

Canal Winchester

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



Meeting Minutes - FINAL

April 18, 2022

6:00 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 6:01 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, Bill Sims

D. Reports of City Staff

Bill Sims – Well, its spring time. Construction season is getting ready to kick off here so you're going to see more and more work here overcoming the next few weeks. So, currently still working on the municipal building project. I'm sure you've noticed that the old community center is now has been raised. Contractor will be installing storm sewer yet this week for the new parking lot and work will continue on that until it is complete. Probably looking at roughly 30 days, maybe a little less. The Gender Road phase five project is getting close to finishing up. We've been waiting on a couple pieces of traffic signal pole and that has manufacturing errors in them. They've been delivered back to the project, so they actually should have finished up this week as long as the weather is reasonably cooperative. McGill Park phase one active work is resumed out there on the playground. Getting some drainage system and the mulch currently. Then the primary contractor will be returning here in a week or so to get things wrapped up. We have a May 15th completion on that and should see no problem with completing on time with that project. We are getting ready to start the 2022 Street Program. We have a pre-construction meeting with Decker Construction tomorrow afternoon to get that kicked off. Typically that project starts with concrete work so the sidewalk program portion of it usually in early phase. We also have some concrete work to do with the pool and of course we need to get that done before the pool is ready to open at the end of May. Then also, the 36 S. High Street renovation to the new substation. Currently the design work is underway on that project so we're still probably about 4 weeks from active construction on premises but things are underway on that job. On the private end of things, we have recently had the pre-construction meeting for Greengate sections 3 and 5. The next phases of the Greengate subdivision they've started building model homes in the phase 1 and 2 and they're selling lots currently in that phase. The underground stuff will start here in mid-May for phases 3 and 5. Of course we've also seen lifestyle flooring that started out at Canal Pointe. Work continues on the GG Mechanical building there as well and of course here at 29 W. Waterloo Street they're actively underway with the building itself. We still have a number of right-of-way permit items out here that you know we're expecting to see a fair amount of activity this summer with those.

Clark – The status of the Council Chambers, where are we with that? When do you think we might be in?

Sims – We have been wrapping up HVAC in that area as well as the AV items as well. Now the AV, they won't hold up occupancy but the HVAC will so we're getting really close on that. I'm hoping within the next two weeks we'll have everything wrapped up on it. We have to get our final inspections whether that means you might be in for the first meeting in May, that's going to be cutting it close. I certainly see absolutely no problem with the second meeting so we'll just have to play it by ear depending on how quickly they get the final inspections and CO's approved for that portion of the building.

Shea – Are we listing for lease the open space at the end of the building? Have we made a determination on that?

Sims – Maybe someone here has a better response to that, I'm not involved in that portion.

Haire – We haven't listed it for lease with anyone with a broker so we've just been pursuing potential tenants that Council had kind of authorized me to work on. So we just had some email exchanges with folks at this point, but we haven't listed anything or marketing inactively.

Shea – Would you forward me with the last Council like what we told you to work on? Just so we can be up to speed on that, please?

Haire – Sure.

Ward – Can you forward it to all of us?

Haire – Yes.

E. Request for Council Action

ORD-22-016 Development

AN ORDINANCE TO REPEAL ORDINANCE 21-054 AND TO AMEND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING APPROXIMATELY 70.625 ACRES OF THE EXISTING TRACTS OF LAND OWNED BY TERESA L. AND DALE C. SCHACHT, NORMA JEANNE SCHACHT TRUST, THE STATE OF OHIO, AND NP CANAL WINCHESTER LLC, LOCATED ON BIXBY ROAD AND RAGER ROAD FROM EU – EXCEPTIONAL USE TO PID – PLANNED INDUSTRIAL DISTRICT AND DECLARING AN EMERGENCY

- Request to move to full Council

Haire – This ordinance as directed was prepared as directed by Councilman Shea. This would repeal the previous ordinance that zoned the Schacht property to limited manufacturing and it would zone the property to planned industrial district. So, what's been developed here is a development text that's associated with that and the plan associated with this would be the plan that was presented to City Council as part of that rezoning package. You can see there's some text there that control the overall use of the property. A planned district essentially you're writing your own zoning standards for the property and so with this specific property, there are some standards that match what was discussed at Council in terms of how landscaping screening should be done, things like that. But, it really differs anything else back to the limited manufacturing district so if its silent on an item, it would refer it back to the limited manufacturing district or the remainder of the Canal Winchester zoning code. It's not necessarily silent on a lot of items, but it just defers to the underlying zoning code in those cases. I'd be happy to discuss any specifics on what's in the development text, but I assume you've all read through the standards that we've developed. So, if you have any questions, I'd be happy to answer those.

Shea – Just so you know, I'm planning to table this this evening so that everybody has time to review, especially due to the late agendas coming out. We had a little bit just you know new people and things like that. Thank you, Mrs. Jackson for working in the car on the way home from Florida to get us an agenda so we can have a meeting. I would say the only thing that I couldn't see in here and I would ask you, is a reduced abatement has been discussed. Is that covered in here or where would that come into that?

Haire – So, this property is not currently part of a CRA district and so we do not have the ability to offer in the real estate exemption on this. That would have to come later if Council so desired to create that CRA district so that would be at that time is where we could then negotiate a rate. There's a few items that would need to happen, we have to create the ability to create a district or add this to the existing Route 33 N. CRA and then once that's done, that has to be certified by the Ohio Department of Development to be eligible for CRA's and then once that's done, then we negotiate.

Amos – For the public, can you please explain what this does? What's the purpose overall?

Haire – What this specific item does, this creates a zoning district and zones this 70 acres to planned industrial district. The purpose of us to zone it is to plan industrial district.

Amos – I think I'm more referring to what does this do to the process along the way, just so that everybody understands, like if this passes then it does what to the vote to the referendum?

Shamp – What would occur is that the referendum is currently on ordinance 21-054. This legislation would repeal that ordinance under the powers of Council and it would change the zoning from the previous underlying zoning the exceptional use which is what I think called a catchall, when land comes into the city it goes in EU it would change it to PID planned industrial. That would essentially moot the referendum and the quest is to declare an emergency and that would mean it is effective on passage if it reaches the required number of votes. Emergency legislation is typically not subject to a referendum.

Ward – Can you read the definition for us of what constitutes an emergency, please?

Shamp – It is an ordinance passed upon the determination that is necessary for the immediate preservation of public peace, health, safety or welfare, and it shall contain a statement of the city for that emergency.

Ward – So, I guess the necessity here is we want to take our citizens rights away from being able to file a referendum?

Shamp – I wouldn't say that is this necessity but it's also a policy decision of Council.

Shea – Mr. Shamp, ordinance 22-014. Tell me what happens when that ordinance passes.

Shamp – Just read the title, to be clear it's an ordinance to express the assent of the Council of the City of Canal Winchester to the detachment approximately 70 acres of land owned by Schacht family and Schacht trust. At that time, the land that has been previously annexed into the city, it is now subject to the referendum petition would be removed from the city.

Shea – Once that land is removed from the city via ordinance 22-014, which we are required to follow unless we end up in breach of contract and get sued for specific performance. There is no referendum because if we don't pass that, we put the city in a lawsuit.

Shamp – It exposed the city to a lawsuit, yes. Absolutely.

Shea – Okay, I just want to make sure. I personally take offense. Wow, I'm offended. The rhetoric about taking away people's rights and democracy and that's really a disturbing accusation to hear. Unfortunately, we are in the middle of a very tight, tricky situation. If we let it go to the vote well in two weeks it leaves our city and there is no vote and our city loses its opportunity to block Columbus out, our city loses the opportunity to generate revenue for not only the city, but from the school district. There's a lot more to this than just one project. I think everybody should be well to think strongly on that and I do move to table until next week's wok session.

Ward – I would just add that was a lot of speculation there but I second if you need a second to table it.

Milliken – Just out of curiosity, I want to understand everybody's points of view here. Could you clarify which parts of Mr. Shea's comments were speculative?

Ward – Right. So that we would lose opportunity. We would only lose opportunity if they got annexed and rezoned in Columbus, and no one knows for sure that it's going to happen. I've been getting indications a lot so that part is speculative.

Milliken – I think I would like to hear everybody's agreement on at least to this fact that if ordinance 22-016 is approved by emergency, the referendum would become moot and the passage of ordinance 22-014, the referendum becomes moot. So whichever avenue we take here the referendum is done right. Do we all agree on that?

Clark – I do.

Ward – Once that would pass, yes. My issue is declaring an emergency removes the citizens' rights from filling another referendum.

Milliken – Understood.

A motion was made by Shea, seconded by Ward to table ORD-22-016. The motion carried with the following vote:

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

F. Old/New Business

Carolyn Ebert, Labor Day Festival Committee President – So, what I have tonight to present to you is just the estimated expenses for the Labor Day for 22. We have not completed any of this simply because right now we're having difficulty getting commitment from our previous sponsors and so we are asking for Council to consider providing some funding for us. What I was asked to present was the cost that was estimated for 22. \$12,200 for the primary stage lighting and sound, 3 technicians for the three day event. \$10,000 for the portable toilets, trailers, hand wash stations, sanitary stations for all three days. \$5,500 for tents and tables. \$3,000 for the roaming entertainment for the two days, that's like the balloon guy and the statue guy. \$3,500 for advertising. \$1,000 for South Central Electric. \$5,000 for the electricians to come in and setup and teardown that takes quite a bit of time. I watched them do that several years and it's a task. \$6,500 for the eyes of freedom which is a traveling memorial and they would be here for three days. \$1,000 for just miscellaneous supplies like water for say things for the Information Center. \$1,200 for lodging and meals for the entertainers. \$5,000 for the mechanical bull. \$15,000 for the stage entertainment and that includes the CWS Steel Band. \$5,000 for parade bands and believe or not that is very difficult to get. Nobody wants to commit to their bands from the high schools to come and preform with our parade. \$1,600 for miscellaneous banners and signs. \$900 for the zoo animals. \$1,600 for the golf carts. \$1,000 for the trash. Previously, we've had a commitment from a community partner for \$5,000 to be given to us to have free rides Saturday, currently this year we have not been able to get that community partner to commit to that so therefore, two things there, we don't have that \$5,000 and we're having to have a new ride vendor. The vendor that we've used in previous years is not available to us, so therefore we're looking. We do have a new ride vendor that is working with us, but we don't have \$5,000 there. So, the total of things that I have just mentioned to you, not counting that \$5,000 for the rides comes to \$79,000. Currently we have \$27,200 in our budget. As a carryover from the last year that we did Labor Day, which was 19. So, normally we have about \$4,500 carryover and we've planned that that every year we want carryover each year when we complete the event just in case of emergencies or whatever. Last year we did the Hometown Day, which brought no money in and was totally free to everybody that attended so that ate up part of our \$4,500 that we normally have to start working with. So, currently we only have \$27,200 in the bank right now to start working with. So, considering that leaves us with needing to come up with \$51,800 and then on top of that we have the expenses of \$5,500 for the special duty deputies for that entire weekend. So, in total that comes up to \$62,000 and that's about where we're usually at in previous years. We've spent \$65,000 to \$75,000 each year to have the Labor Day. So, that's where we were at and that's what we're asking for, Council to consider providing some funding for this. It's been very difficult this year, some of the vendors or some of the sponsors that we've had in the past years, I guess due to COVID and other reasons, they're not able to commit like they have in the past. In order for us to put on the Labor Day parade and a three day event like we have in the past, we're going to desperately need \$6,200. It's more difficult this year to go door to door knocking and asking people to provide that funding just because of the circumstances. So, that's what we're presenting to you. You asked me to come and give you a rundown of what things cost and why we need so much money. A lot of these things, you know, people don't think about launching for the entertainers. Well yeah, we do have to provide that or they're not going to come but like electricians that work out here all weekend and they're on call all weekend, we pick up the phone to call and they come and fix whatever electrical problems. So, it does take quite a bit to put this event on and I guess it's kind of up to you all if you want to help provide that and not. We certainly would not be able to do the event as we've done in the past.

Amick – That was a really good breakdown of the expenses. So, I think the public appreciates that level of detail. If Council does not approve the \$20,000, what would be sacrificed?

Mrs. Ebert – The parade, the whole event. \$27,000 is not going to get us anywhere. I mean \$27,000, we wouldn't have any entertainment probably.

Amick – So, I'm sorry. Is the ask \$20,000, is that what you're asking?

Mrs. Ebert – We're asking for whatever Council would consider to provide for us. I mean, I'd like to see it go to \$30,000 but that would be, you know, help us get through the weekend but normally we start our balance at \$45,000. But, because we did Hometown last year, everybody wanted something and they wanted everything to be free, which we did, provided everything and all the events and activities. So that ate up a good portion of what we usually have as a carryover.

Amick – So, your ask is \$30,000 or somewhere between \$20,000 and \$30,000?

Mrs. Ebert – Yes.

Shea – Mrs. Ebert, do you think the Saturday ride sponsor will come back or do you think they're gone?

Mrs. Ebert – My understanding, the one that we've had previously is gone. We're working on trying to get a different company to support that. Right now I don't have a firm commitment from them, but I'm working on that but there's nothing to say that they're going to come through. The comment was made, well we could probably do something but they don't know if they could do \$5,000.

Clark – Thank you, Mrs. Ebert for coming. I know there's a lot of volunteer hours with that committee and appreciate your efforts and it's not easy.

Ward – Amanda, can you remind us how much we have in the fund right now?

Jackson – At the end of March, we had \$225,000.

Amos – I can touch on DORA real quick if we want to. So, I had a meeting with the Mayor and Mr. Haire last week, it went really well I thought. We came up with some terms that we think are good so we're getting the paperwork written up right now. You'll have it at your next meeting. Actually, you will have it before then to review, but you'll have it at your next meeting so that you can review it. Our hope would be to do a first read at the next meeting. There is two newspaper requirements that we have to do back to back then there is a 30 day waiting period and then from the time that we do the first read to the time that it actually gets signed off on we have 60 days. So, our hope would be to have it in place before Art in the Park, or Music in the Park, and then our first big event rollout would be Rib fest. So, you'll have that in your mailbox coming soon.

Ward – Can we circle back to the request for \$20 to \$30,000 for the Labor Day Festival? Do we want to have any discussion on that? I mean from my perspective, I'm supportive.

Milliken – We could just go down the line real quick. I'm fully supportive of it, the money is there. I think this fund is going to continue to grow year over year. This is something we should be supporting year in, year out, in my opinion.

Amick – I would most definitely agree, this community looks forward to it every year, so thank you for the work that you've done.

Clark – I think with being our 100th anniversary of it, it's important to have a good show this year and so I'm fully supportive.

Ward – Have we looked into how much it would cost to do like a fireworks display? That would be really fun for our 100th year.

Clark – That's a lot of money.

Ebert – Hannah might have a little bit of an answer on that because we were thinking about doing that last year for New Year's and we didn't. But, I don't know if you remember the numbers on that and this would have been a very, very quick short show.

Woodruff – I think we had looked, it would have been like a very, very, very brief, you know, it's midnight basically. So, I think capping it at three minutes, it was about \$5,000.

Ward - \$5,000 for three minutes?

Woodruff – Yes.

Ebert – That was about exactly, it was about three minutes.

Amick – Are there any historical organizations that we could tap into for something like that since it is the 100th year maybe there's something at the state level or something that they would chip in some extra money for fireworks. It's not every day the city turns 100, right? So, maybe we could look into that.

Ward – We could look at funding it. I mean we do have the money if we wanted to do something like that to make it extra special.

Shea – One of my friends is on the board of Ohio State Historical Society, I could ask him if he's got any knowledge of anything like that. I mean based on the numbers, this sounds like you were still about \$40 to \$50 short, right Mrs. Ebert?

Clark – She said, \$62,000 needed. Is everybody okay with \$30,000? Let's start with that.

Shea – Can you just give them the money?

Jackson – No, that's going to require a legislative action but I can have that for you at the next meeting.

G. Adjournment @ 6:34 p.m.

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

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