case, which serves as an implicit defense of staff without constituting a direct rebuttal to a specific public comment. Ms. Damaser connected this to the broader principle that staff, like the board and commission members, are bound to apply the existing code and have no more discretion than the rules allow.

Best Practices and Closing Discussion

Ms. Bongiorno presented a summary of best practices that emerged from the discussions, including: separating emotion from process; listening first and not taking provocations personally; staying grounded in standards and factual records; recognizing that the chairperson sets the tone while all members contribute through body language and attention; treating all speakers consistently; explaining processes and protocols repeatedly and through multiple channels; refocusing on the application when discussions drift; avoiding debate over accusations; and not matching the emotional intensity of contentious speakers.

Ms. Bongiorno closed the formal portion of the training with a reflective question: if a resident leaves disappointed by an outcome, what would cause that person to nonetheless conclude that the meeting was fair? She framed this as a shift from measuring success by consensus to measuring it by legitimacy and public trust.

Mr. Way reflected that members of the public have, on prior occasions, expressed appreciation for the way the commission handled contentious cases — not because the outcome aligned with their preferences, but because they felt the process was thorough, attentive, and respectful.

Mr. Chinnock noted that Dublin's structured process compares favorably to practices in other jurisdictions and that the level of staff support and procedural rigor makes it very difficult for any participant to credibly argue that they were not given an opportunity to be heard.

Ms. Harter offered a nuanced observation: residents who leave a meeting dissatisfied may not reach a fuller appreciation of the fairness of the process until well after the fact — perhaps when they drive past a completed development and recognize that the outcome was reasonable. She noted that positive assessments of the process may not always be immediate.

Mr. Bitar added that the complexity of certain code provisions — such as those in planned districts that involve numerous waivers — can create public misperceptions that the commission is providing unwarranted concessions to developers. He noted that staff has begun making more deliberate efforts to explain at the outset of relevant presentations that such waivers are a routine and intentional feature of the code, not a departure from it.

Mr. Chinnock requested that a copy of the training presentation be distributed to all participants.

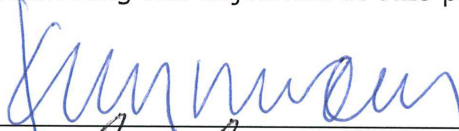
Mr. Bitar confirmed that copies would be provided, along with the responsibility matrix that was referenced during Mr. Boggs's presentation.

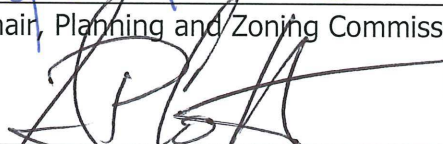
Mr. Way, on behalf of the boards and commissions, expressed appreciation to staff for their ongoing support both at the training session and at every regular meeting.

Ms. Bongiorno confirmed that planningNEXT would compile the discussion notes and flip chart content into a written guidelines document for distribution, intended to serve as a reference tool during future meetings and as an orientation resource for newly appointed members.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.



Chair, Planning and Zoning Commission

Chair, Architectural Review Board

Deputy Clerk of Council