

Canal Winchester

*City Hall
Council Chambers
45 East Waterloo Street
Canal Winchester, OH 43110*



Meeting Minutes - FINAL

June 20, 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 7:46 p.m.*

B. Pledge of Allegiance - Shea

C. Roll Call *Present 7 – Amick, Amos, Clark, Milliken, Shea, Walker, Ward*

D. Approval of Minutes

[MIN-22-024](#)

June 6, 2022 Work Session Minutes

A motion was made by Amick, second by Walker to approve MIN-22-024. The motion carried with the following vote:

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

[MIN-22-025](#)

June 6, 2022 City Council Minutes

A motion was made by Walker, second by Amos to approve MIN-22-025. The motion carried with the following vote:

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

E. Communications & Petitions

[COM-22-008](#)

Madison Township Police Statistics May 2022

F. Public Comments - Five Minute Limit Per Person

Jackie Marion, 262 Woodsvie Drive – I'm not here, I'm sure you'll be disappointed to talk about warehouses or swimming pools. I'm here to talk about something I think we can all agree on. I had the opportunity a week before last with Mrs. Amos, Mr. Shea, and Mr. Peoples to walk downtown and look at the streets and curbs in the downtown area of Canal Winchester. I think we all agree that we love this town and we find it charming. We want to keep it that way. As we walked and talked, we found a lot of opportunities to make it more charming and safer. We still have an issue with crosswalks downtown. I think I came to you last year and talked about the situation we had between Cornersmiths and Sticks and Stones. Saturday I watched three different groups of people walk three different ways across the crosswalk and Matt very calmly told me that the signs are where people should walk but they don't. It is an issue there and something that we need to address eventually. Some of the things that need to be done downtown or long term projects they take money and of course that's always priority. I'm asking you to look into the wallets of Canal Winchester and hopefully come up with some money. We also have an issue of curbs being cleaned downtown because everybody is parking there. I know other cities figure out a way to maybe clean the streets early in the morning that would be a great asset. I forgot to tell you I'm representing the Downtown Business Association, I should have said that up front. Carm who has a wonderful vision of everything is going to talk in a minute here. I also want to talk about beautification. We have all the elements in this town to make downtown dramatic but we kind of spread them all around. The wonderful flower pots that we have hanging on all different directions. If they were concentrated downtown it would really make an impact. I was walking down to the depot Saturday and I noticed we have three tree planters in front of one business down there. I think it's the lawyer's office. If we made an effort to gather those things into the four block area of Columbus and Waterloo, we can make an impact with what we have. It wouldn't cost more money and would be easier for the guys to find where to water things. I see them traveling all over looking for the pots. So we have opportunities to make downtown charming. I just encourage you to look at those things when you go out of here and look at the curbs and bricks, they need help. I have a much better understanding of the brick repair. Matt was kind enough to

send Shannon to repair the uneven area in front of Cornersmiths last week and I think he was there for six hours to do three spots. If we were to do that all over town, it would be endless work, it could never be done. So there's opportunities to make downtown really glow and I'm encouraging you to think about that. If we edged and mulched the trees downtown, what a nice entryway into the downtown on the main streets.

Carm Smith, 1 S. High Street – First of all I wanted to thank everyone, I love being a part of the community. I listened to all of the stuff that's happening on the periphery and I kind of want to suck it all in for a minute and talk about the Historic Downtown Canal Winchester. I just kind of want to share something maybe some possibilities for the future. What kind of started all of this is that I was reading an article about the fourteen most charming small towns in Ohio. I went through them and they ranged in size from about a population of 14,000 to one fewer than 1,000. I was going through the line items what made them so charming. I recognized a lot of the things that we already do in those. I also saw that there was some possibilities for some new and unique additions to what we do to kind of qualify as a charming little town. What I am really coming here to talk about is just a consideration or an ear for a beautification commission or committee. I'm just going to say that one of the small towns was German Village. We know that it's probably 4,500 people in that area and it has a periphery. It's maybe a little more different than the beautiful area of the village. One of them was Marietta which is 14,000 people but of course it is also butted by Appalachia. There are things that are in the periphery that kind of couldn't draw everything into the old downtown or the old areas. Where there is charming shops, where everything is kind of focused around the history, the culture and the aesthetics of those areas that make people want to go gather there. Also if they wanted to visit there or have been there and they've had a wild moment. That's just basically what I want to do is kind of put a bug in your ear about at least the conversation or open the conversation about what it would mean if we add to our dynamics of beautification of our Old Town. You probably all know that German Village has a pretty rigid beautification commission, very rigid. Kind of our landmarks and beyond but for some reason it must be worth it because year after year they keep making these lists whether Ohio magazine, Country Living or Life. So anyway my goal is just to get us into a mindset and maybe figure out a way with everything else going on around us, growing, changing, that we actually kind of step inward and look at beautifying our village.

Donna Perry, 6429 Fox Hill Drive – I moved here in August of 2020 and I feel so blessed to live here. I love Canal Winchester. Thank you for the opportunity to speak to you today. I'm here to ask City Council to please enforce the law that the use of fireworks within the city limits is not permitted per city code 1519.04 possession, sale or discharge is prohibited. I live in the Villages at Westchester and last year was my first year in my home, first 4th of July in my new home. The people who live behind my home set off a massive firework display. They live at the end of a culdesac and are surrounded by homes on all sides. They aim the fireworks at my neighbor's house and mine intentionally when they knew that we called the Sheriff. I found out this is an annual block party they throw without a permit and they illegally shut down the street with barrels they stole from the city. I spoke with Matt Peoples, the Public Works Director for the city on July 7th 2021 about this issue and I sent him an email with photos of the fireworks, debris and the stolen barrels. We had to leave our home and stay somewhere else that night because of all the noise, smoke and concerns over a potential fire while we were sleeping in our home. The next day there was shrapnel all over my roof, my property and my neighborhood. My neighbor's yard was also purposely damaged with some kind of chemical during the night because he confronted them directly. I can only imagine what they will do this year when they think it's now legal. I would ask that the city put out a notice on the local news similar to the City of Columbus, Upper Arlington, and Dublin to remind all the residents that setting of

fireworks in town is illegal. I'm here to ask the city to enforce this law to protect my property and my neighbor's property. One person should not be allowed to terrorize a whole street and surrounding areas, right in town in the Villages at Westchester just a mile away from here. I will ask the Sheriff to step up patrols in the town, in the Villages at Westchester to have any presence in the neighborhood. The next issue that must be addressed now is the excessive speeding on Gender Road, Fox Hill Drive where I live and elementary way. I spoke with Matt Peoples about this serious issue last year and requested additional speed limit signage. I spoke to Sheriff Kelly Walker when she first took office to request more patrols and so far nothing has changed. No new signs, no speed limit painted on the street and no regular speed patrol. When people are coming into town from 674 towards town the speed limit goes from 50 to 45 for a second and then to 35 which doesn't make sense. People are not slowing down and they're flying into town 55 mph plus on Gender Road, past my street. There are two elementary schools and a rehabilitation center at this intersection. This is a residential area and the speeding must be stopped. Please install new signage with flashing lights like most other areas we currently have when you're entering our town. Please also paint the speed limit on the road in big numbers so it's obvious that people need to slow down. Most importantly please ask the Sheriff to start pulling people over for speeding on Gender Road and Fox Hill Drive. I see a Sheriff driving through the neighborhood occasionally but rarely ticketing speeders at this intersection. People also drag race and speed at this intersection on Gender Road when leaving town when it changes from two lanes to one lane right by the school. The speeding in this area of Canal Winchester has been neglected and I'm putting the city on notice that something has to be done now because it's just a matter of time before there is a serious accident at this intersection. Please put up flashing signs, paint the speed limit on the street and patrol the area on a regular basis for excessive speeding. This is my last comment. The fact that the City Council felt that it was appropriate to remove the warehouse referendum from the ballot and arbitrarily make the decision on behalf of the voters to allow more warehouses in Canal Winchester. You should all be ashamed of that error in judgement. Unlike the vote that was stolen from us, I know that my neighbor and I will get that chance to vote for or against each and every one of you. I would ask that you guys please do something about the fireworks because when it does become legal it's going to get really bad in Canal.

Jim Bohnlein, 6320 Rossmore Lane – Wow. This is nice, you deserve it. The City of Canal Winchester deserves it and this is truly a wonderful place. The acoustics are terrific, the seats are nice too. I just wanted to make you aware and I guess you haven't been told yet. Every year the Sheriff has a recognition ceremony and for the people that are retiring and have retired during the year. He also does a recognition ceremony and Kelly was mentioned this year, Sergeant Kelly. She's terrific. I just want to bring up this one thing, she received a lifesaving award. I'll just read this, it's only a short paragraph. Sergeant Austin and Sergeant Kelly Walker were dispatched to an unconscious male. When the deputies arrived, the victim did not have a pulse and his skin tone was blue. Sergeant Austin began performing CPR while Sergeant Walker ran to her cruiser and retrieved narcan. Both sergeants took turns performing CPR and roughly a minute later Sergeant Walker felt a pulse. Medics arrived and transported the victim to the hospital. I just wanted to make you aware that that's our Sergeant. I don't think she knew I was going to do that so I just wanted to bring it to your attention. I think we've got a great police force. They care tremendously about this city and they have great people. One more thing we also had a deputy Trena Kohler, she retired this year.

G. Reports of City Officials and Staff

Mayor's Report

Ebert – I really have nothing additional to add to my written report but if you have any questions I'd be glad to answer.

Fairfield County Sheriff

Sgt. Walker – To go along with my written report, I think you guys spoke about it in work session. We are making sure that our presence is known at the pool, trying to keep the riffraff out of there. Then just to address what Mrs. Perry said about Gender Road and Fox Hill, I will tell you that my deputies are out there. They are watching for speeders. I can say that we had a complaint in front of the golf course, people were saying that there is speeding up and down through Gender so my deputies have been out there. They are watching for it, they can't be out there all hours of the day unfortunately dealing with calls and all other things that we have to do. I will make sure that they know. If anyone has any questions I'm more than welcome to answer them for you.

Milliken – With regards to fireworks and you know 4th of July coming up. What does a typical 4th of July holiday weekend look like for you guys as far as on top of your normal duties and enforcing?

Sgt. Walker – It's just a typical 4th of July weekend. Our call screen is completely full with fireworks complaints so it's prioritized. Priority one, priority two, priority three, priority four for calls for service. Half the time we can't get to your fireworks complaints because we're on priority one calls. The fireworks complaint calls will pend and by the time that we get out there to those, they're done letting them off. If we do get out there we can't stop them mid let off. They're going to let them off you know if they already lit that fuse to that big box of fireworks we can't stop it. They're going to off and we're going to say "hey no more letting off fireworks."

Milliken – I understand you're not going to be able to get to everything but is there any sort of maybe a follow up of kind of the lower priorities to check in on those complaints?

Sgt. Walker – Yes definitely that's something that we are going to check up on but like you know by the time that we get out there they may have cleaned up their whole entire mess. We may not have any proof that they were setting them off when they did set them off. That's something that we need to charge them with that ordinance of setting off fireworks within the City of Canal Winchester. Now if we roll up and they're setting them off in the culdesac, they're going to get a summons to court. We're going to summon them to court and say "hey now you have to appear for setting off these fireworks."

Amos – Mr. Boggs, what do we need to do as a city because I don't think our ordinance is strong enough now that the state just reduced their legislation on it?

Boggs – The house bill that's going into effect on July 1st designates certain days when under state law it is now legal to discharge consumer grade fireworks 1.4 G classification of fireworks. The city's existing ordinance says no person may discharge fireworks unless they have an exhibition permit. That remains good law. There is nothing that the city has to do legally to make it illegal to discharge fireworks in the city because that is your existing law. The municipalities under the new law have the ability to ban this charge of fireworks and so that existing ordinance here will remain in effect. I want to make it very clear to everybody, it is illegal to discharge fireworks in the City of Canal Winchester.

Amos – The other cities that are changing, is it just because their ordinances were not strong enough there laws were not strong enough? There are a lot of cities revamping their fireworks

Boggs – There are a lot of cities that are doing legislation of one kind or another. I haven't looked at all of

those. I know that some may reference state law and so because the underlying state law is changing and their ordinance just references it, then they have to change to have a ban. I do know that in other cities that my group represents where they have an existing no discharge, no reference to state code that would create a caveat to that, we have advised them that there's no need to put in place a new ordinance.

Amos - If I understand you correctly because our ordinance does not refer to follow the current state law. Ours just says no fireworks it is a chargeable offense.

Boggs – It is a chargeable offense to discharge fireworks elsewhere in our ordinance it refers to state law for possession of fireworks but not to discharge. It is a chargeable offense to discharge fireworks both today and after July 1st.

Amos – Since we don't have anywhere that sells fireworks other than your basic smoke bombs pop things like that, that ordinance does not need to be modified?

Boggs – Correct.

Shea – Based on what I've heard about the incident that Mrs. Perry described, I think it would be really awesome if your deputies took a couple extra laps down Stretton Place on that evening.

Sgt. Walker – For sure.

Law Director

Boggs – I'm going to address fireworks ordinances. If there are any questions I'm happy to answer them. I do have a request for executive session at the end of this evenings meeting.

Walker – I do have a question there on the fireworks as well. Let's say you weren't able to be there at that time which it is impossible to be everywhere, usually taking a report after something happened. How much would that stand up if someone was to record where that's coming from by video camera and turn that in? Would that hold up to a violation?

Boggs – I'll address it from the prosecutorial standpoint and then I'll let Sergeant Walker address it from the actual policing standpoint. Video evidence is admissible in court. We would still need the person who took the video to be able to testify to its authenticity as well as what they observed themselves. You could move forward on a case with that type of evidence without needing the police deputy's direct observation of the fireworks. Anyone who wants to do that, the video needs to clearly get where these fireworks are originating, what property, date, and time, all of these things. The challenge I think for a person trying to videotape them as they see them in the sky and you may not be able to get clear picture of where they are originating. That may not be the case in the woman's example from earlier but you definitely need to have the ability to connect it to at least a property so that you can charge that property owner potentially.

Finance Director

Jackson – I don't have anything in addition to my written report this evening.

Public Service Director

Peoples – My apologies for not having a written report. I got a little tied up on Friday with the pool and the water plant. Mr. Shea and Mrs. Amos I don't know if you want to discuss Mrs. Marion's comments or wait

for old and new business.

Amos – We had a great walk. We did the downtown area. Mr. Peoples made himself free and we joined Mrs. Marion with Mr. Shea and I. We walked around and there are a lot of broken curbs. There's a lot of sidewalk issues where it's starting to sink in a little bit. We keep hearing everybody that talks about how attractive downtown is, how we want to keep it beautiful, how this is the heart of our town. We did walk through and looked at a lot of places that we could make modifications. Mrs. Marion pointed out exactly, it requires money but it would be money well spent in keeping our downtown area preserved. It's something that Mr. Shea and I were kind of floating some ideas around and will continue floating ideas around. We had talked about some of the community benefit money that we may be saving from some of these organizations to go towards revitalization of downtown. We talked about tensional bed tax money because that is bringing tourists into our town. Mr. Peoples pointed out the fact that one of the hardest parts is that if we have something we want to do it's not as easy to find a contractor who can go in tomorrow to do it. Some of them are just not feasible within the current year but he did listen to a lot of them and kind of took notes on some things that we might be able to modify in the future. Some minor projects that we could take address right now so I will say a big thank you to Mr. Peoples and his group because they did go out and fix the cliffhanger that was out in front of Cornersmiths. You walk and see them every single day and sometimes you just don't see them. Patrick said it best once you see it you can't unsee it.

Shea – I'd like to start off and thank Mr. Peoples. One because he's a man of action. It was less than 24 business hours after we had met with him and there was action happening down there. There was men that were on his team down there with roundup spraying the weeds that had grown up through the cracks in the sidewalks and curbs just to clean it up a little bit. Then a week after that meeting they were out there fixing a very intensive problem but he was out there and dedicated to it. I'd like to thank him for the prompt response, the incredible service he gives to residents in this community and we are very lucky to have him. I also want to thank him for being willing to listen to various ideas even when they feel crazy when I said let's do an arch from Cornersmiths to Harvest Moon. He said as long as you come up with the money we can do it. We're looking for that money but I think we're all in agreement that downtown is a very special charming place and we want to protect it as much as we can and keep it as beautiful as we can. I did notice 1828 signs that popped up over the week thank you for that. It just all helps to kind of fill in and add that charm down there and it is absolutely the asset, the gem, of our community. I think we would do well to take very good care of it not that we haven't been but just to keep an extra eye on it. I would like to thank Mr. Peoples and his staff for just absolutely doing a bang up job thank you.

Peoples – Most of the stuff that we did talk about is on our on our annual list anyway with the wet spring that we had. Mowing kind of took over and it was growing quicker than we could cut it so some of that stuff to take a little bit of a back seat. You kind of look at it every day and it's not that big a deal. One of the biggest things is the tripping hazard that was there. That was one of the bigger things that we caught and then there was a little landscape area that had hadn't been landscaped or weed eat. It was nice to be able to see those things with different lens. We talked internally about the downtown for the last couple months. We've got a lot of people telling us at 33 is our identity and I've never ever thought that. It's always been about downtown. The brickwork that we're looking at out there and it's from the early 90s. We've had a couple projects over the years where we replaced a little bit of brick out in out in the center through our annual street program. A lot of that stuff when we talked about this is there's a canal boat down there within the brickwork but no one can really see what that is. Even on the aerial photos if you

look at those you really can't see what is going on. Most people think it's crosswalks. There's another one that is the old rail line. By no means am I saying anything about the historical significance of those two things, it's just those aren't as attractive as what they could be or what they were before. We've had this on our CIP it's what to tackle first is a big problem. The downtown crosswalks like Mrs. Marion said that those are a little bit difficult because that might get into some 88 compliance issues as we start to work on those. I think we said something about that when she was in here the last time so those might be a little bit more major. The brick work out in front of 10 N High St that's all cracking up. Going and starting to tackle these things rather than trying to program them in along with our street program to do all of this at once. Some of this brickwork may just get replaced by concrete in the sidewalk areas especially. I like the brick work and it has lasted very well but some of the aesthetics you lose with that brickwork. I think it's a balancing act on how we do that you know definitely in the downtown. We have a lot of small different issues just because of the age of the infrastructure so looking at that and maybe just try to take on bits and pieces of it. It might be the best way to go on it rather than a wholesale change which I couldn't even tell you how much that would that would cost.

Amick – Did you make any observations of an area that might just be a community call to action maybe a particular area that needs just simply some weeds pulled or anything that just community residents could get involved in?

Amos – I did not. Mainly what we saw was structural things that just need to be addressed. Some of them, the urgent ones, the street crew and Mr. Peoples was able to get addressed rather quickly. Broken curbs, identifying crosswalks as we become more pedestrian friendly and as our city grows and we see a larger number of people downtown, it's going to become vital that we identify those crosswalks. I know that's a huge one for us. I would love to take volunteer somewhere I just don't know that was down there yet.

Peoples – We really do think the focus is downtown. We wanted this building to be downtown to stay in this area to keep the traffic going. The legislation is on here for the purchase of the McClurg building which I think is was stated at the presentation that they did presenting ordinance last week. Taking that drop curb out of there and actually put in a real crosswalk there if we kind of program that the right way. Maybe have a little bump out so it's not as long of a walk. There's a couple of different things that we could do along with that. We have a whole downtown plan as well, it doesn't address the specific infrastructure and the crosswalks. A project we've been talking about for years and years and years is that railroad overpass. There's a plan in the downtown plan to kind of at least do some landscaping that type of thing. We're not addressing the actual physical structure itself of the overpass I mean that that is in there. We've had a volunteer unfortunately almost hang himself out there trying to trying to work on that bridge. Getting a plan implemented, it's very difficult. We have we have all of these roadways out there from our subdivisions that are getting 20 years old. This is when it gets programmed when we're doing some maintenance on them and spending some money and pulling that out now. Director Jackson said something about I think we had \$1,000,000 in there in the street CIP this year. Being able to pull that out and still maintain our streets but filling this in.

Ebert – I guess I'm a little confused about what you're really looking for downtown because last year, last fall previous council said get rid of all the bricks put concrete down or pavement.

Amos – We did talk about that with this Mr. Peoples is figuring out if the brick the best solution in order to

identify crosswalks because I asked him can we paint the bricks to clearly identify the crosswalks. He had made the comment it won't stay on long, it wears off very quickly so it's not really a feasible option. We'd be doing it over and over and over so that's not we want to spend our time doing. To your point Mayor it's deciding physically what's the best option for us to get the nicest look but be able to get the pedestrian friendly, identifying just the different things on the street. I mean my favorite was the stop bar, we're standing there at the corner and a car pulls up and Mr. Peoples looks and goes that's the stop bar and its bricks in the road. It's not identified, it is but not many of us know it. Mr. Peoples is kind of giving us some guidance on this because he's the one who helps plan a lot of that road improvements and giving us the best suggestions. We'll look at it and go from there and see what you guys think.

Walker – Just a thought to instead of getting rid of all brick maybe you would have brick bordering concrete or you know to keep the brick look.

Amos – Mr. Peoples pointed out, the center where the circle is I mean it's very pretty and it's well maintained right now. Is that something long term we can keep or something that needs to go away as we start looking at Traffic Safety, Pedestrian Safety?

Walker – It is the plan to keep the shape the outline where it is in front of Stradley that you were talking about as far as the canal boat? You want to keep that, right?

Peoples – Well I don't know. I mean just because you know you have to point it out to people to see what it is. It does signify our history so is there something else that we can do that that would kind of demonstrate the history along with it but maybe in a different fashion? I'm just trying to put our heads together and figure out what that might be able to be. We did talk about the arch. Down at the end at the dead end of High Street as you're coming down through there, used to be telephone poles on either side and we used to string banners across there. WE always had to Labor Day banner up there and then there was one out on West Waterloo Street right around Pfeiffer Drive. As we do our improvements those old wooden telephone poles go down and now we don't have anywhere for them to go, they were huge banners. You could do a lot of advertisement with that. Those are the type of things that that we kind of lost as we went through some of the improvements over the years. Maybe trying to figure out how to get something like that back, get a centerpiece type of thing. South High St doesn't seem to be that center piece. There's the downtown plan has some kind of redevelopment of Stradley where we relocate the greenspace from out in the back. Make it a parking lot and do away with the fountain which is also showing its age. As far as lights go, the electric in there, the pumps and all the lines it's a arduous task in the Spring for Joe at the water plant and his crew to get that up and running. It's coming more and more difficult every year it seems like. Stradley is great, the downtown plan looks awfully nice as well.

Milliken – I think there's a lot to chew on there. I don't think we're going to solve any of these issues this evening. I will just echo that I think all of us have probably had conversations with you at some point about pedestrian safety so I think that should be priority number one. My only other question was just a quick one. Somebody mentioned the flower hanging baskets. I meant to ask this last time, Destination was asking about those not being hung up in time for the Art Stroll. Is that a time of year kind of thing?

Peoples – We had the potluck for it in late April early May so they would have just been planted.

Ebert – Part of the issue is frost. You don't want to put anything out till after the 15th of May.

Peoples – We plant them all and they sit outside at the Public Works complex. It used to be usually by Memorial Day. They sit there on our on our lot and grow. We don't have an indoor facility where like greenhouse type thing. We have looked into renting some space I guess so it does get very expensive in order to do that. We worked with Dill's and asked them to try to get them going but it just becomes very expensive to do that.

Amick – I suspect you're going to tell me to be patient but is there any movement in the TRAC process at this point in time? Also secondary to that would be the Gender Road phase six any movement on either one of those efforts?

Peoples – Not on TRAC. I have September that there's going to be preliminary results but they're going through the applications now. We've not heard from ODOT that there was any questions that came out of that but I'll make sure to put that in my written report next time on the timeline on what to expect. Then Gender Road phase six, we did have a discussion with ODOT. It was an odd conversation I will say that because I think as I reported this last meeting they gave us direction to use the systematic safety funding. I'm not sure how all of this plays into it, they have safety funds and then they have systematic safety funds. Their main concern with our application through the systematic was that it would require an interchange operation study. If you think about our application, instead of a continuous loop for Northbound Gender Road to Westbound 33, we were actually going to take all of the traffic and go up to the to the traffic signal that is existing on the North side of the bridge. It was going to be a continuous right hand turn on the loop unless there was a pedestrian there and it would be controlled by a push button. That would be the only time there would be a continuous right hand turn to get on to 33. In ODOT's eyes that would have required an interchange operation study to go along with that. Since we did not have that already done they were hesitant on that. They also said that they put a cap on the funding of \$2 million which is what we requested and they said that they were hesitant to fund at the cap. I'm not sure why they would have a cap and not want to fund at it. Other than the fact that our project was at the cap and the other ones that were funded were all 1.2 million if I remember correctly was the next highest one that was funded. Their recommendation was to apply for funding through the traditional safety funds. We did bring up that we don't have a documented safety issue other than the fact that it's not safe for pedestrians to walk on through there. We don't have the crash data that is typically coincides with the safety program funding applications. The good news is that it would then pay for the interchange operation study. There was a discussion whether we leave the continuous movement on to 33 and put it in a different traffic signal for that which is head activated. There is one of those up at Cleveland Ave going northbound on to 270. We did study that but thought that the right hand turn was a little bit safer movement than stopping all traffic going in with traffic signal in a very odd place. Additionally that would cause further back up down Gender Road.

Amick – Sergeant Walker are you aware of any incidents of pedestrians crossing that overpass of injuries or accidents or anything? I see kids riding their bikes whether they're going to the pool or school activity or whatever. I see people coming across there with their wheelchairs. Are you aware of any incidents that have occurred?

Sgt. Walker – We've had quite a few in that area. Not specifically where that ramp is but we've had a few pedestrian struck. I mean I think one that I remember was last year a gentleman was struck but that was where you get off from 33 eastbound onto Gender.

Development Director

Haire - You may have saw the notice last week. We had to cancel our Planning and Zoning Commission, we had some illness related issues that prevented us from having a quorum. We have rescheduled that meeting for tomorrow evening so we'll be in this room tomorrow at 7:00 PM for the June Planning and Zoning Commission meeting. Today was the deadline to apply for the July meeting. We received a few applications, probably the one note is the final development plans for the Schacht property so that'll be on for the July agenda for Planning and Zoning Commission. With that I would that be happy to answer any questions you have.

H. Resolutions**I. Ordinances*****Tabled*****ORD-22-015***Development**Sponsor: Milliken*

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING APPROXIMATELY 80.402 ACRES OF FRANKLIN COUNTY PARCEL 181-001377, OWNED BY HARRIET S. BAKER LEVIN, LOCATED AT 5700 AND 5900 WINCHESTER PIKE FROM R – RURAL IN MADISON TOWNSHIP TO LM - LIMITED MANUFACTURING

- Tabled

A motion was made by Milliken, seconded by Shea to untable ORD-22-015. The motion carried with the following vote:

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

No 1 – Ward

A motion was made by Milliken to amend the ordinance to the June 20, 2022 version, seconded by Shea to adopt ORD-22-015. The motion carried with the following vote:

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

The motion to adopt the amended ORD-22-015 carried with the following vote:

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

No 1 – Ward

Third Reading**ORD-22-021***Public Service**Sponsor: Amos*

AN ORDINANCE TO REPEAL ORDINANCE #13-43 AND TO AMEND SECTION 951.03 REGARDING RULES FOR PARKS, PONDS AND LEISURE/MULTIUSE PATHS

- Adoption

A motion was made by Amos, seconded by Milliken to adopt ORD-22-021. The motion carried with the following vote:

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

Second Reading

ORD-22-023

Development

Sponsor: Milliken

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT FOR THE PURCHASE OF 20 SOUTH HIGH STREET, CANAL WINCHESTER, OHIO OWNED BY DONALD E. MOODY

- Second Reading Only

ORD-22-025

Finance

Sponsor: Ward

AN ORDINANCE APPROVING AND ADOPTING THE 2023 TAX BUDGET

- Second Reading Only

First Reading

J. Council Reports

Work Session/Council - Tuesday, July 5, 2022 at 6:00 p.m.

Work Session/Council - Monday, August 1, 2022 at 6:00 p.m.

Work Session/Council - Monday, August 15, 2022 at 6:00 p.m.

CW Human Services - Walker

I have a few things. Aletha Mullins the director has given me some information. They have put up a food blessing box up at the facility to receive food. This is great since they are not there on the weekends and can still access the food. They are seeing an increase of new clients using the food pantry. Brock walk brought in 25,121 items!!! This beat last years total and we appreciate all the community support. Senior transportation is getting busier and busier. They hired a new driver Dan Martin to help fill the seniors needs for transportation.

CWICC - Ward

The next meeting is June 29th at 11:30 A.M.

CWJRD - Amos/Shea

Amos – We had our meeting last Thursday. There is lots of sports activities going on which is awesome. We are getting ready to post our job position for what used to be our director. It will be like an assistant so we're going to be posting that here soon. We are just revamping the job posting a little bit since our director has taken on a large chunk of our role.

Destination: Canal Winchester - Milliken

Farmers Market reminder is every Saturday. Follow the Facebook page for the Farmers Market, they post on there every Friday with the vendors that are going to be there. A month and a half away from Blues & Ribfest. Check the Facebook page for that as well. Karen wanted me to let you all know that the Amish donut people would be there again. I guess that's a big hit.

K. Old/New Business

Jackson – Mrs. Amick has asked we schedule a Rules Committee meeting for August 1st. For those of you that are on the Rules Committee, I want to make sure that works for you. We would probably do prior to your Work Session 5:00 P.M. if everyone who is on Rules Committee is good with that we will get that advertised.

Walker – I will just say, I'll do my best. It's early but I'll do everything I can to be there.

Milliken – I just had one quick thing. Mr. Clark and I were talking earlier today we didn't recall seeing the Bed Tax ordinance on our agenda today. Can we be reminded what our status is of that? Are you waiting on us to come forward?

Jackson – Yes.

Milliken – I just wanted to bring up one kind of adjustment. I sat through and kind of hashed this out a little bit. The original ordinance says 10% Historical Society, 10% CWICC, 45% to parks, 35% to Blues and Ribfest, and Labor Day. My tweak I guess would be to see a stronger Chamber of Commerce and maybe give them 10%. These are just figures that I have pulled together that we can adjust but maybe you all don't feel the same way I do. I would like to see some money go towards the Chamber of Commerce. Labor Day is good. Mayor you mentioned the bicentennial is coming up. I think if we take parks down to 30%, move bicentennial to 15% any maybe kind of write in there some kind of stoppage point. We don't need to fund the bicentennial after 2028. I guess my question on that one would be, would that go into a separate fund or is that earmark within the bed tax?

Jackson – We would probably just leave it in the bed tax on earmark.

Milliken – Those were kind of my thoughts. We don't have to make any decisions tonight I don't think but I just wanted to throw that out there.

Amos – One of the things we had talked about was with bed tax grants, potential façade grants for our downtown businesses. One of the things Mr. Peoples pointed out was sidewalks was actually the responsibility for business owners. We did find some damaged sidewalks that didn't meet what the city would say is enforceable but definitely could have been redone or modified to look better. What we had talked about is façade grants potentially for like awnings and different things that would help the downtown area.

Jackson – That is something we have done through the CWICC previously.

Amos – Yes. I don't think they do it anymore because I think I asked last time and they said they hadn't done them in years.

Jackson – It's been a couple years at least.

Amos – Maybe that is something that you can bring up Mrs. Ward with your group to see if there's any money that they want to do the façade grants again or maybe they look at it as a bed tax but just a thought. We're asking the city to help put some things into it, it would be nice if we're asking businesses to do stuff as well.

Ward – They do have \$10,000 and Lucas is putting together a plan for that right now.

Amos – I was thinking if we did a 50/50 program. I would be amazing what some of these businesses could

do.

Clark – It was highly successful last time. We had quite a few applications.

Amos – That’s one of the things Mrs. Marion said when we were walking around. She said it would be great if businesses mulched in front of their building to help bring the beauty in.

Shea – I know that half of that has to go to destination but the other half of it, I would rather see us than do percentages with a pot of money that continues to grow every year to fix dollar amounts. So that were not giving funds away. I just want everyone to chew on that, it’s just a thought.

Clark – Where does that other money go? Sit in a fund? Because you don’t know how much, with a percentage you divide the entire pot up and then it goes to those groups. If you get down to the point where you say CWICC can have \$5,000 but their allotment is at 10%. It would really be 15%. Where does that other 10% go to if they are maxed at 5%?

Shea – Some of this gives us an opportunity to serve more parts of the community with those funds than just writing off here is a bucket of 50%.

Clark – That is what we’re trying to avoid by targeting this money more to things we want to see than having these applications come in, I think sometimes it’s pretty crazy on some of those applications that we get.

Amick – The organizations that receive funds, are they required to give Council a report of what they did with the money that was allotted to them?

Clark – Not so much a report. They do an application of what they are going to do with the funds and then it comes to a committee. The committee reviews it. It’s kind of a rubber stamp, everybody gets money. I don’t think we’ve hardly ever turn anybody down. Maybe a couple on technicality reasons.

Jackson – So what Mr. Clark is referring to is the bed tax grant program and there is a reporting requirement after the completion of the project for those. Now in the case of this draft ordinance that you’re discussing and dividing up this money amongst other organizations, right now there’s no reporting requirement written into that ordinance. That’s something that if Council so desires they could ask them to come in and do a report or provide a written report or however you wanted to do it. Right now, the only program we have is our bed tax grant program which requires an application and a report upon completion of the activity or whatever they did with it.

Amick – I think it’s important if we’re going to provide this allocation of funds for that organization to have a plan of how they’re going to spend those dollars. If they say well we’re just going to take the money and then we’ll figure out later in that particular year, could those funds have been better used by another organization that had a specific plan? That’s kind of where my head is at is just have a plan if you’re going to receive this money. Have a plan of how you’re going to use it.

Clark – I don’t have a problem with that.

Amos – I think Council should be the ones reviewing those because Mrs. Jackson is reviewing all of them right now and it's probably unfair.

Jackson – I look at the bed tax grant applications but I don't make the decisions. I just make sure that they actually follow the guidelines and then turn them over to you guys. I'm really just a check writer in that program.

Milliken – Mr. Shea, if I'm picking up what you're throwing down, the 25 we already take off what, \$25,000 off the top for the grant program? Correct me if I'm wrong, if we wanted to put aside a specific dollar amount for more of what you were looking for, we could still do the percentages. We can do that, right?

Jackson – Absolutely.

Shea – Understand that we're in a period of incredible inflation but in addition to that, this bed tax revenue appears to be growing at a very fast rate and these numbers are going to get big quickly. When you do them amongst four of five organizations as percentages, you may be able to do more with that. I guess I'm just kind of trying to give it a second look. I really like Mrs. Amick's suggestion of like a report because it would be good to know where this money is going. It's been collected as tax dollars and we're spending it as tax dollars and we're giving it away as tax dollars so it would be good to make sure that we've got transparency on where those funds are flowing to and what's going on with them.

Amos – Let's say we go into recession and we see less bed tax coming in, if we've said specific numbers my concern is we've committed to certain numbers, we have to go through and change everything.

Shea – Well what does everyone else do in a recession? You tighten your belt.

Milliken – I think the good thing is we look at this every year so we can adjust as things change. It wasn't my intent to go that far into this. I just wanted to put that on your radar and we'll just keep discussing it as we move forward this year.

Shea – I'm really concerned about our designated outdoor refreshment area. How are we making out on that?

Amos – Right now, the Mayor has asked that we hold off until the beginning of the year. I'm not a fan. Part of the reason I understand is that there is our beer tent for Labor Day festival will not be able to get their license in time if we put the DORA in place. I still feel that we should pursue it knowing that it would happen after Labor Day so that it's in place before the end of the year. I want to engage Council on your thoughts on this. If you're thinking we need to hold off, in my opinion we kind of held off for so long now, we really should be going forward.

Shea – Thad, what is your liquor knowledge?

Boggs – Limited.

Shea – Can you find out what happens to that beer vendor if we started DORA, what happens to his ability

to serve?

Boggs – I will inquire.

Haire – It's a timing issue. A temporary permit is required to be issued 30 days prior to the event where the DORA could go into effect, the temporary permit application will need to be filed prior to that going into effect. They wouldn't be eligible to have the temporary permit in time for Labor Day.

Shea – So we can still sell beer? You just can't walk out of the tent with it.

Haire – Correct.

Amos – So we would still be in the process of getting our DORA pass?

Haire – We could be, yes. We didn't introduce it this evening because it wouldn't have been in effect and then it would have created confusion around Labor Day. There's too much to do preparing for Labor Day to have to place trash cans, place signs, get everything in place for that first event.

Ward – I just want to make sure I'm understanding, so if DORA were in place before Labor Day and Shades wanted to participate. You could go buy a drink from Shades and walk around with it and the beer tent operator could still sell beer you just couldn't walk around with the beer from the beer vendor, is that correct?

Ebert – No. The beer tent operator could allow a person to walk around the grounds. You can't go from shades into the beer tent with a beer you bought from Shades or vice versa.

Ward – Okay but you can walk around with it?

Amick – Couldn't some simple signage make that possible?

Milliken – I think this is why we should be waiting.

Ebert – It's the law. I don't care what town you are in, it's the way it is. You can walk out of Shades with a beer as long as it's in the cup that says DORA on it, you can walk all up and down the street but you can't go into the beer tent. If the beer tent is there just to take your beer in to enjoy you can do that as long as there not selling beer.

Amos – That's the rule anyways. You can't go from any establishment to another establishment. That's the standard rule of the DORA. I couldn't go from Shades to Barrell and Boar no matter what.

Ward – The only thing would be if you bought a beer from the beer tent, you couldn't walk around with it because that wouldn't be approved for DORA but you still buy a beer and hang out in that area.

Amos – You just couldn't go to Shades. You couldn't take a beer into Shades from the beer tent.

Ward – Well how is that different?

Amos – It's not different from the DORA.

Ward – So why would we delay it then?

Haire – The delay is because it's completely 100% the discretion of Mayor Ebert whether we move forward and he's chose not to more forward at this time.

Ward – I just wanted to make sure there wasn't an actual reason other than that.

Haire – We're moving it forward to later this year and so hopefully we'll have that put together and we'll bring it back later this year to be adopted and go into effect in January.

Shea – What if we want to do it know?

Ebert – We don't have trash cans. We don't have anything in place. You have cups to order.

Amos – We have to do two readings and post in the newspaper so it's about 60 to 90 days before it takes place. We have time to get some stuff but also, we're relying on the city to order stuff. It seems like we just keep putting it off and off and off.

Ebert – It's not that I'm not on board. Don't blame me for it because I waited a long time for an answer from you.

Amos – Right, I'm getting the research but now we've got it all ready to go and now we're delaying it again.

Haire – If we were to put it in place now, if we started now, the only events listed are the two shop hops. The Autumn and Winter Shop Hop would be in effect for this year.

Shea – That's awesome.

Amick – That would be a good small trial.

Amos – I'm just asking for you to consider Mayor Ebert. I would appreciate it.

Ebert – It's not a matter of reconsidering. It's the timing.

Milliken – I think at this point everybody in this room is for DORA it's just a matter of timing. Some people are comfortable with a certain time frame and others are comfortable with another time frame. At this point I think we should just leave it at that. Mrs. Amos if you and the Mayor wanted to continue to work at it, I encourage it.

Amos – We will. We had talked originally that it would be a great thing to start at a smaller event and to me the shop hop seems like the perfect place for us to do it. The original conversation was starting it at a small event so I think we're right where we need to be.

Ward – Just off curiosity, what if an ordinance was put forward to pass DORA and it voted through Council?

Milliken – That's where we started this discussion last year or two years ago and it ended with it's still ultimately up to the Mayor to move it forward if I remember correctly.

Ebert – I didn't hear your question.

Ward – My understanding and Thad please correct me if I'm wrong. If an ordinance was passed by Council, the Mayor could veto it but then Council could overturn the veto. Is that correct?

Boggs – That is correct. I think that where you run into a limitation with respect to the DORA specifically is that it talks about the executive officer of the Municipal Corporation filing the application with the legislative authority and by charter the Mayor is the executive officer in this municipal. So, we have a separation of power legislative an executive issue.

Ward – So we could pass it and then we could overturn the veto but it'll be up to him to apply it for the application?

Boggs – Correct.

Amos – My hope is always been that we are in sync with the Mayor on this. I think this is a community decision. I will follow up with you Mayor and have additional conversations but that's my hope that we're in sync.

Amick – There is incredible community support and requests for a DORA in the City of Canal Winchester. I rarely have a conversation in my community where I'm not asked about DORA.

Ebert – It's just the timing of it all. That's the issue.

Ward – Why don't we want it for the small autumn and winter shop hop?

Ebert – Right now, Labor Day is up in the air whether if we get a beer tent or do we not get a beer tent? Do we get someone to sell beer and knowing that the may sell beer or they may not? It's a costly thing to put a beer tent. They have to purchase beer up front and you're looking at \$5,000-\$7,000 just to do that. Then you have to put up your tent, the tent is 40x80, now you're looking at another \$3,000. Then you have to get tables and chairs, you're looking at another \$1,500 so it's not easy to put up a beer tent for someone that we try to look for. Especially not knowing how its going to be operated this year.

Amos – If the concern with having a DORA in place for Labor Day with the beer tent, we won't be able to find who is willing to do it or that they won't make enough money to do it?

Ebert – Combination of both.

Amos – The beer tent is one of the biggest fundraisers for Labor Day, correct?

Ebert – Not really.

Amos – On average what do you make off the beer tent?

Ebert – We don't. Labor Day doesn't make a dime off the beer tent. It's the sponsor who runs the beer tent. Kingy's is running it. What they make, I have no idea. I've never asked and I don't really care. They do it, they bring in their employees or they try to get volunteers which is hard to do to work the entire weekend. It's a holiday weekend. That's the difference between Labor Day and Blues and Ribfest. Blues and Ribfest is not a holiday, Labor Day is. We run into this every year trying to get volunteers to run the beer tent. They don't want to be tied down because it's a holiday weekend. Everybody wants to be at home and everybody wants to party. Blues and Ribfest is not a holiday weekend and they find volunteers much easier.

Ward – If we don't get it in time for Labor Day, then what is wrong with getting in time for the autumn and winter shop hops?

Ebert – We may, I don't know.

Haire – It's just a matter of timing whether if we can get everything that's required to put those events in place. There is a supply chain issue with everything. We have to get trash cans, we have to get signs, it's just a matter of time getting all of those in place.

Ebert – We're still waiting on a hand rail for the park, how are we going to get trash cans?

Amos – I guess my request would be to start looking to see the time frame on how long would it take to get some of those things. Originally when I looked at all of it and I realize that was two or three months ago when we started talking about pricing, everything was in stock. I guess we could just check is this feasible to put this through for the winter.

Haire – I think the intent was to bring it back to you in August and start the process then because we know it's a 90-day process.

L. Adjourn to Executive Session (if necessary) @ 9:06 P.M.

A motion was made by Milliken, seconded by Shea to adjourn to executive session to confer with the attorney for the city concerning pending or imminent court action under Ohio Revised Code Section 121.22(G)(3). The motion carried with the following vote:

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

Abstain 1 – Ward (Ward left at 9:09 P.M.)

City Council returned from executive session at 9:38 P.M.

M. Adjournment @ 9:39 P.M.

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

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