

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Minutes - FINAL

March 7, 2022

7:00 PM

City Council

Chuck Milliken - President

Bob Clark - Vice President

Laurie Amick

Jill Amos

Patrick Shea

Mike Walker

Ashley Ward

A. Call To Order

Milliken called the meeting to order at 7:09 p.m.

B. Pledge of Allegiance - Shea**C. Roll Call**

Present 7 – Amick, Amos, Clark, Milliken, Shea, Walker, Ward

D. Approval of Minutes**MIN-22-009**

February 22, 2022 Work Session Minutes

A motion was made by Walker, second by Amos to approve MIN-22-009. The motion carried with the following vote:

Yes 7 – Walker, Amos, Amick, Clark, Milliken, Shea, Ward

MIN-22-010

February 22, 2022 City Council Minutes

A motion was made by Ward, second by Clark to approve MIN-22-010. The motion carried with the following vote:

Yes 7 – Ward, Clark, Amick, Amos, Milliken, Shea, Walker

E. Communications & Petitions**APL-22-001**

February 22, 2022 Notice Of Appeal Of Planning And Zoning Commission Denial Of Conditional Use Application CU-21-003 For Skilken Gold Real Estate Development and Canal Winchester Pike LLC

- Set Public Hearing

The Public Hearing was set for Monday, April 18, 2022 at 6:30 p.m.

F. Public Comments**PCS-22-017**

S. James Public Comment Submission - 2/22/22

G. Reports of City Officials and Staff***Mayor's Report***

Ebert – First, I need an approval for the mayor's court report for February 20, 2022. And other than my written report I have nothing else. I would be glad to answer any questions on my written report or anything else.

February 2022 Mayor's Court Report

A motion was made by Amos, seconded by Walker to approve the February 2022 Mayor's Court Report. The motion carried with the following vote:

Yes 7 – Amos, Walker, Amick, Clark, Milliken, Shea, Ward

Fairfield County Sheriff

Sgt. Walker - I just have one thing to add to my written report to try to deter shoplifting in the major retail areas. We did put up signs or rather I asked the retail stores if they wanted the signs, a few of them had to get with corporate but majority of them said yes so, we put up warning signs that basically says shoplifting is a crime, if you steal you'll be charged and you will go to jail.

Amos - Sgt Walker, I was just going to give you a little nugget. There was an accident on 33 this weekend and I think it was Deputy D'Amore. You know, when you don't have your name tags on, it is hard for me but we both rolled up on it while I was taking care of people he was taking care of setting the scene and blocking traffic so I mean even off duty he literally just jumped in and was phenomenal.

Amick – I just wanted to say thank you for the start. As we start to look at these trends, I think we are heading in the right direction for that. I was pleasantly surprised to see that from 2021 to 2022 that the number of thefts has gone down considerably. Thank you to you and your entire staff for all the good work you've played a part in making those numbers go down.

Clark -Sgt. Walker, on the police study have you been communicated by the consultant yet for requesting any information?

Sgt. Walker – I have not. I'm not sure maybe if they contacted someone in my administration but I have not heard anything.

Clark -Can you check on that?

Sgt. Walker – Yes.

Law Director

Boggs – I don't have anything to report tonight but I am happy to answer any questions you may have.

Finance Director

Jackson – We are prepared to post the Dr. Bender scholarship application for local high school seniors to apply. We wanted to check with council about a due date. Typically, that due date is April 1st, we have changed that in the last couple of years because of Covid so we just wanted to know what your thoughts were on when you would like to see those applications due.

Amos - I think it would be great if we got back to our original time frame now that 96% of the students are back in house, I think it would be great to get back to our original time frame.

Jackson – Hannah will get that posted tomorrow then. That's all I have for this evening.

Public Service Director

Peoples – Just one thing to highlight from my written report, we met with ODOT the City of Columbus in Franklin County on the Bixby 33 interchange, we are still on a course for a TRAC application. We are still trying to figure out some of the logistics of that but they have put their consultant in task of updating the cost estimate of that project. So, we are on track for the TRAC.

Clark - Matt, did you get a sense, does Columbus seem on board with supporting that?

Peoples – They were there and that was the first time we had been in there on this specifically with Franklin County as well. They obviously participated, I didn't mean that in a derogatory way. They were there, that was a big step for that because this is the first time we have gotten them and Franklin County together on this specific topic so that is definitely a good thing but we set the boundaries of what the application would look like and I couldn't get a feeling if there was any support. There was some discussion, I don't know if there was anything further from them that would lead to that but I think it was a big step that they were there going with Franklin County. Luke and I met with Groveport last week to kind of fill them in, they also are on one corner of that proposed interchange as well.

Amos - I assume Groveport was receptive to the idea or was that a bad assumption?

Peoples – They were receptive as well, that was kind of there first time so we are keeping them in the loop. There was obvious some support that goes on with that. At this point they commit to any financial, we can't either but that really wasn't discussed. ODOT shared with us the more local participation the better off an application looks.

Development Director

Haire – One item I want to highlight, last week we had a pretty large economic development announcement in the community. Walgreens has at least 71,000 square feet at 6215 Winchester Blvd. That's half of the building known as Winchester 150 which is being developed by tenby they will be placing original pharmacy fulfillment center on the site. That will lead to about 30 million dollars investment and more than 200 jobs being created. The payroll associated with that is about 8.5 million that's initial payroll from talking to their consultant and to the company they anticipate probably another 10% to 15% more in both jobs in payroll associated with that site once they get up and operating. The preliminary work is schedule to begin in July and

hope to open around the end of the year. A good project more professional roles, pharmacist, pharmacy technicians, there will be a lot of automation, \$25 million of that investment is in equipment into the site so the automated pill counters. Don't know this for a fact but we also have manufacturing of automated pill counters in Canal Winchester at Capsa Healthcare. Hopefully were gaining on both sides of that but there are multiple entities. I know they do supply Walgreens but not sure if this specific site will be that case. The other benefit of that is the consultants let us know that they only anticipate 4 to 6 tractor trailers a day going in and out of that site. You can fit a lot of pills on a truck so not a lot of need for tractor trailers in and out of the site.

Shea - Are we as a city doing anything to plan to rectify that Prentiss School Winchester change? I know we talked about it once last fall. I thought that was kind of the direction we were going in but there is nothing formalized. That is the biggest cluster in the city.

Haire - We had EMH&T do a small study of those options for Winchester Blvd so looking at Prentiss School, Winchester Blvd the entrance to Winchester Square Shopping Center, the two entrances so essentially everything from Gender Road to the west there. They finalized that study in December and came up with two options. Both of those options would remove the signal at Prentiss School and relocate it to the next drive to the west so either relocate locate a signal or place a roundabout at that location. What we've asked EMH&T to do is go back and do a little more work on that and determine cost associated in right-of-way that would be necessary to accommodate those improvements. I believe that they are working on those, they were side tracked a bit because of the ODOT safety grant that came up and that took priority because the timeline was pretty quick on turning that around but I hope to have something from them from here in the next few months to better determine what cost would be associated with that. We do have a Gender Road TIF in that area so any improvements we make would be eligible for TIF funds to be used on this. We are starting to approve a significant amount of money into that TIF fund annually and so that will be a big help to getting any of those improvements completed.

Shea - Are we allowed to do a loan against future TIF revenues?

Haire - Yes, we have done that in the past where we have essentially the city has loaned itself money and then its repaid with the TIF.

Shea - We don't need to go outside, we can use our own funds?

Haire - Yes, you can do either.

Shea - Let's use our own money.

Milliken - Would there be an estimated best-case scenario when an improvement like that could possibly take place at this point?

Haire - Yeah, I would want to talk EMH&T more, its really going to be a factor of how much right-of-way is going to be necessary and how difficult it is to acquire right-of-way there. Everything out there is developed and regardless of the improvements that we make are going to need additional right-of-way and so that negotiation may take along time or may be very brief. It just depends how cooperative the property owners are there because your obviously changing access into their facilities and that's not always well received.

Shea - Is that something you are already working on talking to those owners of that land or waiting until that study's finished?

Haire - I have not. I want to understand exactly what we need before we start any discussions.

Shea - Okay, that's the biggest complain I get from residents.

Haire - We've work on that for years so back in 2011 when that signal was installed, it was installed with an OPWC grant and as part of that the useful the life of that signal needed to be 7 years and we had a traffic engineer at the time that essentially said it could work for 7 years but it's not a long-term solution to put that signal in. The good thing is that we had frequent injury accidents at that intersection prior to the signal going in, and as far as my knowledge we haven't had a single injury accident since that signal went in. It has been a major safety improvement but it does cause an inconvenience for folks heading north bound on Gender Road. For south bound Gender Road there has been little traffic at that intersection, there are multiple

walkers to get out but for folks heading north bound to go to 33 or north on Gender Road it can be difficult at certain times of the day.

Walker - Once again, the Tenby building will be bringing in \$8 million plus a possible another 10% to 15% payroll, low traffic, 4 to 5 vehicles per day?

Haire – 4-6 trucks per day, 200 jobs operating on 3 shifts so I don't know what the break down shifts will be but that will be spread over 24 hours of traffic in and out of the facility. That's for half of the building, a little less than half. It's 150,000 square foot building.

Clark – So say about 65,000 dollars average per job.

Haire – It is less than that.

Ward - It is about \$20.43 an hour.

Milliken - For Pharmacist?

Ward - If you divide \$8.5 million by 200 jobs it's about \$20.43 an hour.

Milliken -But, that's not realistic. I mean pharmacists get paid more than \$20 an hour.

Haire – Not all 200 jobs are pharmacist. I think maybe there is 16 pharmacists, there is pharmacy technicians, there is a break down of what the employees are.

Ward - Everyone is not going to make the same amount, but on average it is \$20 an hour.

Clark – It was the initial numbers what they talked about originally before their commitment to the state. They were at around \$14 million payroll, 220 jobs. Wouldn't that average out to about \$65,000?

Haire – Those were the initial projections from the company. I can't venture to guess why this is what they put in front of the state.

Clark – Well obviously they always put lower in front of the state because they don't want to breach their contract and be subject to repeal of their tax breaks that they get from the state. You said there are going to be 15-20% probably higher than what they're coming in.

Haire – This is what the company's publicly ready to disclose.

Shea – The state gives tax breaks to people that wanna put jobs in our state?

Haire – They did receive a tax credit based on the taxes withheld, correct.

Shea - Is that kind of like what we do with abatements? We encourage people to do economic investment in our municipality by giving them a tax break? Same strategy?

Clark - As does about every other community in the state of Ohio. You give CRAs.

Haire – They received a job creation tax credit. In the states perspective it's based on the amount of payroll actually withheld so it's a performance-based incentive.

Walker - Anyway. Good news, lot of jobs, lot of money coming in, \$8 million and low traffic as far as the trucks. That is all good news.

Amick - I had a quick question, given the nature of the business that will be served out of that location, do you know if they will be bringing their own security team or will they be relying on our deputies to help patrol that facility?

Haire – I don't know what their specific security plans are. I know that they have specific gates and fencing that will go up around the site but I'm not sure exactly what that will look like.

Shea - Laurie, we can talk after. I am pretty familiar with how they set that up.

Haire – We do have other similar facilities in the City of Canal Winchester that do prescription drugs or deal with prescription drugs, not retail pharmacies.

Amos - Have we received the tree money for the \$140,000 on this one yet?

Haire – Yes, it was done when we issued the building permit.

Amos - Are they going to be allocating that towards the tree fund because that was part of our original agreement that over a couple years we're going to see that \$140?

Peoples -We're budgeted for \$100,000 this year, when last year we were \$45,000.

Amos - I know you said it takes a couple years to exhaust the one 140. I just want to make sure. We've been asked the question of whether we had collected it and it was allocated.

Haire - We had a similar payment in lieu of for Friendship Kitchen which is the gas station going in the north side of 33 on Gender Road. Any of those fees going in we try to allocate those. Those will be allocated over the next number of years.

H. Resolutions

RES-22-008

Development

Sponsor: Walker

A RESOLUTION APPROVING THE EXECUTION OF PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENTS ASSOCIATED WITH A COMMUNITY REINVESTMENT AREA AGREEMENT

- Adoption

Amos - I have a quick question, I apologize. You said this was a transfer of ownership, how come the hill company is not anywhere on the documentation?

Haire – They're not, they're part of NP Canal Winchester and NP Canal Winchester 2 so I'm not sure how specifically their transfer is functioning, the business assets.

Amos - But, the hill people are leaving, they're getting bought out.

Haire – Correct.

Shea - I can help you out with this one.

Amos - I figured somewhere in the agreement it would say this company is leaving.

Shea - All they're doing is, you have one LLC and that LLC you have members that own shares of it. All they're doing is buying out their fellow LLC member. They're not forming a new company.

Amos - I guess I just thought maybe it would be somewhere in the agreement that company was leaving to identify that hill is exit stage left.

Shea - This has nothing to do with that because this is just an assignment from the LLC that owns the land. The inner workings of LLC are kind of like their own private business and we wouldn't need to know that they transferred those shares. He shared that out of transparency, I assume.

Haire – The idea is to get this from the entity we entered the agreement into the entity that actually own the buildings so that way compliances with the entities that actually own the buildings.

Amos - I just wanted to make sure the property that was in the map, that's the full boundary that was originally defined when this property was purchased. There is no additional property being included in this, correct?

Haire – Correct. This is just an assignment of the existing agreement.

A motion was made by Walker, seconded by Amos, to adopt RES-22-008. The motion carried with the following vote:

Yes 7 – Walker, Amos, Amick, Clark, Milliken, Shea, Ward

I. Ordinances

Third Reading

ORD-22-005

Development

Sponsor: Amos

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ACQUIRE AN ACCESS EASEMENT FROM JP MORGAN CHASE BANK NATIONAL ASSOCIATION

- Adoption

A motion was made by Amos, seconded by Walker to adopt ORD-22-005.

Boggs - Now that we have a motion to adopt this ordinance in front of the council, there is a request from staff or for council to amend this ordinance to provide an emergency declaration and supporting language for that so the city can immediately accept the ordinance for purposes allowing construction activities to move forward. With the motion pending to adopt, if a member of council is so inclined the proper next step would be a motion to amend this ordinance to the March 7th 2022 version in your packet. Second on that, vote on that motion to amend and then a vote on the adoption.

Ward - Can I ask why this is an emergency? Why do we need declare an emergency for it? How does it meet that definition we saw up there earlier?

Boggs - As stated in the proposed amended version, it is needed to maintain construction schedules without waiting 30 days for the actual acceptance of the easement and possession of that easement.

Ward - If we don't meet that schedule, what is the harm?

Haire - We will incur additional cost so they're beginning construction on this site across the street here. They started today and so for every day that we delay acquiring that easement it doesn't allow them to work within those areas and there would be additional costs because the way we approve those plans, there two alternate plans. There's one that included the easement and one that didn't. So, they're proceeding as if we don't have an easement currently and so we need to acquire the easement so we can proceed with the alternate plans that allow for that. Different storm structures that need to be set a different elevations.

Ward - Why would they proceed that way if it was approved though?

Haire - Because we have been working on this for 2 years and the owner is not comfortable unless we actually physically have the easement secured.

Amos - We're the one requesting the easement because we want access to the parking lot, correct? It's not them requesting it. It's our request that they include that in their project so that we have access to towpath alley parking, correct?

Haire - Correct.

Ward - If I am understanding correctly, even if we vote yes but we don't declare it an emergency they're going to continue construction following a path as if we hadn't approved the easement?

Haire - Yes, they want certainty that we have the easement. If we approve this this evening we will close on the easement on the 14th.

Ward - How much per day is it if we don't declare?

Haire - It depends on how much work is actually completed and how much they need to change.

Amos - Mr. Boggs, your request is that we put through first a motion to declare an emergency?

Boggs - A motion to amend the ordinance to the March 7th 2022 version in your packet which includes the declaration of an emergency and the statement of justification for it as contemplated by the charter.

A motion was made by Amos to amend the ordinance to the March 7, 2022 version, seconded by Ward to adopt ORD-22-005. The motion carried with the following vote:

Yes 6 – Amos, Amick, Clark, Milliken, Shea, Walker

No 1 – Ward

The motion to adopt the amended ORD-22-005 carried with the following vote:

Yes 7 – Amos, Walker, Amick, Clark, Milliken, Shea, Ward

Second Reading – NONE

First Reading

ORD-22-007

Development

Sponsor: Walker

AN ORDINANCE TO ACCEPT THE DEDICATION OF REAL PROPERTY FROM CANAL INVESTMENT PARTNERS, LLC

- First Reading Only

ORD-22-008

Public Service

Sponsor: Amos

AN ORDINANCE TO AUTHORIZE THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT FOR THE LEASE/PURCHASE OF A DUMP/PLOW TRUCK AND ACCESSORIES AND DECLARING AN EMERGENCY

- Request waiver of second and third reading and adoption

A motion was made by Amos, seconded by Milliken to suspend the rules and waive the second and third reading of ORD-22-008. The motion carried with the following vote:

Yes 7 – Amos, Milliken, Amick, Clark, Shea, Walker, Ward

A motion was made by Amos, seconded by Walker to adopt ORD-22-008. The motion carried with the following vote:

Yes 7 – Amos, Walker, Amick, Clark, Milliken, Shea, Ward

J. Council Reports

Work Session/Council - Monday, March 21, 2022 at 6:00 p.m.

Work Session/Council - Monday, April 4, 2022 at 5:30 p.m.

Public Hearing - Monday, April 4, 2022 at 6:00 p.m.

- Levin Property Rezoning (Northwest Corner of Winchester Pike and Bixby Rd)

CW Human Services - Walker

Walker – This is coming from Aletha Mullins, Director. Right now, they're working on getting all the vehicles in for their annual inspections, planning lunch bunch trips and fun trips for the seniors. They have officially expanded the food pantry service area to include all of Canal Winchester due to the support of local churches located in the new service area and as long as they continue to get the support, they will continue to serve all of the Canal Winchester and not just the school district for the

community food pantry. Also, they have started the planning in the city egg hunt. Eggs are getting filled, working on the prize basket for it. This year it will be 80% as Mayor Ebert said at McGill Park as far as we know. They have a fire truck coming for the kids to check out and they're waiting on the word about the urban grant to see if they're able to get a few things for the community gardens. Applications will open on March 21st for the residents to fill out if they would like a garden. They hope to have the community needs and assessments in August. Looking to see if there are any other needs that might be able to be fulfilled if they can connect with people with any entity that might already be doing it so CW Human Services is very excited for 2022 and what it will bring.

Shea - Sgt. Walker can the Sheriff's department bring a cool vehicle for the kids?

Sgt. Walker - I'm sure we can. I can request it; what day is that again?

Amos - April 16th at 10:00 a.m. And it only takes an hour and half, two hours.

Sgt. Walker - I will work on that for you.

Milliken - Hannah is saying 9:30 a.m. done by 11:00 a.m.

CWICC - Ward

Ward - The next meeting is March 30th at 11:30 a.m. at the Interurban Building.

CWJRD - Amos/Shea

Amos - We have lots of things going on, super exciting. Sports are obviously rolling back out in full throttle now. Soccer is at one of its best seasons for enrollment so were very excited about that. We have our next meeting on Thursday, April 21st. We also have the pleasure of having Human Services meet with us the other day on potential opportunities to mix up some things in working together. I think there is some good potential for the JRD and Human Services to mix a lot of our families are serviced on both ends so I think it will be exciting to see what comes out of that. Come play sports, come lead, come volunteer.

Destination: Canal Winchester - Milliken

Milliken - The next meeting is the 22nd. We have our 2022 membership drive under way and currently its lot of planning. Art on the Canal stroll, a lot of recruiting artists, musicians, food trucks. Same thing with the Farmers Market, recruiting vendors and Blues and Ribs Fest, booking the food trucks, volunteers, tents, stages, beer garden, all of that. Also working to get sponsors for all of those events as well.

K. Old/New Business

Amos - I will let you know that I did get, on the DORA, that last thing I was really waiting on was the pricing for the cups and to make sure we can secure a vendor that would be able to hold them so it called an order and release system so that the restaurants, we won't have to be involved. The restaurants will be able to call and request the cups and they'll deliver them without the city being involved. I did get conformation that they have secured a company that they believe they can do this. I will have a final quote by the time we meet next.

Clark - The businesses pay for the cups? Who pays for the cups?

Amos - The initial request is going to be some of the hotel bed tax money because with that coming in it does fall under the travel and tourism. I want to see how much it is going to cost. There is obviously a price break depending on how much we purchase ahead of time. So, I'm waiting to see that price break to see what our request is going to be. I'll hopefully have a proposal at the next meeting.

Milliken -What type of cups are we talking about again?

Amos - These are 16 oz clear disposable cups with a DORA logo on them. Like a solo cup but clear. I talked with a couple other resultants to make sure 16 oz was sufficient enough and they said yes that is plenty.

Ward - When is the Arts festival?

Walker - 29th.

Ward - I guess what I am wondering is if we could have DORA in place in time the Arts Festival because that sounds like it would be a good mix.

Milliken - I doubt that. That'd be great but I doubt that.

Amos - I hope to have everything to you prior to so you can review or call me with questions. They were just checking with the vendor. It is two different vendors, they order the manufacturing of the logo printing, and the other company stores them and does the shipping. You only have to go through the one and then they take care of the rest.

Walker - May 21st is the Art Stroll.

Amos - Hopefully I'll have something to you soon on that so at least you can review and call me with questions ahead of time.

Ebert - There is a lot more to it than what you're just now stating. We have trash cans to order, trash cans to install, we have to go back to the state and let them know we are doing this.

Amos - There is still more to the process, I understand. For my answers, some of the things you would ask me about.

Shea - Can we use the bed money to fund new trash cans and stuff?

Ebert - They're taken care of.

Amos - We did have a sponsor that volunteered to pay for the trash cans if we need them to.

Shea - It would be cool to get some nice metal ones with the CW logo on it out there on the city streets. We have that pocket of money sitting out there from the bed tax.

Ebert - We're going to get the same ones we have on the streets currently.

Haire - The Ohio Revised Code also requires 30-day public notice prior to adopting. It would be very difficult to get that done by the end of April.

Shea - So we can't do that as emergency?

Haire - You have to publish a notice in the newspaper and it has to be at least 30 days before you are holding the public hearing.

Boggs - One of the consequences of the state controlling the law so it's not a home rule matter.

Walker - Some point with the DORA being talked about, about a year ago I talked to the Mayor. Possibly at some point up and down the street on the light poles, putting up a speaker system. To where if this all happens and all with the DORA, it would be nice to have outdoor music no matter where you are walking. Whether it is for St. Patrick's Day, Christmas, any holiday. I have seen this, heard it in other cities, it gives a nice feel and Mayor I believe you were pretty receptive to that as well.

Shea - Summer is rapidly approaching and one of the things I was talking to residents was trying to find more activities for the kids and I didn't know how people would feel about the city buying a ping pong table and put it out there at the square between the city building in the Stradley. Have paddles and balls available to sign out at the city desk. I know it might be a black hole but I thought it would be kind of cool to have something for the kids to do.

Peoples – They make concrete ones. A regular one will be destroyed.

L. Adjourn to Executive Session (if necessary)

M. Adjournment @ 8:01 p.m.

A motion was made by Amos, seconded by Clark to adjourn. The motion carried with the following vote:

Yes 7 – Amos, Clark, Amick, Milliken, Shea, Walker, Ward