

Canal Winchester

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



Meeting Minutes - FINAL

November 21, 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 6:01 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. **Reports of City Staff**

Discussion started at 8:03 on YouTube Channel

Bill Sims – Things are quieting down a bit now. The Street Program, all the work is completed at this point. We're just working on closing things out. I got some final quantities from the contractor at the end of last week so we're reviewing those. We're also working on the 2023 Street Program. WE had EMHT pulling together a bunch of planning information essentially so we could look at costs to help build our project in the most efficient manner. We received some estimates from Mr. Spencer at the very end of last week so we're going to be looking at those and making some decisions and choices. McGill Phase 2, EMHT has been working on some preliminary design work. They're looking at some different options and doing some exhibits to try to help us narrow down the layout particularly where the fields would be so we can see how other amenities can fit in as well. 45 East Waterloo is just about wrapped up with costs in that project. I'll be meeting with Ferguson again next week. If you may recall we started at \$4.067 million. We had the change order for the structural improvements of the building so we're at \$4.295 million. We're probably going to come in right about \$4.15 million. We'll get that finalized before the end of the year. The RFP for the McGill Three Seasons Shelter is out again with the revised drawings. I feel pretty confident particularly the way we got this set up. We're going to have some mechanism for sure of building the project next year. Right now, I have those due back on January 5th. Hopefully we'll be able to get something awarded very early in the year so we've got some lead time for procurement particularly for the wood frame structure. Greengate Phase 3 and 5, the contractors still have been working out some punch list items and still has a few more things to take care of to get that completed. The Evans Farm project, work is continuing. They're working on the buildings but they have started work on actual Robinett Way Extension. They're doing the mass earthwork for the roadway currently and preparing to start some underground utilities namely the sanitary sewer hopefully in the next couple of weeks. Utility work will continue through the winter and into the spring. Right-of-Way work has slowed down considerably with the weather change. AT&T, they have their work in the right-of-way's completed. They still have things in the private easement areas, behind the houses and beside them that they're not completed with yet. The right-of-way portion is pretty much complete except for punch out. We do have a company called Summit IG that's installing fiber on Diley Road as part of a larger regional project. You've probably seen them out there over the last couple months. Any questions?

Amos – The Evans Farm project, are you able to send us what the building is supposed to look like when its final?

Sims – We certainly can.

Amos – That would be nice to look at. I don't think we reviewed that project. We're starting to have people ask obviously because it went from ground to walls overnight.

Sims – There's a wall that goes along 33 as well so it does definitely seem like it's right there.

Haire – There's a 12-foot tall wall that'll go along 33. It'll basically match the sound wall that's going in on the south side of 33. There'll be sound walls on each side.

Clark – Is ODOT paying for both sides of that?

Sims – The developer is paying for that.

Clark – Where will that wall start?

Haire – It would go from Specialty RV and it would go east about three quarters of the site and then the last quarter of the site's an eight-foot mound.

E. Request for Council Action

RES-22-047

Development

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT AN EASEMENT FOR SIDEWALK FROM CANAL WINCHESTER PIKE, LLC.

- Request to move to full Council

A motion was made by Amos, seconded by Walker to move RES-22-047 to full Council. The motion carried with the following vote:

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

Discussion started at 13:52 on YouTube Channel

Haire – I'd like to kind of talk about all three of these at once. They're all related to easements for the development of the new Sheetz Fuel Center at the corner of Gender Road and Winchester Pike. The first resolution is to accept a sidewalk easement along Gender Road with the existing utilities that are out there on the roadway with the sidewalk that's being installed as part of that project. It goes outside the existing right-of-way so we're just asking to accept that easement to allow the public to traverse this private property on the public sidewalk. The second one is a highway easement. This is at the intersection of Winchester Pike and Gender Road. There is a potential in the future that the intersection would be relocated to the north by the City of Columbus and so what this would do is allow us to retain an easement in that area so that the intersection can then be aligned. It's no longer an angled intersection, it'll be a 90-degree angle intersection from Gender Road. We're just reserving that northernmost point of that property as a highway easement to allow for the potential for that future realignment. The last one is a water main easement. This runs along the South plat line here. This was an oversight at some point in the past. The waterline was installed across that portion of the property. It's an existing waterline. It was not in a recorded easement and so they're granting us an easement to allow for that public waterline to continue exist on that parcel.

RES-22-048

Development

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT A DEED OF EASEMENT FOR HIGHWAY EASEMENT FROM CANAL WINCHESTER PIKE, LLC.

- Request to move to full Council

A motion was made by Shea, seconded by Buskirk to move RES-22-048 to full Council. The motion carried with the following vote:

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

RES-22-049

Development

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT A DEED OF EASEMENT FOR WATER LINE EASEMENT FROM CANAL WINCHESTER PIKE, LLC.

- Request to move to full Council

A motion was made by Walker, seconded by Buskirk to move RES-22-049 to full Council. The motion carried with the following vote:

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

ORD-22-049

Public Service

AN ORDINANCE AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ACCEPT THE QUITCLAIM DEED OF REAL PROPERTY LOCATED AT 300 WINCHESTER ROAD, PARCEL ID NUMBER 184-000626-00 AND TO ENTER INTO AN ASSIGNMENT AND ASSUMPTION AGREEMENT WITH THE FIELD OF

HONOR CEMETERY ASSOCIATION AND DECLARING AN EMERGENCY

- Request to move to full Council

A motion was made by Amick, seconded by Amos to move ORD-22-049 to full Council. The motion carried with the following vote:

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

Discussion started at 18:25 on YouTube Channel

Peoples – We discussed this at the last Council meeting. The current owner operator of the Field of Honor seats operation out there as far as their ownership. By state law we have to acquire that property since it's within the corporation limits and operate that as is. This is just an ordinance to go along with that. It is written as an emergency ordinance but we are requesting three full readings.

Amick – I think I read somewhere where this is being resolved. Wasn't there a question about the ownership of the mausoleum on the property?

Peoples – There's actually four parcels out there. The Union Grove Cemetery which we already own, the Field of Honor, the mausoleum is its own separate parcel and they're still working through the ownership of that. We'll have this exact same ordinance for the mausoleum coming up at a future meeting once we figure out that ownership. The last one we will not acquire it. It was actually given to the Vietnam Veterans Memorial that's out there. That is a separate parcel that was granted to that organization.

ORD-22-050

Development

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ACCEPT AND EXECUTE THE PLAT FOR LOOP DRIVE NORTH, LOOP DRIVE SOUTH, MEDICAL WAY, AND CAMPUS DRIVE

- Request to move to full Council

A motion was made by Amick, seconded by Milliken to move ORD-22-050 to full Council. The motion carried with the following vote:

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

Discussion started at 20:58 on YouTube Channel

Haire – This plat is for the public roadways and public utilities including stormwater drainage easement that surround Diley Ridge Medical Center. As part of the development of the Diley Ridge Medical Center the city entered into a TIF agreement by ordinance #45-08 and so it's been quite some time since this was constructed. The improvements were constructed in 2009 and they're coming to us now and requesting reimbursement through that TIF for the improvements that were made. As part of that we need to accept the improvements as public improvements which would include the roadways listed there as well as all the utility easements surrounding the water and sewer lines, and the stormwater drainage easement. The total cost of that will be \$1,372,207.37 and so we have all the required documentation. They were constructed to public standards. They were constructed with prevailing wage so this is really the last step in completing that TIF reimbursement agreement. We are working on a maintenance agreement with Diley Ridge and hope to have that wrapped up prior to deciding the plat with them so they'll be maintaining the roadways within this area.

ORD-22-051

Finance

AN ORDINANCE CREATING THE POSITION OF CONSTRUCTION INSPECTOR AND ESTABLISHING PAY RANGE FOR THE CITY OF CANAL WINCHESTER

- Request to move to full Council

A motion was made by Shea, seconded by Amick to table ORD-22-051. The motion carried with the following vote:

Yes 5 – Shea, Amick, Amos, Buskirk, Milliken

No 2 – Walker, Clark

Discussion started at 23:24 on YouTube Channel

Jackson – As you may remember I was not here at your last meeting and I believe this was a request of City Council to have some of these positions that we are bringing forward for creation to be split out into their own ordinances. That's all I know about this at this point.

Milliken – I'll go ahead and just kind of give where I'm at with regards to all these. Hopefully we can all knock them out relatively quickly. This is a lot to ask at once. The majority of these positions I feel pretty good about. There's a couple of them that I struggle with a little more. The first would be the City Administrator position. At times I felt like I could go either way on it. We have this Police Study hanging out there, we're giving money to CWJRD, and we're giving money to the Chamber. I think we should trim some of these down a little bit. I think the City Administrator would be one that I look to trim and then the Law Director position. There's been times in the past where I felt it would be a good idea for us to have our own independent Law Director but citing the circumstances I just did, I think the quality services that we're getting from Frost Brown Todd, I think this is another one that I'd be willing to let go. That's my two cents, I'm happy with pretty much all the other ones.

Boggs – One item I would just point out for the sake of clarity and if I'm not clear Mrs. Jackson can certainly correct me. For this year's budget purposes, the only positions for which funding is being sought are City Administrator, the two Assistant Public Service Director positions, and the Information Technology Technician. Correct?

Jackson – Correct.

Amos – Mrs. Jackson, do you know what our annual is for Frost Brown Todd?

Jackson – We're at \$15,000 a month plus expenses. That's basically for General Law Services. If we have special projects then that is a separate contract with Frost Brown Todd with a separate bill.

Boggs – On an annual basis, it's \$180,000 for the general council services plus any incidental expenses, mileage, that sort of thing. Special projects and litigation are pulled out as separate matters.

Amos – So, if we took the salary that was proposed plus kept Frost Brown Todd on a retainer you are looking at potentially more than what we're currently paying for our annual contract.

Boggs – Yes.

Amos – I'd say a good 50 to 70.

Boggs – Right. It would change entirely the nature of the way that you get your legal services because you would have a Law Director here full time presumably providing that general service and then whatever outside council budget would be assigned for that. That would include litigation, it might include Human Resources, Zoning, or Development. Other types of sort of expertise areas that one person wouldn't necessarily be able to provide on his or her own.

Amos – Looking at some of the other cities around us and just the variety of cities, a lot of cities are going to a Law Director position in house because it is very efficient and handling daily tasks quicker.

Boggs – I'm not sure about the number of cities that are doing that. I know for example, the City of Grove City, the City of Powell, the City of Dublin, the City of Hillard, the City of Johnstown, Obetz did just go in house.

Amos – The Construction Inspector is not a new position. It is potentially moving somebody.

Peoples – It is a new position. It's just identified in our five-year plan of a possible need within that time frame.

Shea – I would request that we table this since it's not relevant to next year's budget and I don't see a reason to create a position that's not going to be filled for a year and a half.

Jackson – Mr. Clark, if I may Mr. Sims is here. This is a position that would be reporting to him. Perhaps maybe we should be asking him about this position and the need and what it would accomplish.

Shea – I think we just determined that we were going to table it because it's not even in the budget until 2024. We have other things that are more pressing that are probably going to take a lot of time. That's what a table is there for.

Ebert – You can still create the position. Then when it comes up and there is a dire need we don't have to go through all this again.

Amos – If there is a delay in approving or considering the position, is it going to have an adverse effect on anything that you need to have for your compliance of budget?

Jackson – No. We simply did this out of ease for us and ease for you. We didn't want to end up with seven pieces of legislation which we ended up with anyway. It is part of a plan. We've been stressing that. This is a plan. The plan is fluid. Yes, it's on the plan for 2024. Maybe that'll be 2023, maybe that would be 2025 but all of that would require money to be budgeted for that position which council ultimately holds the power to say yes or no to.

Milliken – I would just like to say thank you for that consideration to try and make this as an easy process for this council to process as it could be. However, it's quite apparent that it's not an easy process. This is a lot for us to digest and I respect the opinion of those that wish to take this a little bit slower. Especially for something that has no effect on this current budget.

Buskirk – Mr. Sims, currently your inspection is being done with a consultant. Is that correct?

Sims – Yes. That's correct. I have two staff members that are city employees that handle some aspects of the work. Utility locating and also handling stormwater inspections. Then, we have a right-of-way technician that handles inspection on right-of-way items from utility work. The bulk of the construction inspection is currently Quality Control Inspection that provides that as a vendor.

Buskirk – So, I would assume that if you're wanting to hire a full-time position for inspection it would reduce some of your inspection costs that you're currently spending. As well as retain some of the knowledge from that person during those construction process so it's held in house and not with a consultant. Is that correct?

Sims – That's correct. We may have five, six, seven inspectors in town through the summer and then most of the construction season. Having a full-time employee that would be able to handle specifically say the Street Program which is a very regular project or a larger CIP job, and then also kind of watch over the vendor inspectors on the project.

Buskirk – Thank you. Just from previous experience I do understand the need to have someone in house and the value of keeping that knowledge in house with an employee.

ORD-22-052

Finance

AN ORDINANCE CREATING THE POSITION OF PARKS SUPERINTENDENT AND ESTABLISHING PAY RANGE FOR THE CITY OF CANAL WINCHESTER

- Request to move to full Council

A motion was made by Buskirk, seconded by Walker to move ORD-22-052 to full Council. The motion carried with the following vote:

Yes 5 – Buskirk, Walker, Amos, Clark, Milliken,

No 2 – Shea, Amick

Discussion started at 39:29 on YouTube Channel

Peoples – This position would be in the Department of Public Works. It kind of goes along with one of the ordinances for the Assistant Public Service Director. It's realigned with the potential retirement of Dick Miller in the near future. We don't know when that is. The Assistant Public Service Director would be over in the Parks Department. Basically, Urban Forestry would be underneath the Parks Department.

Amick – Other than Mr. Miller, who manages the parks systems now?

Peoples – It's really just a shared duty all around. Most of it is with Shawn Starcher in the Street Department as far as mowing and maintenance. For example, at the pool Amanda and Stacey run the concession stand. I run the operations portion of that. It is really shared amongst a lot of people so it depends on what the task is.

Amick – So relative to the justification for the position, is it just a liter overload because everybody has to share in it and there's no single point of contact or what would be the justification for it?

Jackson – Some of it goes back to I guess span of control if you will and the number of maintenance technicians that we have and the fact that we really only have two supervisors over them right now. The thought would be we maintain two supervisors but we give them each their own crew to concentrate on a certain aspect of the city. As Matt said, we have a lot of hands involved in everything that goes on in the city and a lot of people doing things that maybe aren't directly tied to their specific job. This is just another way to again focus that in and let them become sort of experts on that particular job or whatever it may be.

Amos – Mr. Peoples, is it your attention to wait until Mr. Miller is ready to solidly retire before we fill this position?

Peoples – Yes.

Amos – As a council point, I fully support this one. I came in this summer and I'm sure many of you have but when the pool is open Amanda and Stacey are taking call after call to be able to get some of this off their plate. You girls do a fabulous job but it was crazy. I was only there for half an hour. They're buying snacks, picking up and dropping off. I'm pretty sure that's outside the job description.

Jackson – Again, there's a lot of things that are handled by people who maybe that's not directly tied to their job. Right now, Stacey handles rentals of all the parks and the facilities and then she works with Shawn and his guys. This position would essentially hopefully take all that over and then it would be under the same umbrella if you will. The umbrella of the Assistant Public Service Director who is in charge of all of those people. Then, people get answers faster and things would go a lot smoother.

Shea – Is the Urban Forester role still relevant if we go to this Parks Superintendent?

Peoples – Mr. Miller is a certified arborist so some of those things would have to be covered with a contractor. I don't

know that it would be filled right away. Once Mr. Miller retires it would be a position that wouldn't be filled. Looking down the road, if we need to add that position back in we would have it there. We would probably modify the job description a little bit.

Shea – I see one new director, one new superintendent, and I just don't like to see us grow a head count because it adds cost and cost adds overhead.

Peoples – And, they're forever costs.

Shea – They don't go away. Is there a way to do this any leaner?

Peoples – Like I said, I don't expect that Urban Forestry position to be filled. I don't expect the Parks Superintendent position to be filled until Dick Miller is gone. We're not adding another superintendent. We're repurposing Dick Miller's position as a superintendent.

Amick – I'm not disputing the position but how does this differ from ordinance #22-051 where we chose to table it because of the timing? If we don't have a commitment from Mr. Miller about his impending retirement date then it could still be two years, three years. We just don't know at this point in time. So, how does ordinance #22-052 differ from ordinance #22-051 from a timing perspective?

Peoples – The retirement of Mr. Miller is closer than to reality. I just don't know when that is.

Jackson – I don't want to get into his personal stuff but he was set to retire and he decided that he no longer wanted to do that. He could come to us tomorrow and tell us he's done.

Peoples – He is eligible to retire and has expressed that.

ORD-22-053

Finance

AN ORDINANCE CREATING THE POSITION OF CITY ADMINISTRATOR AND ESTABLISHING PAY RANGE FOR THE CITY OF CANAL WINCHESTER

- Request to move to full Council

A motion was made by Walker, seconded by Clark to move ORD-22-053 to full Council. The motion carried with the following vote:

Yes 2 – Walker, Clark

No 5 – Milliken, Shea, Amick, Amos, Buskirk

Discussion started at 50:01 on YouTube Channel

Ebert – I'll lead this off. In the last two or three years we've become more and more apparent that we need a position directly under the mayor that has more government background and more experience than what a mayor would have. Typically, a mayor doesn't have any government background or very little. I think it's becoming more and more apparent that we need that leadership for the directors and the others that report to the City Administrator. I've been doing this for 15 years. We were a village when I became mayor back in 2007. I think anybody could have qualified and did qualify to become mayor. I think it is kind of changing a little bit in my opinion. If we had an administrator then we can go back to where anybody would qualify to be a mayor and anybody could be a mayor. I think the mayor is still the leader. There needs to be that extra go-to person for these guys that are sitting at this table that has someone to go to for experienced reliable questions.

Amos – I'm going to play both sides here. I personally don't have a problem with the City Administrator. I have a problem with a full-time mayor and a City Administrator for the city our size. Fiscally I don't think it's responsible. If we go the route of a City Administrator in my opinion it needs to be more of a part-time mayor position. That being

said, the charter has to be reviewed prior to that decision being made because our current charter is mayor strong. You'd have to review your charter to make it so your City Administrator is the one that reports to Council.

Boggs – Currently the charter contemplates the City Administrator position and maintaining the strong mayor, council form of government, even with that position. The charter doesn't specify either what the mayor gets paid or how many hours per day or per week. Any mayor is expected to be in the office. From a perspective of the charter I wouldn't say that I agree that it would need to be changed to bring in the city administrator. It's just a matter of what level of compensation for a mayor council thinks would be appropriate based upon the expected delegation of duties to the city administrator.

Amos – I just don't feel a full-time mayor and a city administrator for a city our size is appropriate. If we as council determine that we are going to reduce the salary and reduce the hours then I don't believe the mayor should still be the one that reports to council. We could say we want you to report (x) number of hours.

Boggs – Council can establish the salary but cannot establish the number of hours for the mayor.

Amos – So, therein lies the problem. If you have a part-time mayor, do you really honestly say to your community our part-time mayor is managing our full-time city administrator and our city administrator doesn't report to council?

Ebert – No where does it say that the mayor is full-time now.

Amos – I understand that. If I said we're going to reduce the salary in order to compensate and have a city administrator, I wouldn't expect a mayor to be full-time if I'm reducing your salary by over half. I think that's unfair to have that expectation for somebody. What the mayor is saying is exactly right. In this day and age, I agree walking into the mayor job would be incredibly hard right now especially if you had no city background. My thoughts would be your mayor needs to be part-time and therefore your city administrator would need to be the one who ultimately report to council. Your mayor would still be your mayor.

Boggs – The charter currently says that if you're going to have an administrator it is somebody who reports directly to the mayor. The system that is being described of having a person who is reporting directly to council to oversee the day-to-day operations of the city that would require a charter change and that would be a city manager form of government. You would retain a mayor essentially for ceremonial functions.

Amos – It's doable. The salary of the city manager is at \$175,000 to whatever the salary range is that we're providing then you would take your mayor down to a \$20,000 salary. It's just not feasible to expect them to work full-time. It's also not feasible to have them be the one that reports to council. Makes no sense.

Peoples – The administrator is working full-time.

Amos – The administrator is working full-time and they're the one who is ultimately making a lot of the decisions. In my mind, that's who reports to council. That's who council is going to be going to.

Peoples – Council is part-time as well.

Amos – But, right now the mayor reports to council.

Peoples – No.

Amos – It's mayor strong so that's the person that we work with the most.

Boggs – Fundamentally the difference you come up with is, in a city manager form of government the legislative and executive functions of the local government are fused. City Council holds both of those but the executive is performed by city manager who is hired by council. The difference being here with either the current arrangement or with a

strong mayor and administrator is that you maintain division of executive and legislative functions. There's electoral accountability both for council and electoral accountability for the mayor and that's going to be based upon either the mayor's activities or the activities of the city administrator who the mayor is hiring. It gets to be a pretty deep question in terms of how you want political accountability in the city apportioned.

Clark – I don't think it's fiscally responsible for more than one year.

Amos – You're coming up on an election year so we're going to do this through the end of next year, 2023. Your election comes up in November. Is the person running going to be aware that potentially in January the salary goes from the posted to \$20,000? I'm just throwing out a number.

Jackson – It would already be established because you have to have that salary established by July 1st. Your filing deadline isn't going to be till August for the election.

Clark – So, next year in 2023 we would deal with our salaries and the mayor's salary. Then at that point you can make the adjustment and then you're not top heavy.

Amos – If we decided to go that route is there still enough time to change the charter to make it weak mayor?

Clark – It doesn't need to be.

Ebert – Your mayor is still the mayor. Whether if he is part-time or full-time. He is still the mayor. It doesn't say that the mayor is full-time or part-time now.

Amos – At what level do you think somebody is going to show up for \$20,000?

Ebert – Well, that's where I think you have to use common sense. What level do you pay the mayor?

Peoples – What level of time they put in?

Amos – Yes.

Peoples – The administrator is full-time.

Amos – Correct.

Peoples – However comfortable they are with the administrator.

Shea – Actually we as council can set that salary as soon as we cross January 1st. It can be set statutorily anytime between January 1st and July 1st. If your concern is those people getting into the fray we can change the salary next month so everybody knows with clear understanding what coming at them. That being said, I'm not a particular big fan of the 90% overlap. I think 50% might be a better place to start.

Clark – I don't think we can adjust that salary until 2024. I think it's locked in by the charter for 2023.

Shea – Yes but you can get it out and published.

Clark – Yes absolutely.

Buskirk – Mayor, was that your intention to reduce the salary of the mayor's position when adding the administrator?

Ebert – I didn't go that far with it. It could be a possibility, sure. Absolutely. Again, that's all up to Council. You

establish that rate.

Shea – I would like to move to table this one as well. I'm not willing to vote on it until we have our plans set in stone in terms of what the mayor salary is going to be and the mayoral salary can't be set until after the first of the year. I am not opposed to the city administrator. I think it's a great idea. I think that political accountability exists because as the chief executive of the mayor whomever or whoever that is, it has the ability to delegate down to their subordinates and that's just basic execution.

Amos – I think this one is in the budget for next year. That's the one thing we need to have Mrs. Jackson address.

Jackson – If you don't establish the position the money just sits there. We're not spending it on anything.

Amos – If we came back in January and approached this again we can still reallocate the funds and create the position?

Jackson – Yes but I guess it depends on what you want me to do with the budget. If you choose tonight not to establish the administrator position and your intention is to not do so until after the first of the year, I would look to your guidance as what you want me to do. Do you want me to pull that out of the budget for next year then come to you with reappropriation or do we leave it in there? Then, once you go through the establishment process then we will already have the funds budgeted. I guess that's my question for you and what you would prefer.

Amos – I guess Council that's kind of what we need to decide tonight. Do we leave it in the budget? I would say leave it in the budget for me. I'm one of seven so what do you all think?

Amick – I think it is sort of harmless to leave it in the budget and then if the position isn't created it's no harm. I think it's perfectly reasonable to keep it in the budget.

ORD-22-054

Finance

AN ORDINANCE CREATING THE POSITION OF LAW DIRECTOR AND ESTABLISHING PAY RANGE FOR THE CITY OF CANAL WINCHESTER

- Request to move to full Council

A motion was made by Shea, seconded by Amos to table ORD-22-054. The motion carried with the following vote:

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

Discussion started at 1:12:09 on YouTube Channel

Ebert – I'll speak on this one too. Again, this is a position where I think we are nearing the need for every year. That has been great. There are times when we might need a quick answer and that doesn't happen sometimes. It might be a few hours. He's still great about getting back to us but if we're in the middle of a conversation or something and it comes up as a legal question then we have to pause the meeting or delay the meeting. Instances like that where a full-time law director would be really nice.

Amick – I think there was some light conversation when we were talking about all this at the same time about the cost benefit analysis. Mrs. Jackson, can you talk about the cost benefit analysis to continuing our current arrangement versus having a law director on staff?

Jackson – Both have their pros and cons. I think to the mayor's point having someone here all the time would get us answers obviously maybe a little quicker than some other times when we're playing phone tag or sending emails. There's the cost associated with it. Bringing it in-house will likely be less expensive at least on the onset. I don't know what their rates would look like in the future. I don't know what it would require to bring somebody in at a full-time position. We put a number out there in the salary schedule but it may not be that low end of the salary schedule.

Going with a firm, he's backed by a lot of people who are experts in various topics so that's definitely a pro for having a firm. Maybe a con for bringing somebody on but where we would have a full-time law director but still have to have somebody else who maybe can handle some of those very specific topics that they just don't have the expertise to do. This is a position I do think maybe in the next few years is going to be necessary for us. Our city has changed significantly in the last few years and internally we are seeing that. Our loads have become heavier. We're relying more on outside contractors and sometimes that provides roadblocks to getting things done in a timely fashion. This may be a good example of that.

Amick – We would still continue some arrangement with Frost Brown Todd?

Jackson – I would think so. What that arrangement looks like I can't speak to it. That wouldn't really be my decision. That would be something we would all have to talk about and see whoever we brought in as law director felt that they needed to support them and being able to perform their duties.

ORD-22-055

Finance

AN ORDINANCE TO AMEND THE 2022 APPROPRIATION ORDINANCE #21-053, AMENDMENT #6

- Request to move to full Council

A motion was made by Buskirk, seconded by Amick to move ORD-22-055 to full Council. The motion carried with the following vote:

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

Abstain 1 – Walker

Discussion started at 1:21:13 on YouTube Channel

Jackson – This appropriation amendment does two things. We received a donation in the amount of \$1,000 that is specifically for Christmas in the Village. We are asking to appropriate those funds for the Christmas in the Village event. Then we have by far surpassed what I thought we would get in terms of bed tax money this year. We're currently at \$420,000 and if you recall a quarter of that has to go to Destination Canal Winchester so this time last year when we were doing the budget I couldn't have dreamed of that number. So, we need to appropriate some funds to get them their portion of that. That was not originally included in the budget last year so those are the two things that this amendment would do. Christmas in the Village is next weekend so we would ask that Council consider waiving second and third reading so Hannah would have access to that \$1,000 donation for Christmas in the Village.

ORD-22-056

Development

AN ORDINANCE TO ACCEPT THE DEDICATION OF REAL PROPERTY FROM CANAL WINCHESTER PIKE, LLC.

- Request to move to full Council

A motion was made by Shea, seconded by Walker to move ORD-22-056 to full Council. The motion carried with the following vote:

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

Discussion started at 1:23:06 on YouTube Channel

Haire – This is also related to the development of the Sheetz at the intersection of Gender Road and Winchester Pike. There's a remnant parcel that's surrounded on all four sides by public property that is within the highway easement of Gender Road that is still owned by Canal Winchester Pike LLC. What this will allow us to do is accept that parcel as right-of-way and convert it to the Gender Road right-of-way so it'd no longer be highway easement. That'll clear up any issues in the future if any improvements are done with Gender Road.

ORD-22-057

Public Service

AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT CODE SECTIONS 941.17 AND 941.18

- Request to move to full Council

A motion was made by Milliken, seconded by Buskirk to move ORD-22-057 to full Council. The motion carried with the following vote:

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

Discussion started at 1:24:14 on YouTube Channel

Peoples – As I've been reporting similar to the review of the water and sewer rate. We've taken a look at the stormwater management code and specifically sections 941.17 and 941.18, as far as the user charges the 941.17 establishes the user charges. This was done in 2008 and we've not had an adjustment at all since then. Obviously, our costs have been increasing. Over the next couple of years, we do have some rather significant projects or purchases that we have planned out of this fund. We are proposing to go from a \$3.00 ERU to a \$3.50 ERU. From a residence standpoint that would raise their storm water charge a dollar for a two-month cycle. As it relates to some of the larger developments we have, 941.18 sets the credits that go along with larger developments from an industrial standpoint. These again have not been changed since 2008.

F. Old/New Business**OTH-22-022**

Police Study

Discussion started at 1:27:34 on YouTube Channel

Clark – I noticed Mrs. Jackson reported back that December 15th is the date that the police study committee is supposed to have the report back to us. Mrs. Jackson, would it be possible if you could reach out to them and see if they would be willing to come to our December 19th meeting and give a little two cents worth of what the report contains?

Jackson – Absolutely. I will reach out to them.

Wright-Patt Credit Union Donation

A motion was made by Shea, seconded by Milliken to thank Wright-Patt Credit Union for their donation to Christmas in the Village. The motion carried with the following vote:

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

G. Adjournment @ 7:23 p.m.

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

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