

Canal Winchester

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



Meeting Minutes - FINAL

September 19, 2022

6:00 PM

Council Work Session

*Bob Clark - Chair
Laurie Amick
Jill Amos
Steve Buskirk
Chuck Milliken
Patrick Shea
Mike Walker*

- A. **Call To Order** *Clark called the meeting to order at 6:00 P.M.*
- B. **Roll Call** *Present 7 – Amick, Amos, Buskirk, Clark, Milliken, Shea, Walker*
- C. **Also In Attendance**
Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson

D. **Request for Council Action**

RES-22-034

Development

A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES, TO TRANSFER CANAL LANDS

- Tabled

A motion was made by Milliken, seconded by Buskirk to untable RES-22-034 to full Council. The motion carried with the following vote:

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

No 1 – Shea

Discussion started at 5:35 on YouTube Channel

Haire – An update on this item. At the last meeting there was a request to look into the encroachment that's on that of a shed. I did look into that. I did speak to the owner of that shed. He is no longer a resident of the City of Canal Winchester. His ex-wife lives in a home that's adjacent to that parcel but he still retains ownership of the parcel in the rear. He lives in Northwest Ohio currently. His ex-wife and his daughter do live adjacent to that shed. There are options we can do there. We can allow them to retain an easement to continue using that location of the shed but that would have to be done after we accepted the parcel from the State of Ohio. I've talked to Mr. Schamp about potentially doing something there. I can work with Mr. Boggs to do that to get an easement. My suggestion is that we do an easement there that we don't allow that to continue past the current ownership so that it's not continuously transferring to other owners that are having new uses for that shed. It is not something that's easily moved. It does have a concrete pad poured underneath it and so it's not something we can just drag and move over across the encroachment line.

Clark – Do you foresee the city ever needing this? Is that why you were saying basically when they move you don't want to transfer?

Haire – Yes. I mean, we don't have any current plans for that parcel. We could have long term. The idea was to acquire it now while it's still available because it is adjacent to our municipal complex here. We don't necessarily have a need for it currently but at some point, in the future if we would have a need for it then we would require them to remove the shed at that time. I did speak with the owner about that scenario. That shed was built prior to him acquiring the home. His parents acquired that home in the early 90's I believe and the shed was built there. He has added onto the shed when we lived there. He lived there for 20 plus years but he didn't know that it was across the property line.

Clark – I assume he didn't get a building permit to add on?

Haire – No. I mean, generally you get a zoning permit for a shed but no there wasn't anything issued for that in the early 90's or for any additions that were on it after that.

Amos – Is this something that we can send like a memorandum of understanding to the owner stating that if we ever decide to use this land we have the right to remove? Is that how this works?

Haire – Yes. I think I would refer to Mr. Boggs and how we would handle the specific easement. The agreement we have in front of you is the state's standard agreement. It wouldn't be something we would be amending the agreement acquired from the state. It would have to be something separate that we would do.

Amos – Right. I'm just wondering how that would transfer like you were referring to if they changed owners.

Boggs – In my understanding of speaking with Mr. Haire or hearing from Mr. Haire about this that the idea would be if it transferred owners then the easement would cease. It would wholly be the city's right to use that parcel.

Amos – But, the shed only sits on part of the easement, correct?

Haire – Correct. It's on two parcels. It's on the parcel that the shed owner owns and then it's on part of ODNR's parcel that we would be looking to acquire.

Amos – Let's just say they sold the property, who would be responsible for notifying the new owner that you only own a quarter of that shed or half of that shed?

Haire – It would be up to the title company that's doing the title search. Typically, you require some type of survey that would show that there's an encroachment there.

Amos – That's what I wanted to make sure.

Boggs – We would record the easement so that would show up in all the title work.

Amos – Perfect. Mr. Peoples, I believe this is the property that we discussed at length there's lots of residents along that strip who are concerned about us putting a bike trail in. There's no current plan to put a bike trail in this land, correct?

Peoples – There is not.

Haire – This is just three tenths of an acre off Trine Street so it's not anything beyond that.

Amos – That's what I thought.

Shea – Mr. Boggs, the State of Ohio owns that parcel now. It's pretty much abandoned land for all intensive purposes, correct?

Boggs – Correct.

Shea – What happens when you have structure like this that's on state owned land and on private land? What's the usual precedent that happens under Ohio law?

Boggs – I wouldn't necessarily say there is a usual precedent but in this case one special privilege that government entities have is that there's no power of adverse possessions. No matter how long this shed has been on that property that does not give the owner of the shed title over that land. If we were to want to scrape that and remove that shed the city would have the right to do that at least up to its property line.

Haire – We're limited in what we can do to resolve it as well. Once we get this property from the State of Ohio, we then can't transfer it to another entity. We wouldn't be able to carve off four-feet and then sell that to the owner.

That's not an option with taking this as a canal land. That has to remain in public ownership.

Shea – The shed splits the line, correct?

Haire – Correct.

Shea – Is it staked right now?

Haire – It wasn't discernible to me if there was a stake over there but it's inside of a fenced portion of their yard. They've got their yard fenced back to the entrance of the shed.

Buskirk – Is this shed a temporary structure or do you know if it has that like more permanent foundation to it?

Haire – It's got a concrete foundation to it.

Shea – I'd like to request to keep this tabled until I can walk over there and look at it.

Haire – It's easy to walk over to. It's a shed structure and it's got two lean twos built on each side of it and then a small little lean two on the rear.

Shea – Are they using it right now?

Haire – Yes.

Clark – Is there any cause for concern of tabling this piece of legislation?

Haire – No. We would just need to act on it by the next meeting. In the agreement there's a certain time frame to get that back to the state before we have to start the process over again. It would allow us to look at it until the next meeting but we wouldn't necessarily be amending this agreement with the state, we would be coming up with a separate agreement to allow the continued use.

Amick – This might be a silly question but could we lease four-feet of the property back to the shed owner?

Haire – I would refer to Mr. Boggs on that too. I'd assume we could.

Boggs – I'm reading through the contract. I don't remember that provision off the top of my head. We could explore that option. Whether we called it a lease or whether we called it just a permissive license for them to enter upon that for a period of time or an indefinite period of time. That would all remain to be worked out as a separate matter from the acquisition of this property from the state.

Amick – I know that it has to remain public land but is there any stipulation or sub-stipulation to that that we could not lease back a piece of the parcel? If it's public land would that prohibit us from being able to do that?

Amos – I wonder if you could almost do a land use agreement versus a lease because a lease is usually on a binding term whereas; an agreement's more open-ended.

Haire – Typically when we acquire land from the state we have to record a declaration associated with that. I don't know if that's specifically addressed in there or not. I'd have to look into it more.

Amick – Right now this piece of legislation is literally just to take it from the state and put it into the name of the City of Canal Winchester?

Haire – Correct.

Clark – So, we can still do this stuff we’re talking about later on.

Haire – It’s still a lengthy process to do that as well. I mean it wouldn’t be until next year until we got the governor’s deed from the state to actually take title to it.

Clark – I don’t know if I see a reason to table it Patrick. We can still do what we’re looking at.

Shea – That makes sense. My concern is quite simply that’s abandoned canal land and has been for all these years. They’re over the line and they’re in the property but I don’t want to end up in a situation where the city is going in and tearing down their building that they’re using. Two wrongs don’t make a right. They’re wrong but I think when they acquired it, it was wrong. I also don’t want to put citizens of our town in a position where what they believe is their property is at risk because the shed straddles both properties. I mean I got some concerns here.

Haire – The owner of the shed is not a resident of Canal Winchester. The adjacent resident has no right to enter into the shed.

Amos – But, the owner is still using the shed.

Haire – Correct.

Shea – Well, his daughter lives there. Right?

Haire – Lives in another adjacent home.

Shea – Well yeah.

Haire – On Columbus Street.

Shea – If my daughter lived in a house adjacent to a piece of property I owned, I guarantee you she would have permission to enter it. Right? I mean it’s probably a playhouse or something. That’s what my kids would do.

Haire – The daughter is an adult.

Shea – That’s good.

Clark – Is there a renter in it? Is there somebody occupying the house now or is it vacant?

Haire – The owner’s ex-wife lives in the adjacent home but does not have access to the parcel.

RES-22-039

Development

A RESOLUTION RELATIVE TO CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT WITH VIOLET TOWNSHIP, FAIRFIELD COUNTY

- Request to move to full Council

A motion was made by Shea, seconded by Milliken to move RES-22-039 to full Council. The motion carried with the following vote:

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

Discussion started at 18:14 on YouTube Channel

Boggs – I’ll take at least the first stab at this one. As we’ve discussed somewhat in the past there are two parcels of property in Violet Township that have prospective developments occurring on them. These are in the vicinity of Basil

Western Road and Amanda Northern Road in Violet Township. The township has approached the city about entering into a joint economic development district with respect to those two parcels that would allow the creation of a JEDD Board, which can impose an income tax essentially borrowing the city's income tax authority. The proposal was to provide 13% of that tax collected back to the city. There is a statutory process that involves a waiting period and a public hearing before actually entering into that contract for the JEDD. The resolution in front of you this evening is simply to express in a formal way the city's intention to move forward with that process. This is not however the final step.

Amick – Of the 13%, the City of Canal Winchester retains 10%. Correct? 3% goes to the tax collection process expenditure and essentially there would not be a request for services in return. Is that correct?

Boggs – That is correct. Other than the collection of the tax itself.

Clark – Obviously I'm very passionate about this legislation. I think this is a huge lost opportunity that our community has come upon. Last year we were presented this project and we passed a pre-annexation agreement, an economic development agreement. It was voted four to three for this property. We were then told by a group of citizens that they would put a referendum on the ballot if this project proceeded. We told the developer we were not interested in proceeding with the project. We then had numerous meetings and conversations with Violet Township trustees and officials being told that they would most certainly move forward with this project if presented the opportunity. We were pretty certain this project was going to be developed with or without us but we chose to not move forward. Today we get all the buildings, the traffic, the noise but we get 10% of the income tax instead of 75%. If we would have moved forward on our own. Most likely that will mean hundreds of thousands of dollars annual lost income tax revenue and millions of dollars over the next decade. While I'm going to support this legislation, I say all this because I hope we learn from the mistakes we made regarding this project and we don't repeat them in the future.

RES-22-040

Mayor

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF DANA RAINES TO SERVE ON THE STREET TREE ADVISORY BOARD

- Request to move to full Council

A motion was made by Shea, seconded by Milliken to move RES-22-040 to full Council. The motion carried with the following vote:

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

Discussion started at 22:48 on YouTube Channel

Ebert – I'm going to let Matt handle this since this is kind of an arm of the public works department. He has the information on Mr. Raines.

Peoples – Mr. Raines is actually currently a volunteer with Dick Miller in Urban Forestry. He's been pruning all Spring. Mr. Raines has a very extensive background in natural resources with the Department of Agriculture. For quite a few years he was an eighth-grade teacher in Minnesota. He's now Master Gardener and is working with Wagnalls and Metro Park. From a resume a standpoint you probably can't ask for a whole lot more out of Mr. Raines. He's been volunteering, I'd expect him to continue to do so and kind of trying to keep himself busy. He's replacing Jane Eberly who's been on the board since 2016 and has been the chairperson since 2020. She was leaving and we appreciate her term and service as well.

Amos – Out of curiosity, how many applications do we get for this?

Peoples – This was the only one that I am aware of just because Mr. Raines was kind of a perfect fit. I don't believe that there was a public process for this.

Amos – *Do we have any rules that state we have to post the position? I mean obviously he's a perfect fit. I just want to make sure we're violating our own rules. Do we have anything that says we have to post it?*

Peoples – *There's nothing codified as such in that code section for the Street Tree Advisory Board.*

Amos – *Thank you. I just wanted to confirm.*

RES-22-041

Public Service

A RESOLUTION TO AUTHORIZE THE MAYOR AND FIANCE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF CANAL WINCHESTER FOR DESIGN, AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

- Request to move to full Council

A motion was made by Amos, seconded by Buskirk to move RES-22-041 to full Council. The motion carried with the following vote:

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

Discussion started at 25:18 on YouTube Channel

Peoples – *This is the waterline replacement project that we nominated for funding the Water Supply Revolving Loan Account. This is a formal process of going in that next step. It was \$2.6 million and we did an updated cost estimate so it's now \$2.9 million. The costs are going way up. It wasn't long ago that we did the nomination for this. This is the Dye/Manor Addition waterline which is behind the old high school. Franklin Street, Woodsvie Drive, Cherokee Drive and Mohican Road we did some waterlines of the cul-de-sacs in the 2012 project. Groveport Road from Washington Street near Gender Road, Gender Road between Walnut Street, and then it also includes a loop from McGill Park to hook up with Columbus Street. Right now, Ashbrook Village is basically on its own island. It's got one waterline serving it so this would provide a loop for that section. All the other ones other than the McGill connector is all 1970's. Some of the ones in Dye Addition are in the late 1950's so these are our oldest lines in town at this point. Not too bad that our oldest lines are even 50 years old but there's been some issues with a couple of them. We're looking at the reconstruction of Dye Addition with the waterline obviously but the curb we've got out there is deteriorating and they're all original as well.*

Amos – *The additional \$300,000 is that also going to be included in this?*

Peoples – *That's all included into there.*

Amos – *Do we anticipate any additional cemetery action in the Dye Addition?*

Peoples – *I do not expect any because we've already replaced the one on Elizabeth Street and those houses we're a little bit newer than the ones on Woodsvie is my understanding. I'm hoping we are not going to come across anymore graves, coffins, headstones, that type of thing.*

Amos – *Wonderful. Thank you.*

Shea – *I know we have to do this but will this be new debt for the city then?*

Peoples – *Yes.*

Shea – *This was the 1% rate that was guaranteed by the EPA or something like that?*

Peoples – I don't know what their rate is at this point.

Jackson – We qualify for their small community rate which is currently 1.76%.

Shea – How long does it go out in terms of amortization?

Jackson – We had this discussion with them last week. We can go out up to the useful life of the waterline replacement. We probably won't do that. My guess is we would probably go out no more than 30 likely less than that.

Milliken – What is the useful life?

Peoples – We got 50 years out of it so far. I think they were going to cap it at 40 years but it was depending on how we submit what the useful life is.

Jackson – There's just more paperwork involved going longer than 40.

RES-22-042

Public Service

A RESOLUTION TO AUTHORIZE THE MAYOR AND FIANCE DIRECTOR TO PROVIDE CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BRIDGE INSPECTION PROGRAM SERVICES

- Request to move to full Council

A motion was made by Walker, seconded by Buskirk to move RES-22-042 to full Council. The motion carried with the following vote:

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

Discussion started at 30:30 on YouTube Channel

Peoples – This is a resolution for a program that we are actually already participating in with ODOT. They do our bridge inspections for us. This was previously on a three-year so it's expiring at this point. This is just a renewal of that. The way they're talking it's going to be an annual renewal at this point rather than doing three years.

Clark – Any reason for that?

Peoples – I'm not sure. They usually send us information saying if you want to participate sign this and get authorization from Council.

Jackson – We don't pay for the bridge inspections themselves through this program just so you are aware.

Amos – But, we pay for repairs that are necessary. Correct?

Peoples – Depends on what bridge it is. Franklin County own some of the bridges as well. Obviously, we don't have those inspected.

Amick – According to the legislation they do the inspection and they give a readout or a report. Are you expecting any surprises from that readout? Are there any bridges you know for a fact that are going to need repaired?

Peoples – My understanding is they're all in very good shape. They've all passed inspection but we have two culverts, one on Bowen Road and one on Oregon Road. We did a five-year fix back in 2005 on Bowen Road and it gets inspected but still is okay. At some point that'll have to be widened and improved. Same thing with Oregon Road, we had to do a repair on that probably five years ago. We have those on our Capital Improvement Plan just

added to keep that on there if it starts to deteriorate.

Amos – In the past year has anybody hit the 33 overpass?

Peoples – I don't believe so.

ORD-22-036

Finance

AN ORDINANCE TO AMEND SECTION 185.02 OF THE CODIFIED ORDINANCES

- Request to move to full Council

A motion was made by Amick, seconded by Amos to move RES-22-039 to full Council. The motion carried with the following vote:

Yes 6 – Amick, Buskirk, Clark, Milliken, Shea

Abstain 2 – Amos, Walker

Discussion started at 34:09 on YouTube Channel

Jackson – This ordinance was put together based on your discussion at your August Committee of the Whole meeting in regards to how you would like to distribute bed tax funds that are collected and deposited into the bed tax fund. I would just turn it over to Council for any feedback that you have. Hopefully we gathered everything and put it in writing the way that you were hoping to see it.

Clark – When Mrs. Mathias came she kind of alluded to that if she doesn't get the full \$65,000 that she was looking for then she wasn't looking for support from us. I'm wondering if we could take that 10% and move it to McGill or someplace else.

Milliken – I'm okay with that.

Amick – If they truly decline the 10% and I don't know what 10% of (x) would be but one of the things on Mr. People's Capital Improvements Project Plan, its #80 so it might be a very long time. The marquee as you come into town and the flashing messages about things that are going on in our town. In my mind it's a tourism kind of thing to have that marquee replaced with something more permanent if the chamber declines this 10% if we could maybe put it towards that.

Milliken – If that's feasible, I love it.

Clark – I like the idea.

Peoples – We don't have the property. We've had this idea for quite a while to put that out there. We kind of have some idea where it might be able to go but we don't own any of the property where that would happen. That's kind of why it's out a little way and I think this is the first time it's actually shown up on the CIP.

Milliken – Where you currently put the message board there in front of WalMart that land still has empty parcels there to be developed. We can always have the money set aside when the next one comes.

Peoples – We'd want to move it closer to Gender Road because there's a lot of traffic that goes into WalMart that we would like to capture. If you think about it, the only people that's coming past where it is now is people that live that way. We'd like to get some more people just to see that and get some eyes on it.

Shea – How many of those do you have?

Peoples – That's the only one.

Shea – How much are those?

Peoples - \$17,000.

Shea – I always wondered why we didn't put another one out on the other side of town but for \$17,000 now I know.

Peoples – They're not for what we use them for. They're not supposed to be used as just general messages but it works very well for it. That is for traffic notifications and that type of thing.

Shea – I like your improvisation.

Peoples – It works. I think the one we have is 17 years old. We're probably looking at doing something with that next year.

Amos – I love Mrs. Amick's idea but I'm wondering if we're still too far from the point of being able to capture that.

Peoples – Just off the top of my head how about that, it might not go anywhere but if it just stays in the fund and we don't spend it then there's going to be a balance building. It might take a little while. We're working on a sign out in front here and we've had a very, very long discussion on that about how it's going to look and operate. They're not cheap.

Clark – I'm fine with that.

E. Old/New Business

OTH-22-020

Technology Enhancements

Discussion started at 41:56 on YouTube Channel

Amick – There were two research requests. One was around the auto transcription software purchase and what that might cost and if it's even something that we believe as a Council and our Clerk of Council believes it's necessary. The second one was around a visible timer for our speakers so that we do not always have to interrupt their flow of conversation when they're trying to address Council. I believe Mrs. Jackson you had indicated several weeks ago that maybe Mr. Sims was looking into that.

Jackson – I do have an update for you on that. The one that we had identified many months ago is out of stock everywhere. Mr. Sims actually made a phone call to a supplier last week and they told him that the manufacturer is not even taking orders for it anymore because they are so backlogged. We are attempting to explore some other options. Unfortunately, the one that we found is probably the perfect fit for us so now we're going to have to see what we can do with what else is out on the market. If you want a temporary fix then we could certainly look into something that is temporary but we are very much struggling with it due to supply chain issues.

Amick – Understood. We'll just keep it on here and periodically just get updates on that particular item.

Milliken – Point of clarification on that. Mrs. Jackson, are we talking about a physical clock here or are we talking about the transcribing?

Amick – We're actually talking about both. One is the timer for the speaker during public comments. To make it visible somehow so that they can see it. You wouldn't have to interrupt their train of thought because they've hit their limit or they're a minute till. That was one item that Mrs. Jackson and I had talked about previously so that was just an update that Mr. Sims was working on it. The second item is around the auto transcription software.

Milliken – There has to be something we could just put on this screen from Jordan's perspective.

Amick – Sure. There are all kinds of digital clocks.

Milliken – I think that would be a great temporary idea. That's really all I was thinking we would have.

Clark – A clock that just counts down?

Milliken – Yes. The podium's there and you see it right there.

Amick – Honestly, I don't care what the solution is. I just think it is incredibly disruptive to the speaker when we have to interrupt their train of thought when they're trying to convey a message to us.

Jackson – That is one of the temporary solutions I had explored so if that's something Council would like we can pick one out.

Milliken – I would love that.

Shea – I've been in conferences where the speaker had a clock in front of them that is tied to the production crew set. Have we looked into like the A/V event planning space to see if they're interconnected where the speaker has one in front of them and the chair has one?

Jackson – That's what we were exploring. The manufacturer is no longer taking orders for them. That's exactly what that is.

Peoples – On the transcription software I do have an update. I did reach out and the solution that I had seen will not work. It's not designed for what I thought it was when I saw it actually in action. I know Mrs. Jackson has some temporary solution or some free trial as well. One of the things we kind of started talking about was changing the way we do the minutes where it's not actually a verbatim word for word but just doing a generic overview which is what we used to do some years ago. We would index it to where that is in the video itself like 1:25 we're talking about transcription software. Is that something that Council would like to do?

Amick – I've seen that done before and it's extremely helpful so I would be open to that.

Amos – It's the way our minutes used to be. We've gone both directions but it was convenient when you knew about where it would be.

Amick – Like I said, I've seen it done very successfully where you have the video on the left pane of your screen and then on the right screen it's scrolling to keep up but if you need to jump ahead to a particular topic it's indexed on the right. I would be open to that.

People – I guess I was talking about having a separate document that would tell you at what point you were talking about a certain item. It would still be the minutes but it would tell you where that was in the video rather than the side by side. I'm not sure I've seen anything like that.

Amick – I'm not sold on any one solution. I do want to commend Miss. Pearce because we had met early this time so thank you. I apologize if you had to rearrange your schedule to accommodate my request but I appreciate it. I'm not tied to any one thing just to make the minutes more expeditiously available.

Peoples – I know Miss. Pearce said it would save a lot of time that way by just going in and doing an overview and then indexing the time on the video.

Pearce – *That's perfectly fine with me.*

Amick – *Great. Thank you.*

OTH-22-021

Pedestrian Safety

Discussion started at 48:32 on YouTube Channel

Amos – *This past weekend we had another student hit. It was a hit and run. I'm sure our Sergeant can address that at some point. The family has made a public post asking if anybody saw anything or sees the vehicle to call it in. We have a lot of pedestrian issues and if we're ever going to be pedestrian safe we have to figure something out because we do have a lot of walkers. In that situation I don't think there was anything that we could have done. My understanding is somebody stopped to let the child cross the street and somebody went around him and hit him. You can't fix that but there's always crosswalks and things that we need to clearly identify as well.*

Milliken – *I like the fact that we're listing things in Old/New Business and for the sake of being productive. We're addressing public safety. I've expressed my concerns, I think we're all on board with pedestrian safety. What're our next steps that we're looking for? Are we just going to bring it up each meeting and talk about all the pedestrian issues or are we actually going to move forward with something?*

Amos – *Patrick and I went out with Mr. Peoples one day and looked at a bunch of intersections in the downtown area and we talked about potential for some crosswalks. I really think we need to revisit some of those conversations but I think that can be had and then brought back. I would leave it on but I feel like it's probably another conversation that we need to have and identifying some things that we need to adjust.*

Shea – *Mr. Peoples was kind enough to share with me the pedestrian safety study that they did in 2016. They implemented every last thing that was suggested in that report. It was like a mirror image of what you sent me. Mr. Peoples, do you want to touch on the signals I had asked about?*

Peoples – *Sure. One of them is basically a crosswalk sign with a couple beacons underneath of it that you can activate with a push button. It'll actually go both ways so you'll be able to see it on the approach. Groveport Road and Thrush Drive we'd already been looking at this. We had a local resident say something about it. The crosswalk there is on a 35-mph road and from a motor standpoint you should expect there to be a crosswalk at an intersection. A lot of the flashing beacons that you see are kind of at the odd places where you have a mid-block crossing where you really want to point it out. Down at the covered bridge we have flashing beacons that was actually installed by the developer when they first did that. That's also a 35-mph road and that being a park right there. Mr. Starcher talked to Sergeant Walker today and I think there would be support of something there. You can actually get them where they can flash red rather than just an amber. We've noticed on our vehicles just the amber doesn't catch as much attention so we've added in the green lights along with it. It would be kind of that type of thing we'd be looking at. I will caution the guidance on these devices, they say don't overuse them and don't put them at every intersection. It has to be something to where there's a documented safety issue with pedestrians. Obviously, we had a hit and run and a flashing beacon was not going to keep that from happening but it does add a little bit of safety measure. We have the park there and we have the bike path so this would be something where it checks quite a few of the boxes.*

Milliken – *I think for me if you wouldn't mind sending me that 2016 report, I'd love to see that.*

Peoples – *Yes. That was very specific to Waterloo and Washington intersection.*

Milliken – *Mr. Shea, you said you walked with Mr. Peoples around town to key in on issues?*

Shea – *That was a couple months ago.*

Peoples – It was downtown when we had some of the concerns from Mrs. Marion about the crosswalks. We kind of looked at that and are working through a plan. I mean obviously there's some major construction that has to happen with that for any improvements in the High Street and Waterloo Street pedestrian crossings.

Milliken – I would like to see just even if it is surface level discussion something that says this is what we've talked about. It doesn't necessarily say this is what we're doing but just to hear more of that discussion to see it on paper.

Peoples – On the study?

Milliken – No. Just your conversation with Mrs. Marion and just everything that's been discussed as far as pedestrian safety and solutions. I guess whatever's been on the table or mentioned. I'd love to hear all the ideas.

Peoples – We would be developing that with our engineer. I'm not sure we have not met with them on the 2023 Street Program yet. It will just be incorporating one of those and actually line it up. The biggest problem downtown at High Street and Waterloo Street is that there is no dedicated crosswalk. Typically, you have a landing where the curb comes down. It was okay at the time but it is not now. The brick work was also a discussion through there because some of the brick work is starting to deteriorate. I mean right out in front of the old Town Hall, all that brick work in there is crumbling. It was put in 1992 so I think we've got a lot of use out of that over the years. It was a wholesale discussion on that and it even kind of came around with some color downtown as well. There were discussions about what goes on our light poles and traffic signals. It was kind of an overall type of thing.

Milliken – You said that was the Capital improvements Plan?

Peoples – Yes. Our annual Street Program. We're going to look at some of that so I mean the brick work in general needs some enhancements that we want to do.

Milliken – My question to Council is then do we want to leave this item in Old/New Business until that Street Program report comes back?

Amos – I think that was what my thought were. There's additional conversation we can keep having until they start putting it into the plan and identifying what we can do.

Peoples – Once we get done with that I'll definitely have it in my report.

OTH-22-022 Police Study

Discussion started at 1:05:23 on YouTube Channel

Clark – Mrs. Jackson, what is the status of the info request from the consultant at this point?

Jackson – Nothing has changed since I reported two weeks ago. Our kickoff meeting is scheduled for this Thursday.

Shea – I'll just throw this out there for a thought. One of the things that I would like to see or what I'd like to understand and Sergeant Walker maybe you can help me. We get a report from you every month of the citations that you write. Do you guys keep a dispatch log of every time you dispatch a unit? Like every time one of your unit's dispatch, do you have a record of that?

Sgt. Walker – I do.

Shea – Is that in Excel by any chance?

Sgt. Walker – I'm not sure.

Clark – Is that where you're starting and where you're going to in the nature of the call?

Sgt. Walker – What it's called is a CAD printout and I just have our dispatch run it. It'll give us their dispatch time, their arrival time, their clear time, their disposition of the call so what they did on the call and then it'll give us the address.

Shea – Would you share that with us or with me?

Sgt. Walker – For?

Shea – Because I'm a nerd and I like to look at big things of data.

Sgt. Walker – I can do that. Our CAD printouts is public records. You would just need to give me a time span because that's a lot of paper I'm going to have to print.

Shea – Can you ask your IT person if they can just drop it into Excel because if they can. They should be able too. It'll make it a lot easier and that way you don't have to print everything off.

Sgt. Walker – I can ask. For sure. Do you have a time span?

Shea – If they're going to put it into Excel then a two-year drop should be a piece of cake for them.

OTH-22-023

DORA

Discussion started at 1:07:50 on YouTube channel

Ebert – I think we finally come to a somewhat of a conclusion on this as far as the application process goes. There's been a few changes in the state law since we started this. One, is you don't have to have nearly the establishments that was required before. You're now down to two establishments. I know there's another requirement for cups. You no longer have to have designated cups. You can walk around with a cup with whatever that restaurant happens to have. There's been some changes and I assume you all read the application. If you have any questions on that Lucas and I can answer.

Amos – I'll start because you know I've been passionate about bring the DORA to Canal Winchester as a non-drinker. First of all, thank you for bringing forth something. Is it your intention to revisit at a certain point before the year ends to determine if we can extend it out to the larger schedule that we'd originally talked about?

Ebert – What's your time frame again? We review it annually.

Amos – A lot of the larger events are over by September so I guess it would be my request that in October could we revisit to see if the following year could be expanded?

Ebert – Sure. We can review it annually.

Amos – Again, I do appreciate you getting something in place. I think it will benefit our businesses. I personally would love to see it expanded. I just feel that we'll be able to use it a lot. So many cities that we talk to have expressed that they don't see the issues that everybody thinks would come along with the DORA. Everybody keeps sending me pictures of themselves with the DORA. I'm excited to see it happen.

Ebert – Lucas, was there any other changes?

Haire – No. I will mention that in March they changed the law again in the state and reduced some of the requirements for communities with less than 50,000 in population. One of the requirements is that every five years City Council needs to pass an ordinance confirming that they want to continue the DORA or if they want to amend it. You can amend it anytime you'd like, you can amend rules, and you can amend the health and safety plan, anytime City Council would like to do so as long as there's a proper public notice given. In terms of health and safety planning for this we don't anticipate there's going to be a lot of changes. One of the items that is required is posting DORA boundaries and so we've identified 21 locations where we would need to post signage. Most of those are around the main roadways but there are also some on alleys and things like that. Anywhere where someone would leave a DORA area, they need to know when they're leaving the boundary. 21 locations, some of those we're proposing would be sidewalk stickers and so those would be stickers that are basically adhesive that's attached to the sidewalk. If you've been to Westerville or Bridge Park in Dublin then you've seen those stickers that they have but many of them will be small signage that will be attached to existing signposts that we have street signage on already. We're looking at up to five new trash cans that would be at the boundaries as well. Those trash cans would be places where people could dispose of a cup if they're walking out. As the Mayor mentioned, the law changed in regards to the cup and that was specifically in response to supply chain issues. There are a number of communities that couldn't get plastic cups during the pandemic to that were specified in their DORA resolutions. Now the requirement is in your resolution, you need to specify if there is a designated cup or if it just needs to be served in a plastic vessel. If there's a specific size requirement we would need to talk about what that might be but we don't have to print cups that are specific to Canal Winchester because many communities have found supply chain issues preventing them from receiving or being able to get those specific cups. Those are things that really need to be discussed more. This would be for special events only the way it's anticipated right now and the hours of operation would be Thursday to Sunday from noon until 11:00 p.m. or during the designated hours of the special event. The events and the dates of those events are specified in the application as well as the boundary. It includes 21.6 acres basically along Waterloo Street and High Street and then it includes Stradley Place and the areas along Towing Path Alley including 30 Liberty Street. The current park rules do not permit alcoholic beverages so that would be something we're going to need to look at amending. I know Mr. Peoples has got a number of amendments he'd like to make to park rules so that may be something that's coming forward in the future that would allow for alcoholic beverages to be consumed in that park during DORA events only. That would be something we need to look at addressing as well. I think that covers most of the application.

Amos – Is the city planning to purchase the original building signs for each company that's along the DORA district that says whether they're red, yellow, green, identifying whether they allow it in their building?

Haire – Yes. So, what we would be looking at is window decals or stickers that would be one of the logos that's proposed here. The logo was designed to tie into kind of the crafted in Canal Winchester tourism logo that was put out. It would be one of those, a modified version of that. One would be for a DORA participant which basically says that they participate in the DORA and would probably have some QR code or something on it that would link you to the website with all the rules. The others would be for businesses that would have a choice whether they allow DORA beverages in their business or not. So, for non-liquor establishments you can never go into a liquor establishment with a DORA beverage. That's still against the liquor laws but if you wanted to go to a retailer or a service related business they would have the option to say whether they allow those drinks in their business or not.

Amos – Have we already done the posting in the newspaper?

Haire – No. If we decide we want to move this forward tonight then we'd be looking at publication or posting the notice and then if we want to have any type of public hearing on this we would need to set a date for that. We are required to post a notice in the newspaper that the DORA application from the Mayor has been received and then no sooner than 30 days after the posting of the public notice but no later than 60 days Council would need to adopt the DORA.

Amos – We're not required to have a hearing. We can take public comments at any meeting. Correct?

Haire – Correct. We are not required to have a public hearing but if we choose to have a public hearing then we need to put it in the public notice. If we looked at that then the public notice would be at the earliest on the 29th and the 6th are the two dates that we could post the public notice. That would allow us to schedule a public hearing on November 7th or November 21st.

Amos – How does Council feel as far as whether we want a public hearing or just continue allowing people to come into a public comment?

Clark – It doesn't matter to me.

Amos – No need for a special hearing at this time? Okay. My other question is, this would still require like for larger events like Labor Day and Ribfest to get a liquor permit for the special event. Correct?

Haire – Yes. Temporary liquor permits are issued as an F liquor permit. F liquor permit holders can participate in the DORA and they're issued with that designation if they're within the defined boundary.

Amos – Are we able to issue the liquor permits since we have a DORA in place here or do we still have to acquire them at the state level?

Haire – Yes. The Ohio Department of Commerce of liquor control would issue all permits. They would just be eligible to get the DORA designation on their permit.

Clark – I thought it was 2023 when we were introducing it. Is it now?

Haire – So, the way it would work is if we follow this schedule where we had it November 7th or 21st and we looked at adopting it by resolution at that meeting then that would take effect 30 days after the resolutions passed and signed by the Mayor. Then it would be December 21st to go into effect for next year. The first event listed on there would be the shop hop which is the first or second Thursday of March.

Clark – You mentioned the days. Monday was not listed and the Labor Day Festival would go into Monday. Would that affect us not being able to have the DORA on that Monday?

Amick – It says Saturday, Sunday, and Monday on the Labor Day Festival.

Buskirk – But, on the DORA agreement it did not include that. That was one of the comments I had as well.

Haire – I would assume that's an oversight that we would allow it during the Monday of Labor Day but I would refer to the Mayor on his intent with that.

Ebert – I would say all the three days of Labor Day weekend.

Amos – If another event comes up that could potentially be a good DORA event, are we able to add them as we go or are we stuck to what's exactly presented?

Ebert – I don't know legally but I would say within an advanced notice. I think we could, yes.

Haire – It can be updated by Council at any time. It would be the same process if the Mayor proposed an application to Council and then Council could introduce a resolution, post a public notice and then we could amend the resolution.

Buskirk – Could we add additional days so that we can avoid coming back for an additional resolution? For example,

Monday, Tuesday, Wednesday of the week so that way if there's an event that is added we don't have to come back to add additional days to the agreement.

Haire – Yes. I think that would be possible as long as it's during one of the designated events.

Milliken – Mayor, can I ask the reasoning behind only allowing the DORA for special events?

Ebert – That was a request.

Milliken – From us?

Ebert – From Jill.

Amos – My request was based off yours actually. My request was for it to be rolled out full throttle. We were going off your request for special events which was my way of trying to meet you halfway on this. I was hoping for full throttle and I don't think you were ready for that. I thought this was a good start.

Milliken – My stance is I think just the events isn't enough and I think full throttle is probably a shock to the system. Any compromise in between those two. That's kind of where my head's at. I mean if we just did the special events and did Thursday, Friday, Saturday, I don't know what it looks like but to me I would like to see the DORA expanded beyond just special events.

Ebert – If I'm not mistaken, I could be wrong but I thought Destination was requesting special events too.

Amos – I think you're right on that one. I think Destination was originally special events only. I love what Mr. Milliken was saying where even if we do our special events but the Thursday through Saturday. Ultimately, the Mayor's the one who has to put this forward and that's where we were trying to come up with a compromise that he was comfortable with. That's where we came up with the special events so I would have to say, Mayor, would you be comfortable doing the weekends?

Ebert – I would say if we do that or if we're going to look that direction then I think we need to have a public hearing.

Milliken – That's fine. What were the dates again that we could have a public hearing?

Haire – November 7th or November 21st.

Amos – Let's go with November 7th if possible.

Shea – Can I make a suggestion to change the designated hours of operation? If we do end up going to Thursday let's end it at 10:00 p.m. just Thursday. Then, on Friday and Saturday 11:00 p.m.

Ebert – I think we need to keep it the same hours. Labor Day shuts down at 11:00 p.m. and Blues & Ribfest shuts down at 11:00 p.m. but last call is at 10:30 p.m.

Milliken – I think that makes it nice and clean.

Amos – I think most of our restaurants are closed by that point, aren't they?

Peoples – That would mean you couldn't get last call at 10:30 p.m. and walk out with it.

Boggs – If the DORA ends at 10:30 p.m. then you couldn't exit with it.

Amos – So, 11:00 p.m. in order to meet the last call deadline.

F. Adjournment @7:24

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

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