

Canal Winchester

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



Meeting Minutes - FINAL

June 20, 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 6:00 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

Sims – As you were coming in tonight you probably saw we’re continuing to work on the parking lot here at 45 E Waterloo. There are curbs being wrapped up, there’s a couple bits and pieces to work on tomorrow but here in the next 10 days we’ll be seeing the site get graded and stone base go down. We’re moving a lot closer now to the parking and hopefully the weather is going to be a little more cooperative for sure in the next few weeks. McGill Park, we have come up with an alternative railing for the playground so we can get that back on track to get that wrapped up as soon as possible. That’s kind of our last major piece so we can get that open. I was hoping today but most likely tomorrow to schedule the fabrication of that final railing piece. The street program has been underway. The concrete work is basically wrapped up at this point. The contractors intending to move as paving cruises into town the week of July 5th. They’ll actually probably start on Dietz Drive and work immediately into Ashbrook Village and then to Trine Street. I’ll be having the second notices to affected residents going out this week with some time frames and help them adjust a little bit to being prepared. The renovation at 36 S High has started. We completed the demo last week and they started building some of the new pieces of the wall that we need. They’re also working this week on the electric and HVAC adjustments that we need to make so that project is moving right along. It should be a reasonably short duration on that. About 8 weeks total so we’re already a couple weeks into that. Looking forward very much to getting that building back in use. Greengate subdivision is back to work on Section 3 and 5 and they’re currently installing sewer. They have another two weeks or so on the sewer and then move to water line work. They’ll be out most of the summer working on the Greengate project. Friendship Kitchen, you’ve probably seen the MOT set up on Gender Road. They’re working currently on the right turn lane into Trillium Ave so we’ve got probably four or five weeks’ worth of work to get that constructed.

E. Request for Council Action**F. Old/New Business****[ORD-22-015](#)**

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

Haire – This has been on the table for a few meetings now while the developer worked with Council to try to make some revisions to the plans. Those revisions have now been made. The developer is here this evening and would like to give a presentation to Council to share those and the current status of the project and the approval so with that I will turn it over to Jim McGill who can present you kind of where we are currently.

McGill – As Lucas mentioned we spent a lot of time, I don’t say dramatically revising but I think based on different meetings with members on the Council some of the feedback we had was the architectural

quality of it and also the overall layout of the project. How can we make it look aesthetically? The building facades or even open space so that's things that we really focused on. I'll go through the whole presentation, but a lot of we presented already. Some feedback we had is one is obviously along Bixby Road is the complete screening of the truck spots or the dock doors and the trailer spots. We always propose an 8 foot berm there so we'll be able to get an 8 or 9 foot berm if we slip the building back a little bit. If we can't get it to complete screen to that then we'll be introducing a cedar fence there or some sort of composite fence to complete screen that but I think we'll have enough area there. On Winchester Pike we had some discussion on that at least in my opinion architecturally was no reason to complete screen the front of the building because we're going to spend money to make a nice façade. We did slide the building back, we have a 30 foot transitional yard from the right-of-way and they will get a 3 or 4 foot berm there with heavy landscaping along that. I think more importantly we'll get into this is that we also introduce a significant amount of articulation glass along that to give it a better feel. I think if we're going to spend the money and you're going to see it lets be able to see it and not block it with all the landscaping. What we have here at the southeast corner, the darker green is a wetland area which is going to stay in place. We are impacting a small portion of the wetland on the east side, these are non-jurisdictional wetlands. We still have to get a permit from the Ohio EPA but were impacting I believe about an acre of that wetland. More importantly what you can see there is all the open space, that whole area is about 11 acres. So, at that corner it's going to be very open there with wetlands and the little circles you see there are going to be walking trails. We do have to install a sidewalk all the way down Winchester Pike. If you look up at the northwest corner we do have another big open grass space so we will landscape that. When you come down Winchester Pike going Southeast that will be heavily landscaped. This is what building one would look like, the bigger building with the berm and I would say this more of a mature landscaping. This is the new elevations that's we have for building two which is the Winchester Pike building. Couple things here we introduced more glass, the big thing we got out of it was on building one and building two, any fronts along the East façades will have roughly 9% glass. The big thing too is we're going to do stamped concrete for the entrances so it brings a smooth look. This gives you an idea how it looks from all different sides. We set this up as a 3 tenant building so kind of 100,000 square foot each so you have prominent glass on both ends of the building. I think the big thing on this, four different things that we're doing here in regards to road improvements, the first one is on Bixby Road we need to widen it to 36 feet so it's going to be a three lane road. That is about \$300,000 to do that. Winchester Pike we have to do a 285 foot turn lane so that's going to be going Northwest bound. We're basically going to have to taper lanes which you're basically starting to widen the road and then you have to taper back down so it's about 1,700 feet. The county is going to make us meet the road to current county standards. We have to do a 4 foot shoulder so we have to redo the shoulder and then the other thing is the 1,700 feet they are going to make resurface that whole area because they don't want it to be new pavement above old pavement. So that whole area from our 1,700 feet in front will be brand new asphalt. The other one is on Gender Road where going to make the contribution of a quarter of a million dollars which will go to whatever the general fund is there which will go towards the Gender Road and Winchester Pike improvements. We did increase our proposal or our contribution to the Bixby Road study of \$100,000 that can either be used for engineering studies or it can go towards Canal Winchester with part of their funding. This is kind of a summary of what we are spending. Plus we're donating the right-of-way along Bixby and Winchester Pike to Canal Winchester. We talked a little bit about this. We also make a contribution to the Community Benefit Fund at \$400,000 to go towards Canal Winchester. Finally we need to extend both water and sewer to the site. I think what is important here is if we get approval we will come back in for the CRA and for the tax abatement, if you look at the green boxes the first one is the land taxes. When we buy the property there is still going to be land taxes and obviously the land is not abated so we only get abatements on the personal property. There will be \$180,000 a year of land taxes, the

school district is about \$91,000 a year. If you look at the third box, that's the projected taxes with no tax abatement which is significant but I think we need to bear in mind this thing generates a million to in today's dollars of taxes. We all know taxes usually go up so it's significant dollars once the abatement burns off. If you look at the bolded box at projected jobs at 300 jobs that's a payroll of 12 million which is \$240,000 of income taxes so Canal Winchester gets 75% of that. \$180,000 the school district gets 25% which is \$60,000 plus they get the PILOT which is \$112,704 and land taxes which they do get which is 51% of the tax bill. The school district is getting \$266,000 a year basically for the 15 year period until the abatement burns off. There's a lot of discussion about multi-family and we pulled this from one of the traffic reports for the multi-family, it generates more traffic than ours will for the entire 80 acres so you have double the amount of traffic from multi-family which makes sense. One thing with ours is it's pretty consistent, it's people showing up in the morning and then leaving in the afternoon. In summary it can either go to Columbus or industrial or it's going to be high density affordable housing. The property across the street which is owned Harriet Levin is going for affordable housing. These industrial projects generate significant less traffic than multifamily does. On the income side, we projected this will generate with 300 jobs, \$250 million income over 15 years to the city and almost \$4 million that goes to the school district. We're making \$750,000 in contribution for road improvements.

Haire – On the ordinance in your packet, there has been some changes made to that ordinance since the last meeting to help codifies some of these changes that were made. When you look at the ordinance that was written initially it considered on section (2) letter (A) that previously says a 6-foot mound because along Bixby Road was initially specified as 6 to 6 ½ feet and that's been changed to reflect an 8 foot mound which would match up with the same mounding that we're requiring along Bixby Road for the Schacht property. That was the change that took place in letter (A) and in letter (B) there was text added. Letter (B) states that all improvements recommended in the Bixby Road industrial traffic impact study dated February 2022 regarding Bixby Road, Winchester Pike and Bixby Road, Winchester Pike intersection are implemented. What was added was this condition shall further require the developer that the developer will contribute its proportional share as determined by the Columbus City Council to improvements necessary at the Gender Road and Winchester Pike intersection, which shall be no less than \$250,000, and \$100,000 towards Bixby Road and US 33 improvements. Letter (C) was added which was not previously included in the text. That any building constructed on the site shall have the eastern elevation consist of a minimum of nine percent (9%) window glazing when that elevation exceeds three hundred (300) feet in width. With this being a triangular parcel it can be debatable what elevations are east. This is the eastern elevation which would face the north building would be the face of Winchester Pike so along the Winchester Pike frontage or the south building as presented in this plan it would be the east elevation of the building that faces east. So because we're not necessarily approving this plan you need to write the text to say east elevation.

Amick – Can either of you remind me the property that's labeled as Cobbleton that is already in the City of Columbus is that correct?

Haire – Correct.

Amos – Do we need to include anything else from the presentation? Any of the other statistics or promises that are being made in this ordinance?

Haire – That would cover the transportation improvements. This would cover the cost associated with the transportation improvements, the utility improvements would be covered as part of the requirements for

connecting the utilities so they're responsible for extending those utilities at their cost and the capacities are laid out as per schedule. The only thing that's not included in there is anything in regards to the Community Benefit Agreement so that would be handled in the future through the Community Reinvestment Area Agreement for this parcel.

Amos – Then the \$1.2 million that he talked about in tax abatement for the community, are you able to explain a little bit of just what that means in 15 years?

Haire – City Council previously approved the economic development agreement in regards to this property that contemplates it'll be a 15-year 100% property tax exemption. What this is stating and what Mr. McGill has put together is an estimate of what those taxes might be and so we don't know how the county auditor who values buildings, we don't know exactly what those buildings are going to be valued but you can take a good guess on per square foot value just based on other buildings in the county. Based on the square footage, based on the values that you see in the market, that's what is estimated that these buildings would be assessed at you know \$44 million when completed. Then when you look at what the real estate taxes would be annually if those were paid today at today's rates that would be 1.22 million annually that would go in total real estate taxes. In Canal Winchester approximately 55% of that in the Franklin County Madison Township portion goes to the school so 55% of 1.22 million but \$750,000 or so. It wouldn't be quite that high but it would be \$650,000 let's say, that would go to the schools. What's below that is a PILOT payment so what we've done in previous agreements is a payment in lieu of taxes that goes to offset some of the schools and some of the revenue that were giving by giving the exemption. In this case its \$0.12 per square foot which is \$112,000 is what they would be proposing. That's something that the school districts would need to review and something we would enter into agreement with the school districts on. This is a proposal, this is not necessarily what that final number would be that would be subject to a school compensation agreement, it would be reviewed and agreed by the school board.

Amos – Do we have that scheduled to go to the school board yet?

Haire – No, because there is not a potential project here. So once this is approved and they're moving into the next steps if it is approved then that's when we'd start working with the school district and seeing if there's the ability to offer an exemption of more than 50% because when you offer an exemption more than 50% that's when you need to negotiate the agreements with the schools.

Amos – The multi-family housing that we were talking about. The one that are already slated and we'll dive into this a little deeper here in a minute but are those developers of the multi-family and the other industry that's going in, are they being asked to contribute to Gender Road? There not coming through us necessarily so are they contributing just as much if not more?

Haire – The City of Columbus is requiring some developments to contribute to that intersection so the development that Mr. McGill referenced the Becknell Industrial that went before the Columbus Development Commission in May and the recommendation of the Development Commission was that they contribute to the cost, the proportional share of that intersection which was \$200,000 plus and that building is approximately \$500,000. There's a lot more of the share of the traffic would come through that intersection just based on its location.

Amos – Is it typical for multi-family housing developments to pay into that?

Haire – In Canal Winchester it would be. I'm not sure that the City of Columbus looks at this site as contributing to that intersection. When we took the traffic studies to them they said they didn't need to review the study because this specific development wouldn't contribute traffic through the intersection. It's outside of their radius that they typically require contributions.

Amos – We all know it's going to come through that intersection though, a lot of it.

Haire – Correct. According to their traffic review standards it's outside of the range so the distribution is harder to justify.

Amos – I guess we will agree to disagree with them on that one.

Haire – Our requirement is that they are required to contribute to that and how we would handle that is we would establish an agency fund similar to what we have at Meijer where they would contribute those dollars so it's the same thing we've done for Sheetz. We require them to contribute to that intersection of Winchester Pike and Gender Road, we're requiring the Northpoint contribution to go into that so we'll hold those funds until Columbus is ready to do the project.

Clark – I think it goes back to the same issues that I have with this and the risk analysis. I think what Mrs. Amos just pointed out with some conversation, if we allow this to go to Columbus you can see they wouldn't require the contribution to a lot of these projects that we would require to help these intersections. We've got the evidence that Columbus development Council approved six to zero, 630,000 square foot warehouse next to Wyler Chevrolet so I think the proof is in the pudding in that, they would move on this and move quickly.

[OTH-22-010](#)

2023 Tax Budget Presentation

Jackson – I want to start off this evening by letting Council know that we are actually required to hold a public hearing for this tax budget. Apparently I did not advertise it when I thought I did so we are holding the official public hearing on July 5th. I do want to go through some of this very quickly with you this evening if you have any questions please feel free to stop me. Hopefully you've had a chance to kind of look at this in the last two weeks. We're going to do a very high level overview tonight and we will dive into a lot more detail in two weeks but hopefully this will get you thinking a little bit more about what is included in this tax budget. Again questions today, questions over the next two weeks, questions at the July 5th meeting, whenever I'm available. Most of the slides in this presentation are going to be sort of informative for you especially those of you who are new to Council. I'm going to go through them rather quickly but I can email this out to you when we are done. We are required to do a tax budget every year and it has to be approved by July 15th. As I mentioned we do have to hold a public hearing and then after that upon adoption it has to be filed with the county auditor and we have until July 20th to file it. Essentially what the tax budget is doing is we are estimating revenue that we expect to receive next year. The purpose of doing this is to allow the County Budget Commission to adjust tax levies, we don't have any voted debt so our tax levy is not going to change but we are still required to go through this whole process. One of the other things I wanted to point out is that second bullet point there that says to set the limitation of appropriations for the next fiscal year. We have to file not only our expected revenue but also our appropriations with the county and appropriations must not exceed estimated resources. This is to make sure we don't overspend. We're going to talk about the general fund, this is our largest and least restrictive fund. Basically we can pay for anything legal out of the general fund. The revenues in this fund

are derived from taxes. This is not just income taxes but real estate taxes as well. Licenses, fees, permits, charges for services and state funding. This is a screenshot of a portion of the tax budget that is in your packet this evening talking about these local taxes. Again we have our real estate taxes, our income taxes and other local and I have defined what constitutes other local taxes there for you at the bottom of this slide. You will see that our current year estimated income tax is 7.95 million and next year we are estimating 8.5 million. Here is a good graph of income tax collections over the year so the very dark maroon is what we have actually collected. The 2022 graph is showing you what we have collected through the end of May. You can also see what we had originally budgeted in that year, we do collect more than we have budgeted for and also where we're projecting 2022 to come in. Now keep in mind we're only six months into the year that is subject to change. Generally speaking the last six months of the year are not as heavy on income tax collections because as you all know filing due date is April so majority of our income tax, the larger receipts come in the beginning of the year. So why is our budgeted income tax revenue lower than our 2021 actual? We're always very conservative. Those of you who've been on Council for a while know this, that we don't like to budget more than we will realistically think we're going to bring in. We'd like to be lower than that so that we aren't overspending. We want to have that healthy fund balance to do some of these projects that we have been planning for over the years. We also don't know the full effect of the new businesses in town and what income tax revenue they're going to bring to us so again we don't want to over budget assuming that they're going to bring in more than they did. As I mentioned earlier we've only seen six months of collection in 2022 thus far so we are able to update all of these revenue numbers as we get closer to the end of the year. We will do that based on what we see actually coming in, I wish we had a crystal ball knew where we were going to end the year but none of us do. This is a snapshot in time and will be updated as needed once we get into the fall. Real estate taxes, our city millage is 2.0. As I mentioned this will not change just because the taxes you pay as a property owner may increase. It is not because of an increase in our millage. We have no voted debt, I probably sound like a broken record saying that. The changes that you might see as a property owner are going to be based on the value of your property. If your value increases or decreases, your taxes are going to increase or decrease. As a city we're looking at all of the taxable property as a whole and sometimes it'll increase, it'll decrease. We've been very fortunate, we've seen a lot of increases over the years. We have has a lot of development both in the residential and in the commercial side. Revenue that we receive is also affected by the timing of our residents, business owners, or property owners making their payments. We get two lump sums every year from each of the county auditors and those are based on a specific date. If you didn't pay by that date, we may not see your money until the next year so just because we know how much our tax pay base is and how much is billed out by the county auditor doesn't mean we're going to get every dime of that year. Also in general fund revenue is revenue from other governments. A lot of these are based on calculations and fees that are set in the revised code. We do get some idea from other governments, how much we should expect in the next fiscal year which is where those estimates are coming from. They're also based on historical collections in some cases. Other than income taxes this is the meat of our revenue in the general fund. I did define for you what goes into each of those categories on the tax budget. This is not all inclusive, there are going to be some smaller things in there that isn't worth us spending a whole lot of time on. The largest of the revenue sources you see up there is going to be the fines, licenses, and permits as where all of our development revenue goes. As well as our court fines, those are probably the two most common things that you would be aware of. Charges for services is very small, basically that is our pool and any rental whether it's Community Center, a park, etc. Our total budget revenue for 2023 is \$10,792,750. We also have to look at the expenditures in the general fund. You'll see this late on and I've said it before and I'm going to say it again, these are not final expenditures for 2023 and will change. On the tax budget when you look at it, you'll see that they are grouped basically into four grouping salaries and benefits, contract services, operation and maintenance, and capital outlay. In 2023

our revenue equals our expenditure. That means we're not dipping into our fund balance. Again this is more just for your information about which departments within the city fall into each one of those categories as defined in the tax budget. In the expenditure numbers that are included in that ordinance, salaries and benefits there is an increase in salaries of 3.5% budgeted for all employees and then we are expecting a large increase in our healthcare premiums that we will get a final number towards the fall and we will adjust accordingly when we bring final appropriations to you. Some of the large contract services that you will see in the general fund budget, the Sheriff, our pool management company, development and construction contracts that does not include the physical construction of a road or anything like that. That is purely engineering and inspections and things along those lines and then income tax collection fees. We have a third party tax administrator. We do pay them for their services and that is based on the amount of revenue that we bring in so that \$8.5 million times 3% is where we got the \$255,000. Included in the operation and maintenance line items are your typical smaller expenditures, office supplies, utilities, smaller equipment purchases, if we need to replace a keyboard or something along those lines. Capital outlay, are going to be your real big ones. In 2023 we have included \$1,000,000 for the street and sidewalk program. We have \$75,000 program for trees. \$40,000 for some things at the pool, per our contract with Fairfield County we will purchase an SUV for the Sheriff's Department and then each year we have some IT replacements, computer upgrades, things like that need to occur. Our total budget expenditures is the same as our revenue as I mentioned before. Also little note at the bottom, not final. Special revenue funds, these account for any type of specific revenue that we are legally restricted or committed to spending on a specified purpose. There is a listing of all of our special revenue funds. I'm not going into dollar amounts in this presentation but this is where the money in each one of those funds comes from. If you have specific questions about a revenue source and what it can be used for please feel free to stop me. Our general obligation fund, this is where we pay for all our debt excluding anything that is water or sewer related, those come up directly out of those funds. The McGill Park lease payments, and the McDorman building lease purchase payments, those come out of the general fund. In 2023 we're going to take \$693,000 directly from the general fund put it into this general obligation fund and pay our debt. It's just the way I have to account for it even though the money is coming from the general fund, I have to put into this fund in order to write the checks. Water and sewer funds, we are projecting an increase in user revenue based on our historical collections and the fact that we know that there has been development here. We have budgeted our expenditures to equal what we expect to receive in revenue. Down at the bottom is a graph of where our fund balances are over the last several years, you can see that sewer fund has increased pretty significantly. As you are all aware we have a very large project in the works for the sewer plants so some of that money is going to come in handy when it comes time for that. I know that was very quick but as I mentioned we will go into a lot more detail on July 5th. With that I would be happy to answer any questions.

Shea – That project aren't we getting 0% EPA loan from that?

Jackson – The only thing we have applied for if I recall correctly is for planning only at this point.

Peoples – Our plan to do is to go from a planning loan roll it into a design loan roll it into a construction loan. So it'll all be packaged together and I don't recall the 0%.

Jackson – It's very low.

Peoples – It's low for us but I think its 0%.

Jackson – I think perhaps the planning one was 0% but the construction loan I believe does have a very small less than 1% interest rate.

Shea – Wouldn't it be better off to hold that cash and take the lower rate from the sewer balance funds and not use that money and keep it there for other emergencies?

Jackson – That's definitely something worth discussing. I just don't think we're far enough along in the planning and design process to make that decision at the moment but yes once we get closer we can certainly look at that.

Shea – 12% on the health insurance.

Jackson – Will it realistically be that?

Shea – I think you're underestimating it.

Jackson – I will turn that over to Mr. Peoples.

Shea – Everything I'm seeing at work come across my desk, I mean seeing anywhere from 20% to 40% increases. I just want to make sure that we've got that 20% number in the back of our head because in my mind it would be realistic.

Peoples – When the consortium does our rating for the next year, if we look at an 18 month so the first 6 months of this year have been pretty good and last year we ended up with a zero across the board. If we factor in all of last years and then the first 6 months of this year, healthcare inflation is about 8% to 10% of what we factor in.

OTH-22-011

2022 Pool Update

Peoples – I just kind of want to give an update on the happening so far at the pool. If you recall we made some changes to the admissions policy where we would require that everyone that comes to the pool whether it be a membership or not or a day pass has to log in and purchase online before they come to the pool. Getting the word out on that has been very difficult. We've had a lot of people standing right at the gate going through the process, it does seem to be getting a little bit better. As we keep on going through with repeat customers coming back, they do see what's going on. On the membership side of things we have had a couple technology quirks that go on that we've had to work along with but those seem to be isolated. Sometimes there is no rhyme or reason, one person comes through is able to get them on through the website with a day pass and the next person struggles with it. There is a little bit of a user error that goes along with that but then we did have a little bit of technology issues as well. Last week we started getting a little bit of the problems we had last year at the pool with some behavior issues. Obviously it was very hot last week and that usually leads to some behavior at the pool. I was there quite a bit also Director Jackson, Stacey Williams and Rick Brown have been present at the pool trying to take care of a few things. I know Director Jackson was in the concession stand I think Tuesday night or Wednesday night, it was very hot and very busy. Some of the behavior problems the ones that we kind of had last week most of them are adolescent males. When you get a group together they start acting up but that's not always the case. We did have an early 20's couple, they got into a domestic fight. The good thing about the admissions policy we have suspended their accounts also so they are no longer welcome at the pool and we trespassed them as well. The incident started inside the pool and spilled out to the outside so

they've been trespassed. I personally kicked out four people that including the same kid three times that keeps on showing up. I'm not really sure how but we're working to trespass him as well. Those were day passes but I also just suspended last week a kid for a week who has a membership so going to an all membership only is not a cure all for everything. It does present challenges though. Mayor Ebert, Director Jackson, and I had a discussion along with Stacey Williams last week on whether we want to enact that again. If you were to ask me last Wednesday night it would have been a no brainer just because of everything that we've went through. We had a really good Thursday and Friday and obviously the weekend wasn't as warm and hot as it was in the mid-week. I think some of the suspensions and that type of enforcement definitely helps out and gets the word out. I did it with the one kid who is a member, I did it right there in front of about eight of his friends and from what I understand one of his ex-girlfriends so maybe a little bit of embarrassment goes a long way. The word gets out that we're not doing that and the kid we kicked out was with a group of teens so I don't think I've seen them as much. I think there was some discussion when we did the ordinance of have an adult presence and that's no means trying to insult the managers over there who are adults but they are young adults who don't have some of the experience. One of the kids I kicked out wouldn't listen to the female manager so when I went over there a little bit different story as far as complying. Many of you know Jack Denson who works for us in the urban forestry department over the summer. He's a middle school PE teacher so he knows just about every kid that's in there. We walked around there I think it was on Wednesday night, it was the first night we went in and everyone was saying "Hey, Mr. Denson." He's a presence as well and he's a very good presence over there. He's very calming, he has a very good demeanor and he's great with those age of children. Especially the boys with the PE class that he teaches, he gets them all hyped up and then has to calm them down right before they have to take off to another class so he's well versed in that. We brought him in just for a little bit just to have someone there. We did get some comments, emails, phone calls on probably Wednesday or Thursday people saying this is happening again, it's the same thing as it was last year but then they also said I did notice that you were escorting someone out of the pool. We've had the Sheriffs walking through on 1st shift. 2nd shift is a little bit more difficult due to how busy they are. I had someone stop me when I went there on Friday saying they saw the Sheriff here and how we're doing a great job and they appreciate it. Those are the parents of the littler kids that are going through there. We are actually going to take a look at what another pool does and kind of the challenges they've had, our neighboring communities and their pools. They've had the problems as well and they've made some changes. I like what we did but there might be some more tweaks that go through it. I hate to do the membership only because some of the parents that I've talked to with the littler kids, it means a lot to them. A couple of people I've talked to, it would be very disappointing if we would have to go to members only. Like I said, that is not going to control all of the problems.

Amos – Mr. Denson is fabulous on Urban Forestry but does he want to manage a pool?

Peoples – I don't think so. We kind of had him in the back of our mind. He just loves to work, he's very well respected not only here but outside of the school. He knows a couple names that we had ticked off and goes "Yep know him, know him, know him" and that's usually not a good thing when he knows some of the ones that are more into trouble. Like I said, I talked to him when he first came back on and seeing if he was interested in doing something like that and we did pull the trigger last week. It's only an hour or two you know 4:00 p.m. to 7:00 p.m. It seems that is when the problems really start. He gets off at 4:00 p.m. and was able to go over there. I don't think he was there at all over the weekend. It was much cooler weather and it just does seem to be those afternoons that we have problems.

Amos – Madison Township, what's the options of calling them and starting to ask them to come through

on a regular basis?

Peoples – They have been there. They walk through, I am not sure what the story was but I did have a report that they were there which is great. I don't know what that would be whether they can schedule something to come through or not. We can certainly reach out to them and tell them they're more than welcome to walk through anytime that they want.

Amos – Mr. Clark correct me if I am wrong. I believe they were adding a second shift person when we originally had conversation with Madison Township. They were supposed to be bringing a second shift person that would be more in Canal Winchester during the week so maybe it's something that we start asking them to exercise the option to cruise through there several times.

Peoples – Just about every day last week there was a Sheriff cruiser sitting across from Guiler Park in that little driveway from the pump station so that's a nice presence as well. They can't see everything that's going in there but at least they're just a second away if something happens.

Amick – I had a parent comment to me about a substance abuse issue that their daughter witnessed. Are you aware of any reports?

Peoples – I did hear something. That a parent reported there was an odor in the parking lot. I'm not sure if that's the same thing but I did get that report but nothing else.

Milliken – I just want to say thank you to the city staff for being on site at the pool. I think that's huge for one. Also Sergeant Walker again, I've noticed the cruiser sitting there across from the pool so I think that being noticed is a big thing as well. I know we've talked before about some of the issues we kind of had on opening week, what kind of presence do you guys have there in the office during opening week? Are some of you there all day? I think it would help for some of the issues that we had if we had somebody there.

Peoples – We were there an awful lot during opening week just because it was a new system that we've put through. It was Memorial Day weekend. I think we opened the Thursday before Memorial Day which is really not typical of us. We usually open that Friday or Saturday so it was a little bit cooler on opening day. It was a soft opening if you will but we were there quite a bit. One of the gate attendants made a QR code and we put that out there so it definitely helped out a lot. The gate attendants are very good with technology but they were being very helpful. Most of the time they would grab the persons phone and start doing it themselves to help them create an account.

Shea – At the JRD meeting last week, we had some feedback from the swimming commissioner of grandparents who were picking up kids from the evening practice who were asked to pay a dollar admission. I went back and looked at the old ordinance we would let a non-swimmer that was over 59 in for free but the current ordinance won't let it. Is that something that we would need to change so like let grandma pick up her kids essentially or is that something that you can waive through the rules?

Peoples – I don't think it's an issue if they were just picking them up. They took them there and they were at the pool. The understanding that I have with it which the non-swimmers, we charge a dollar because they're taking a chair. They're taking up space in the pool so that does have an impact on the operation. If it's just a picking up, there's a lot of times they'll go in and get their kid and come right back out and that's not a problem. My understanding, it was not just a pick up type of thing.

Shea – You guys do a great job. Running the pool is tough. It's a valuable service for the community and the kids love it. I was coming back home today from running errands and picked something up from the house and there's two kids riding their bikes home from swim practice at 9:00 a.m. I felt really bad for them because it was still kind of chilly out.

Discussion – Demkowicz Fence on Trine Street

Clark – I would like to bring up the fence issue on Trine and Columbus Street just to bring some clarity and try to bring closure to this. Mr. Demkowicz received a letter from the city.

Demkowicz – I received a letter from Mr. Moore regarding the fence and addressing your concern about the safety. We asked that we could go back to the original design which was with the rail across the top. Landmarks Commission recommended the open top which we don't want to but that's what they recommended and they approved a 42 inch height. It was our assumption that we went through and Council did the three readings that it covered the replacement of the fence at 42 inches. We were going to go back to Landmarks to request the rail across the top, to go back to the original design. Now I don't know where we are because originally when we talked about it, we went to approval from Landmarks to Planning and Zoning. He said Planning and Zoning wouldn't act on it because it's in the right-of-way, Council would have to act on it. My assumption was when we presented it to Council that you were going to act on it and that was it. It's like a dog chasing his tail.

Milliken – The ordinance that we discussed last meeting was just on the encroachment of the right-of-way. There was not anything in there about fence height or anything of that nature. Mr. Haire, what does this body need to do to fix this or correct it? I think we all left here thinking the same thing that this was a done deal.

Haire – I'm not familiar enough with exactly what has been signed. Maybe Thad is more involved in that but our typical requirement is if a fence is in a front yard it cannot exceed 36 inches.

Demkowicz – It's a side yard.

Amos – Are they asking you to go to Planning and Zoning or the Historical?

Demkowicz – I don't know where we're going anymore.

Amos – The letter though. Did it ask you to go to Planning and Zoning or did it ask you to go to Landmarks?

Haire – I believe Landmarks has approved the application. It would be the front yard because it's a corner lot so both streets are considered frontage. Anything in the front yard is 36 inches is typical for any Planning and Zoning requirements. If there was variance from that, it would be granted by Planning and Zoning to allow a 42 inch height.

Demkowicz – This is a rear yard, not the front.

Amos – So, if Landmarks approves it at 42 inches with the pickets..

Haire – Subject to Planning and Zoning's approval of variance.

Amos – So, they still have to go to Planning and Zoning.

Shea – Can we just do it for him?

Boggs – Landmarks approves the appearance of it, the esthetic of it to fit in with the Historic town. Planning and Zoning Commission has the authority to grant or not grant variances of the height so it's a separate process. The variance process is an administrative process rather than a legislative one. Short circuiting it might create similar requests out of an administrative process in the future.

Shea – Understood.

Boggs – Do you have power to do that? Yes.

Shea – I personally feel bad for Mr. Demkowicz who has been slowed down by the wheels of government trying to replace an old fence. This man has made more trips to this building than most people. I am just trying to find a way to do it. Right now, the only way to solve this problem is if he has to go to Planning and Zoning and get the variance without us violating administrative processes?

Boggs – That would be the normal course. Is to go to Planning and Zoning to get the variance because what came before this body as Mr. Milliken said, just permission for that encroachment. It is city property so that's why Planning and Zoning wouldn't act on it before because it was city property and there was no permission to put the fence on it. Now that the permission is resolved Planning and Zoning Commission has the ability to act.

Amos – Mr. Haire, what is the possibility of him being on the Planning and Zoning for tomorrow or the agenda already set?

Haire – We need to advertise so we'll need to advertise the variance request. The application deadline for the July meeting is today.

Demkowicz – How much is that application?

Haire – I believe it is \$200.

Demkowicz – I've paid \$500 for the right-of-way fee. Come on guys this getting really way out of hand. It's not a warehouse, it's a fence. It's not even as tall as that desk. I don't know what else we can do. We've jumped through every hoop we could to try to get this resolved. First I'm told Planning and Zoning won't do anything because it's in the right-of-way. Now, it's approved and has to go back to Planning and Zoning then it has to go back to Landmarks. Where does this all stop? I'm trying to do the right thing here. This has been a year.

Shea – I'm willing to put it out there as a piece of legislation for the next meeting.

Milliken – That seems to be the most expeditious solution from what I'm hearing. That would require a vote. I think we have done all we can do outside of what you're suggesting Mr. Shea. I'm sorry if that isn't the best answer. Somebody correct me if I am wrong.

Walker – I agree. I believe it needs to go back to Planning and Zoning to do it properly for now and for the future.

G. Adjournment @ 7:34 p.m.

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

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