

# Canal Winchester

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



## Meeting Minutes - FINAL

April 4, 2022

5:30 PM

## Council Work Session

*Bob Clark - Chair  
Laurie Amick  
Jill Amos  
Chuck Milliken  
Patrick Shea  
Mike Walker  
Ashley Ward*

- A. Call To Order** *Clark called the meeting to order at 5:30 p.m.*
- B. Roll Call** *Present 7 – Amick, Amos, Clark, Milliken, Shea, Walker, Ward*
- C. Also In Attendance**  
*Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson*

**D. Old/New Business****OTH-22-005****Comprehensive Plan Selection Committee Representative**

*Amick – As you all know, there was a selection committee that assembled at the earlier part of the year and I'm not going to steal his thunder but, during our last meeting we elected a spokesperson for our group to come and advise you of the outcome of our selection committee for the consultant to perform our comprehensive plan. With that, I'd like to introduce Mr. Doug Synder. He is the selection committee's spokesperson.*

*Doug Synder – As Ms. Amick stated, I am here representing the selection committee and I want to review a couple of things with you. Council, at their December 20<sup>th</sup> meeting, created a request for proposals to enter into a long-range study. That request for proposal was submitted to the public for bids on January 3<sup>rd</sup> with a due date of January 31<sup>st</sup>. This body appointed several of us to go through those bids and make a recommendation. I'd like to report that there were 7 submissions collected in that time period. The committee met 5 times over the months of February and March to go through those pieces, ultimately narrowing the list down to two firms that we brought in for in-person interviews. We sat through an hour and a half worth of presentation from both firms on two different evenings and then collaborated after that. I'm pleased to announce that the committee has selected McKenna, out of the state of Michigan, to perform the scope of work that was outlined in the request for proposals.*

**E. Request for Council Action****RES-22-010***Mayor*

**A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF STEVE BUSKIRK TO SERVE THE REMAINDER OF AN UNEXPIRED FOUR-YEAR TERM AS A MEMBER OF THE PLANNING AND ZONING COMMISSION EXPIRING ON DECEMBER 31, 2023**

*- Request to move to full Council*

*Ebert – Steve Buskirk is my appointment to the Planning and Zoning Commission. He lives at 6594 Hemmingford Dr. He is employed by the Franklin County Engineer's Office. He is an engineer there. He's lived in Canal Winchester a little over 15 years. As far as his qualifications go, other than being a resident, he has worked for the Franklin County Engineer's Office for the last 28 years. He oversees the utilities department. The department issues right-of-way permits and oversees private development within the county of Franklin. He's on the board of trustees for the Ohio 811 Commission and he wants to be available to do something for the city of Canal Winchester where he lives.*

*Ward – Is there going to be any conflict of interest where he has to abstain on issues pending before the Franklin County Engineer's department? If so, now and then I don't have an issue with that, but how often would that be?*

*Ebert – Probably no more often than you have a conflict of interest in your job.*

*Ward – Right. There's only been one so far for me. But I wasn't sure how much that is before Planning and Zoning is also before the Franklin County Engineer's.*

*Ebert – I don't think he'd have a conflict of interest.*

***A motion was made by Ward, seconded by Amick to move RES-22-010 to full Council. The motion carried with the following vote:***

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

**RES-22-011***Public Service*

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022

*- Request to move to full Council*

*Peoples – We’ve been doing this over 10+ years or so. ODOT does a cooperative purchasing program and opens it up to the municipalities to join in. They do all of the contracting work and we just tell them how much salt we’d live to get from them as part of that and they go forward with those contracts. This is just that. We used 700 tons. We have a 1200-ton barn. We have about 600 tons in there right now so we are looking at putting a bid in for 600 tons.*

***A motion was made by Amos, seconded by Amick to move RES-22-011 to full Council. The motion carried with the following vote:***

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

**RES-22-012***Council*

A RESOLUTION CALLING FOR THE WITHDRAWAL OF THE REFERENDUM RELATED TO THE SCHACHT FARM ZONING AMENDMENT

*- Request to move to full Council*

*Shea – I wrote this particular resolution up because I feel very strongly, after being approached by several residents who are concerned that we are going to let this project go to Columbus and they want us to make sure that we keep the revenue inside the city and the school district. This was an honest to goodness plea to be respectful of the efforts that you guys have made because I see you all sitting here, because you did make a lot of effort. You went door to door. You got lots of signatures. You got lots of people involved. And you got lots of people that share a very strong opinion with you that they don’t want this development there. And I understand where you’re coming from and I hear you. But what I also see is the other side of it. I see, and firmly believe, that this project will be built in Columbus and we will not have control of it, we will lose the revenue to Columbus City and Columbus City Schools and that’s something that frankly, I can’t live with. I think it’s irresponsible and I’m asking my fellow councilmembers to weigh in on how they feel about it. I do know that when I campaigned to run for city council, I mailed out a bunch of postcards. Some of you may have gotten them. One of the things on there was I was going to work to reduce residents’ tax burdens. This is the kind of project that reduces residents’ tax burdens. I also put on there that I wanted to fully fund the recreation department. We have to have revenue for a recreation department to be funded and we have to have sources of revenue to do that. We can always do a levy but this town isn’t the most friendly to levies. So, that’s what I’m asking. I’m asking council to consider this resolution and it’s non-binding. It’s just simply a please, consider the economic impact on the city and hopefully you folks would be willing to pull it back.*

*Milliken – I agree with mostly everything you just said. I met with three of the five leaders of this referendum yesterday, along with Mrs. Amos. It’s my understanding that they will be unwilling to rescind this. However, I think it’s important for us to say how we feel about a situation and I openly apologized to them for not having a more open conversation sooner. The wording of this resolution is not ideal for me. For me personally, this is more of a risk assessment. Mrs. Ward had concerns with terms like “will” or “likely receive from the City of Columbus” and that’s understandable. I tend to agree with that. My language would have been in the arena of more of a risk assessment. Me personally, I’m not will to take on that risk that this project could go to the city of Columbus. That’s just how I would have worded it but I don’t want to get bogged down in details like that. I agree with the sentiment of the resolution. I would like to ask them to rescind it, although I know what that response is. I support this resolution other than the minor details.*

*Ward – The resolution says that there’s \$150,000 that would go to Canal Winchester school system. I was looking back through my notes and that was an estimate that I understand was going to be split between Groveport and Canal Winchester. Is that correct, Lucas?*

*Haire – As the property develops, part of it is in Groveport schools and part of it is in Canal Winchester. It would be negotiated revenues that are set. The \$150,000 would be Canal Winchester’s share so there would be approximately \$300,000 in revenue between the increase in land value on the parcel. The value of the land would increase to the purchase price. It’s currently in CAUV. It would drop off that so the land taxes would increase significantly even though it’s exempted.*

*Ward – The two buildings that are already there, how much is going to the schools from the two existing buildings?*

Haire – The two existing buildings aren't fully taxed at this time. A better example would be the OPUS buildings that are done behind Home Depot. On those, it's approximately, on the larger building that's 500,000 sq, it's about \$75,000 in land tax annually that comes in from that.

Ward - \$150,000 for the one?

Haire – It's about \$75,000 for the larger building that's about a half million square feet. This is two half million square foot buildings so there'd be about \$75,000 that comes from the land tax. And then there would be a payment in lieu of taxes that would be negotiated.

Ward – So we don't know the exact amount really because that would be a future negotiation?

Haire – Correct. It would all be negotiated.

Ward – It's an estimate.

Haire – We don't know any of the values of the buildings. That's determined by the county auditor after they're built. Or the land. So that is all an estimate at this time.

Ward – My second question is about the tenants. We met with the tenants that were supposed to go in the building and they said they had a week or two when their lease was up and they had another property that was their second pick that they were going to go to if they couldn't get in right away. Either they were bluffing or the resolution's not accurate because that tenant would be gone. So, are they gone? They told us they needed to know right away that the project couldn't be stalled because they had to make a decision within a week or two.

Haire – It's my understanding that they have not signed a lease and they are still seeking space.

Ward – So, that was a bluff then.

Amos – After talking with Brent Miles today, he did confirm that the tenant is still pending and that the tenant has not walked away at this point.

Haire – The tenant has leases expiring next year and so they have a certain timeline they need to meet. But I don't know exactly the details of that.

Amos – Mr. Shea, I'm going to respectfully ask that we do not put it forth that yet. I'm not disagreeing with it. There's lots of important things in here. A lot of the issues I had with NorthPoint I have since been able to comfortably talk through with them or see them put forth the effort to the final steps that I needed them to do. One of the things that came out of the meeting that we were in prior to this is the comment that Violet Township made. Right now you're getting no taxes dollars off of this, off of the farmland. We're getting minimal to nothing. These all are estimates and I understand that. But I, like the community, found out about this resolution over the weekend so I haven't had time to stomach, swallow, fact check and just breath on it. I respectfully am asking you to hold it for the next reading but obviously that's your decision. I would just like more time to comprehend it myself because finding out the same way the residents did was a little – just need a minute. But I'm not agreeing with some of it. There are things in here. I don't disagree that there is concerns. I don't disagree that Columbus will consider this. I don't. I just need a minute to have my own thoughts on it.

Clark – I've been pretty vocal on this issue. Everybody pretty much understands I feel that this would be a real catastrophe for the city of Canal Winchester when we know these are going to be built in Columbus. I've talked to people that are high enough in the Columbus government, I can't tell you who they because they would get fired if they publicly disclosed who they were, I've had personal conversations. They are very interested in this project. It's a \$70 million project. A \$14 million payroll and this is 15 miles from their downtown. It's a no brainer for them. I wish that wasn't the case. I wish that we didn't have Columbus that close to us and our utilities were the only game in town and we could pump the brakes and pause on this. But we don't have the luxury in this environment. They're going to run with this. NorthPoint's going to run with it. City of Columbus is going to run with this. And we're going to lose out. It's also going to open up 500 to 700 more acres on the other side of 33 that they will be able to contiguously

*continue to annex on the other side and put more buildings that you don't like and more apartments, whatever. They will continue to do that because they've done it. I don't know how you can sit here and think that they're not going to do this with what they've done up and down Gender Rd. They're just building and building and building to no end. If you think what our little community has done and blame all the traffic issues on Canal Winchester putting in housing, what Gender Rd is like, I'm sorry, it's the thousand and thousands and thousands of homes and apartments that the city of Columbus has put on Gender Rd that has caused that without updating the road and making infrastructure projects a priority in that area. Leaving that a two-lane road is just not acceptable in my book and I think that's what you're going to get. They're not going to be interested in the Bixby Rd interchange. They do not want that. They will not push for that. They don't want money being siphoned from their other projects. Now they have Intel to worry about, plus the 70/71 split that they need another umpteen billion dollars to complete. That's facts. That's what we're dealing with in our life right now.*

*Amick – I have looked at this from every person's viewpoint imaginable. Every single person that is a party to the actual deal that is under review to the feelings and thoughts that those people have that they have voiced out loud. My biggest concern is for the Schacht family. They are a property owner, a hard working family that has given a lot to this community and for the last, I don't even know, long before I even come on council, 8 to 12 months we have held them at bay and their lives have been on hold because we, as council, made a decision and now we have members of the community who are opposed to the decision made by their elected officials. I just want to say that I'm sad that it's come to this but I have to respect, and I'm looking at this now pretty much through the eyes of the property owner.*

*Ward – I have a few closing thoughts. I want to put the school amount in perspective. A \$150,000 is a lot. The overall school budget is \$50 million so that's about 0.2% to 0.3% of the annual budget. For me, this resolution isn't honest. Six of the statements are based on pure speculation. And I don't agree. I don't think that a warehouse is going to be built there in Columbus. I know that there are some that think this is a juicy opportunity and Columbus is going to snatch it up but Columbus is slammed. Their development is so unbelievable busy working on Intel and Intel-related projects. Projects that provide way more jobs per square foot and projects that pay salaries of six figures. This isn't going to be a juicy opportunity for them and it's sad that it is for us. I've talked to Columbus too and they've told me that when they are evaluating proposals like this they look at 1. What is the plan for the area and 2. What is the maximum best use of this property. And I don't believe warehouses meets either of those. Our residents, they are desperate. They have come and spoken at council meetings. They have written emails. They have come to coffees. They have put out signs. And the city still isn't listening to them. It's not just 20 people or 539. The closest thing to a survey that I'm aware of is one of the petitioners randomly went door to door and kept track of how many people are for, against or indifferent to warehousing. And it was close to 90% that were against warehousing. 90%. This resolution it feels very us vs them. But the them is our residents that we work for. This resolution furthers that divide and it's embarrassing. I'm embarrassed by it. In desperation, our residents worked really hard to get an issue they care about on the ballot. This resolution attempts to suppress that vote. When I vote on this, I'm going to be voting for honesty and I'm going to be voting for our residents and their right to be heard and their right to have an issue on the ballot that they care about. So, for democracy.*

*Walker – Mr. Boggs, can't this be edited? Mr. Milliken and a few have had a few things on the resolution that can be edited this evening?*

*Boggs – Yes, it could be through a motion to amend adopted by council. It could be amended during the council meeting, or even now if you wanted to.*

*Amos – That was part of the reason I was asking for an extension so I could read through it more. Same with Mr. Milliken. I think there's some words that would kind of concern me.*

*Milliken – As I previously stated, and as Mr. Shea said, this isn't anything that's binding. This is kind of an ask or a plea on our end. I'm not going to get bogged down in those details. Maybe if there's an issue with a dollar figure or something. But when we're talking about "most likely" vs my preferred language, I'm not going to get bent out of shape about that. A couple of other closing points I'd like to make. I've said this ad nauseum and I'll say it again. Just because people have disagreements does not mean they're not listening. Part of the reason of my meeting with these individuals yesterday as I mentioned was to have that dialogue and have that conversation. In my mind, listening goes both ways. And Mrs. Ward, you mentioned an us vs them mentality and I think that kind of mindset is what's destroying our country. Issues like this, in my mind, it's not an anti-warehouse, pro-warehouse discussion. There's so much nuance to this. You mentioned the folks that went door to door and people were asked and they were polled. I'm not trying to say anybody's lying, but I just want to through out the possibility that somebody can be against a warehouse but be for the jobs and the interchange. There's just other nuances to this discussion that they could be for as opposed to against just blanket*

warehouse. Which I'm sure there are. I do not see this as a suppression tactic. Like I said, this doesn't force these individuals to do anything. This is just an ask. This from my understanding, this isn't even going to be on the ballot in November if we go through detachment, because if NorthPoint pulls out, it becomes moot. I agree, you guys worked hard and you deserve all the credit for doing that. I'm not trying to belittle that at all. That is also a fact. If we detach, this does not hit the ballot in November. There will be no vote. I think everybody understood that.

Ward – I agree, I will just add though that you said "if." There's 6 weeks that that can be withdrawn.

Clark – Did you want to amend something, Mr. Walker?

Walker – I would just like to ask Mr. Boggs one more question. Do you find anything wrong with any of the wording as far as the speculative estimates before we move forward?

Boggs – I do not have any legal objection to the wording of the resolution.

Walker – Then I would like to add. This is just a plea. This is not demanding. It's just asking because the 7 council members that the community has elected to these seats was by the entire community and the almost 10,000 people. That's an estimate also. But at the same time, your words are heard as well and respected as well.

Amos – Legally, Mr. Boggs, you have no issue with it because it's not a legal document. It's not legally binding us to anything.

Boggs – It's a resolution that, if adopted, would express the sense of council in requesting the petitioning committee to withdraw the petition so it would not appear on the ballot. There's nothing in here that causes me any legal concern for the city. It doesn't require anyone to do anything. It just expresses a sentiment of council.

**A motion was made by Shea, seconded by Milliken to move RES-22-012 to full Council. The motion carried with the following vote:**

**Yes 4 – Clark, Milliken, Shea, Walker**

**No 3 – Amick, Amos, Ward**

**ORD-22-013**

Finance

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FIVE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$5,750,000) OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (A) ACQUIRING, RENOVATING AND CONSTRUCTING A NEW MUNICIPAL COMPLEX AND RELATED PUBLIC INFRASTRUCTURE IMPROVEMENTS THERETO; (B) ACQUIRING AND CONSTRUCTING MCGILL PARK PHASE I AND RELATED PUBLIC INFRASTRUCTURE IMPROVEMENTS RELATED THERETO; AND DECLARING AN EMERGENCY

- Request to move to full Council

Jackson – If you recall, two weeks ago I did briefly let Council know that this was coming. In 2021, we issued \$6.5 million in short term debt to renovate what is now the new City Hall as well as complete the McGill Park Phase I project. Those short-term notes do mature this coming May. What we are asking to do is pay down \$750,000 plus interest of that amount and roll over the remaining amount for another year. The reason we are asking to do this is because it in order to take this long-term, it's going to be a lengthy process. We don't have the time to do that right now. I know that you are all aware that interest rates are rising, but given where we're at, this is the best move right now. My intent is to continue to watch interest rates over the next several months and then we will make the determination of whether or not to take that \$5.75 million long-term, 20, 25 years depending on where rates land. But right now, this is a necessary piece of legislation which will effectively pay off the \$6.5 million that we issued last year and then reissue \$5.75 million. You will notice that there is an emergency clause at the end of this ordinance. That is so we can lock in our interest rate and close the deal prior to the 2021 notes maturing but I am ok with three readings. We have time to do the three readings. It would just be asking for that emergency declaration on third reading so it would be effective then. That would be your first meeting in May. This is not new debt. This is debt that we have already taken out, so I want to make sure that that is clear.

Shea – Do we have the resources to keep taking off three quarters of a million dollars a year?

Jackson – That’s a determination I make every year. The previous notes that we issued prior to my time at the city, we did pay them down bit by bit. Sometimes it was only a couple hundred thousand dollars. Sometimes it was more. It all depends on what’s going on with our income tax revenue. Obviously, you know that financially speaking, we are doing very well, which is what is allowing us to do this. If I had a crystal ball, I’d be able to answer that question about what’s going to happen in the next 12 months but I don’t know. So, it is something that we will look at this time next year if we don’t take it long-term before then. To take it long-term, it would even out our yearly payment, basically like a mortgage. If we do continue to take it short-term, then we’ll see where we finish 2022 and then make that determination.

Shea – So, on the short-term notes, can we exit those at any time or are we locked in to a fixed term on those too?

Jackson – We have to do the refunding no more than, I believe 3 months prior to when these new ones mature. So, we have until next January to figure out what we’re going to do.

**A motion was made by Shea, seconded by Milliken to move ORD-22-013 to full Council.  
The motion carried with the following vote:**

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

**ORD-22-014**  
**Development**

AN ORDINANCE TO EXPRESS THE ASSENT OF THE COUNCIL OF THE CITY OF CANAL WINCHESTER TO THE DETACHMENT, UNDER SECTION 709.38 OF THE OHIO REVISED CODE, OF APPROXIMATELY 70.672 ACRES OF LAND OWNED BY TERESA L. AND DALE C. SCHACHT, THE HAROLD L SCHACHT TRUST, AND THE NORMA JEANNE SCHACHT TRUST

*- Request to move to full Council*

Boggs – This ordinance is a result of the request of the property owners of the Schacht properties to execute on section 5 of the pre-annexation agreement which talked about the filing of a referendum, the placement of the referendum on the ballot as a condition of their ability to request detachment from the city. The city has a contractual obligation to assent to that detachment. The statutorily under the Ohio Revised Code involves a petition by the landowners to the County Commissioners who are required to detach if the municipality assents to the detachment by an ordinance expressing that feeling of the council. That is what this document is. It is here for a first reading this evening.

Amick – I just wanted to kind of remind everybody that Mr. and Mrs. Schacht who have been hard working community members, they chose to do the annexation with the city of Canal Winchester. That was their choice. I just want express my disappointment that our community as a whole did not honor that.

Milliken – I just want to make the clarification, Mr. Boggs, that if this particular item were to be voted down, we would be found in violation of the pre-annexation agreement.

Boggs – It would place the city in jeopardy of a lawsuit under the pre-annexation agreement, yes.

Shea – I think we should let them go. We don’t have any choice in this matter. As Laurie indicated, they’re good people. Let them go and take their land where they can develop it the way they wish.

**A motion was made by Shea, seconded by Milliken to move ORD-22-014 to full Council.  
The motion carried with the following vote:**

**Yes 6 – Shea, Milliken, Amick, Amos, Walker, Ward  
No 1 – Clark**

**F. Adjournment @ 6:08 p.m.**

*A motion was made by Milliken, seconded by Ward to adjourn. The motion carried with the following vote:*

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