

Canal Winchester

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



Meeting Minutes - FINAL

March 19, 2018

7:00 PM

City Council

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

- A. **Call To Order** *Jarvis called the meeting to order at 7:03 p.m.*
B. **Pledge of Allegiance** – *Boy Scouts Troop 103*
C. **Roll Call** *Present 6 – Amos, Bennett, Coolman, Jarvis, Lynch, Walker*
Not Present 1 – Clark

A motion was made by Walker, seconded by Coolman to excuse Mr. Clark. The motion carried by the following vote:

Yes 6 – Walker, Coolman, Amos, Bennett, Jarvis, Lynch

D. Approval of Minutes

[MIN-18-012](#)

3-5-18 Council Work Session Meeting Minutes

[MIN-18-013](#)

3-5-18 Council Meeting Minutes

Jarvis: I have a couple of items I'd like to have changed; first in the work session, we were discussing the pool policy and I had asked the question about disabled veterans and if that was a category of people that could be given a free pass as with seniors; there was a question of whether they had a card like an active duty personnel and I said yes they do because my son-in-law is a disabled veteran; but I followed it up because I thought that sounded a potentially self-serving to say that he did not live in the area and would not benefit from it; that somehow did not make it into the minutes; I would appreciate it if that was reflected; during the meeting minutes of the general meeting, there was a comment during the discussion of the urban livestock and bee legislation; I think I was misquoted here; it said that I think staff and planning and zoning did us a disservice by setting a standard that was higher than what we would be willing to accept; I believe what I said was they did us a "big service" which has an opposite tone to it; unless anybody would like to withdrawal their motion to approve the minutes based on those corrections we will go ahead with a roll call please.

A motion was made by Lynch, seconded by Amos to approve the minutes as amended. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Bennett, Coolman, Jarvis, Walker

E. Communications & Petitions

[18-026](#)

Scouting for Food Day Proclamation

Jarvis: Very well deserved, thank you.

Jackson: Mr. Jarvis, I just wanted to note that I just handed out the most recent quarterly report from Human Services, you each received a copy this evening; Jarvis: Is this informational only Miss Jackson, or does there need to be an action taken? Jackson: No, you do not need to take any action on it.

F. Public Comments - Five Minute Limit Per Person

Robert Sycks, 6732 Bigerton Bend: I assume that most of you here understand why I'm here; I'm one of the many residents in Cherry Landing that's opposed to the city plan to extend Bigerton Bend from

its current termination over to Gender Road; I think it's obvious why we oppose it, it is going to have a significant impact on the lives of everybody in our subdivision, for many reasons; obviously from a safety aspect, we're concerned about the volume of traffic that's going to be going through there; when we opened that alleyway from Waterloo to Gender Road, there's going to be a cut through, that's going to have a tremendous amount of traffic; we are concerned about the safety of our residents and our children; we have parks that we support on Bigerton Bend; we are concerned about the safety of our children that play in those parks; we are also concerned about the impact of the lifestyle that'll happen to the residents; with the volume of the traffic that's going to be going through there; that's going to be an impact on what we currently enjoy as a subdivision, and as a community; at this time, the city has continued to approve the plan for that to go through; the residents got together, and we devised an alternative plan, which we took to city staff; myself, and 3 other members of our community met with city staff several weeks ago, and presented our plan; we opened our conversation with the idea that here's an alternative, there are probably other alternatives, maybe better alternatives; we'd like to open the discussion on how we can accommodate the needs and the wants of the city, the needs and the wants of the resident, and obviously we have to accommodate the needs and the wants of the churches being built; we went through our plan, we discussed the pros and cons, where we thought there were benefits, and where there were also concessions; we went through that from the aspect of the city, from the residents, and from the Crossroads Church; at the conclusion of our presentation, city staff said to us 'that's not going to happen, the street is going to go through, and we don't care what the residents want'; after that, staff then went through and discussed what the future plans are for Bigerton Bend; we thought it was ironic that in the new section of Bigerton Bend, where there'll be no residents, there's traffic coming features in that new section, traffic coming sections in an area of Bigerton Bend, where there will never be any residents; I almost believe that the city staff is causing the church to expend monies that aren't necessary; do we need traffic coming areas, where there's no residents? Ironically, there's no provisions for anything to control traffic in the residential section of Bigerton Bend; city staff has always been very quick to tell us that for 20 years, the extension of Bigerton Bend has been in the plans; for 20 years they've known this, but in the last year they've decided that traffic coming areas are going to be required in a nonresidential area; this last 20 years they've neglected the residential section of Bigerton Bend; I believe that city staff is negligent, and not protecting the residents of Cherry Landing, negligent in not protecting the safety and lifestyle that we all know and enjoy in the City of Canal Winchester; Jarvis: Pardon me Mr. Sikes, I neglected to mention earlier, there's a standing rule for 5 minute comments, your time has expired, if you would like to make a closing point, you still have the floor; Sikes: I appreciate that – there is time to make changes; all the plans aren't finished, I look forward to hearing from city staff, I look forward to hearing from council to protect the welfare and the lifestyle of the residents; I look forward to hearing from the Mayor's office to help us facilitate a plan that will accommodate all of us; thank you for listening, I appreciate it. Jarvis: Thank you for your comments; we know many of your neighbors feel as you do.

G. Resolutions

RES-18-004

A Resolution To Approve The Trade-In Of A 2008 Ford F-250 Plow Truck

Public Service

- Adoption

A motion was made by Jarvis, seconded by Walker to approve this resolution.

The motion carried by the following vote:

Yes 6 – Jarvis, Walker, Amos, Bennett, Coolman, Lynch

H. Ordinances

Third Reading

ORD-18-008

Public Service

Sponsor: Coolman

An Ordinance To Repeal Section 951.02 Of The Codified Ordinances Of The City Of Canal Winchester

- Adoption

A motion was made by Coolman, seconded by Walker to approve this ordinance. The motion carried by the following vote:

Yes 6 – Coolman, Walker, Amos, Bennett, Coolman, Lynch

Second Reading

ORD-18-009

Public Service

Sponsor: Clark

An Ordinance to Update Swimming Pool Rates

- Second Reading Only

Peoples: I'd just like to give an update from last meeting; we had a couple discussions, you brought the one up earlier about the disabled American veterans; there was also some discussion about the amount of people at a pool party; we did add an active duty military and disabled American veteran, we did that free of charge for resident and nonresident both; for their families, we had an already established active duty military discount for families, we have provided that in there; on the daily rate, active duty and disabled American veterans are free; families are at the lower rate; on the pool parties, we did each additional 50 people as \$50, I think that was a discussion that we had from previous; Jarvis: So that is reflected in the ordinance? Peoples: It is, in the updated ordinance in the current packet; Coolman: Well done Mr. Peoples.

First Reading

ORD-18-010

Construction Services

An Ordinance To Authorize The Mayor To Enter Into A Contract With Shelly And Sands, Inc. For The Construction Of The 2018 Street Program Project And Declaring An Emergency ([Ex. A](#))

- Request wavier of second/third reading and adoption

Jarvis: Mr. Hollins, just a point of order; is the suspension of rules a separate motion? Hollins: It sure is; we actually have to suspend the rules first, and then make a second motion to adopt the ordinance.

A motion was made by Coolman, seconded by Bennett to suspend the rules requiring second and third reading. The motion carried by the following vote:

Yes 6 – Coolman, Bennett, Amos, Jarvis, Lynch, Walker

A motion was made by Coolman, seconded by Bennett to approve this ordinance. The motion carried by the following vote:

Yes 6 – Coolman, Bennett, Amos, Jarvis, Lynch, Walker

ORD-18-011

Construction Services

An Ordinance To Authorize The Mayor To Enter Into A Contract With Strawser Paving Co., Inc. For The Construction Of The Gender Rd. Improvements, Phase 4, Project And Declaring An Emergency ([Ex. A](#))

- Request wavier of second/third reading and adoption

A motion was made by Lynch, seconded by Amos to suspend the rules requiring second and third reading. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Bennett, Coolman, Jarvis, Walker

A motion was made by Lynch, seconded by Amos to approve this ordinance. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Bennett, Coolman, Jarvis, Walker

ORD-18-012

Finance

An Ordinance to Amend the 2018 Appropriations Ordinance 17-049, Amendment #2

- Request wavier of second/third reading and adoption

Jackson: I just want to interject really quickly; the reason we are asking for this is we need the money for Gender IV, as Mr. Sims stated in work session because we are on a time crunch. I failed to mention during the work session that there is \$200,000 that I did not talk about in the general fund transfers out; some of you may know, we have a half million dollar in bond anticipation notes that are due in May; typically we pay that down little by little every year, the half million dollars is no longer financially feasible for us to continue to roll from year to year; we are paying that off; we had all but \$200,000 of it previously budgeted for, so we just want to get this off of our books; Amos: Miss Jackson, was this something you told us about in January? Jackson: Yes.

A motion was made by Lynch, seconded by Amos to suspend the rules requiring second and third reading. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Bennett, Coolman, Jarvis, Walker

A motion was made by Lynch, seconded by Amos to approve this ordinance. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Bennett, Coolman, Jarvis, Walker

H. Reports

Mayor's Report

[18-027](#)

Mayor's Report

Mayor: Just a couple highlights of my report; the Relay for Life dinner is scheduled for Wednesday, May 16th at the Community Center; typically the mayor and council members serve whatever is being served for the night; I don't know if it's going to be spaghetti this year or not without Mr. Donahue here, but we will figure it out; McGill Park – OHM presented to the directors and council president and vice president last week, or a couple weeks ago; several concept ideas for the structures at McGill Park; the theme, I'm going to say it's a theme, is rural and agriculture and farm-related structures; rural, which would be covered bridges, the event center may resemble a barn, those types of things; the group decided to take a closer look at what was presented to us; OHM is going to take those back and they're going to refine or give us a better idea, or kind of hone in on what we were asking them for; we don't have a scheduled meeting yet, but it will probably be coming up within the next 2-3 weeks. The CRA tour, which is the housing tour, which is a tour of all the businesses in town that receive tax abatements; it's required for the mayor, the development director and the appointees to tour these businesses annually; to make sure that they are doing what they said they would do, they're employing the number of employees they said they would employ; otherwise, if they're renegeing on their promise, then their tax abatement goes away; so it's our responsibility to go out and check every year, Mr. Coolman was a part of that tour this year; it's very interesting to see what some of these businesses are doing, especially the automotive related businesses; we have some that build airplanes actually, very few people know that; it was a good day, we learn a lot, it makes good communication with the businesses in town. Jarvis: If I could add to some of the comments from a slightly different perspective, Mr. Walker and I were involved in the meeting with OHM to talk about the plans for the park, and like any good consultant, what they did is they had some options, and were trying to get a feel for what the community was looking for; as Mayor Ebert said, it kind of took on a little bit of a neo-agricultural look, which sounds funny until you see some of the products; for example, there is an events facility that is planned, and there are traditional barn styles, that look like barns; then there are things that look like modern facilities that have barn-like features to them, which was where the consensus of the group was gravitating towards; same thing when we were looking at playground equipment, there were a couple of options there; one of them being kind of a natural playground, something I have not seen in central Ohio; things like logs, and rocks, and basically things for kids to climb on that are elements from nature, rather than playground equipment; a couple of things that were surprises to me were that, because I've driven by that property, I've never gone back in there before to really look at it; the mayor and Mr. Peoples took us around the perimeter of the parkland; there's a farmhouse back there that you can't see from the road, you can't really tell how decent shape this thing is in; the plans are to retain that building to be used for offices; maybe something to be connected with the event center, maybe if there was a wedding, a place for the bride and bridesmaids to change, and things like that; these ideas are very high-level that are just starting to come into a little bit better focus; the other thing that surprised me was just how nice the lay of the land and the feel of it is; it's 90 acres, and the plans for reflect that, I think everybody saw that one when they had the public meeting over at the Francis Steube Community Center that it has a good balance of recreational fields and facilities for organized sports, but there's also some passive things like walking trails, and just open areas; if you want to have a

picnic, I was pretty excited about it when I saw where the direction of this is going, I think you will with this as well; I wish I would've brought my handouts, I could've shown them to you.

Coolman: I wanted to say too, thank you Mr. Mayor for allowing me to be on that panel that toured the business buildings that receive tax abatements; what impressed me, is that I deal with a lot of businesses of some of their calibers, some of them not through my professional life; the talent that we have here occupying these buildings and bringing these businesses here was a real eye opener for me to see that technology, the world weariness that they have, where they use basically the globe to market their products in; it's extremely impressive; some really, really top notch companies that we have here, that enjoy being here; what was really impressive to me was that every building, not that I expected anything different, every business owner and greeted us with a smile, an open door; to me, that goes a long way; I think that speaks volumes when their initial reaction is a smile, and they are welcoming us into their business; I go into a lot of businesses, and I don't get that kind of reception. It was very eye opening, it was very nice; very nice talent pool.

Fairfield County Sheriff

Cassel: I have nothing further Mr. Jarvis from my original report; I would like to thank council for their continued support of the sheriff's office, we appreciate that; Jarvis: Yes sir, it's a two-way street; Walker: I would like to express my thanks once again; everyone should have one of these, Deputy Walker gave this to me; seatbelt charge driver: \$82; passenger: \$72; child restraint: \$127; 1-9 mph over the speed limit is \$112; 10-19 mph: \$132; 20mph over: \$152; this is something to leave on your refrigerator for your kids at home; for me, for all of us.

Law Director

Hollins: Happy to report to council, I think we distributed a copy of a long awaited decision from the environmental court on the Rockford issue; we did prevail; this thing has been up and down the court systems since the early 2000's; the latest installment, it came back from the court of appeals because the, not this current judge in the environmental court, but the prior one, really didn't do an analysis; he said it looked like the prior one that went through the court system, it was approved the last time through the court system; we convinced the court of appeals that that really isn't the standard; we had raised several arguments, including the fact that that portion of Cormorant Drive is not dedicated to public use, as a public street; when the environmental court did take a fresh look at it, Judge Hawkins agreed with our position on that issue, and on the crossing of the street corridor protection zone that exists in the middle of that site with the private road; we have not heard anything from Rockford or Rockford's attorney as to any plans with respect to any further appeal of this, it would be the third time; it would be up to the appeals court at that point; the appeals court would have a deferential standard of review; the standard of review basically indicates the appeals court not to substitute its judgement of the trial court, if the trial court's reasoning was rational; they're in essence told to defer; it would hopefully end there, and hopefully Rockford now will reconsider whether apartment use is the best use for that property; Jarvis: That's great news, things like that don't happen by accident, so kudos to you and your firm and staff who contributed; I read through that, took a walk down memory lane on some of that; you mentioned that they still have one additional of appeal; Hollins: Yes to the 10th district court of appeals, which is 'here's all the appeals

from Franklin County'; Jarvis: So it's not necessarily over just yet; Hollins: Correct, although in speaking with the attorney for Rockford, I did encourage her – prior to this decision, they had basically 'tickled the court' so to say, asking for some ruling one way or the other; be careful what you ask for, because they got it; in that conversation, there's a new generation of leadership at Rockford since this all began; it's largely a family run operation, I don't know if you remember, the main individual there, he passed away halfway through this; his son is running it now – I tried to encourage her to encourage him to come in and talk to us; especially since the market has changed, we can certainly finance condominiums now; would love to talk to him about how to structure that, to get something moving in a positive direction.

Finance Director

[18-029](#)

Finance Director's Report

Jackson: I just want to point out a couple of reminders that I had in my written report this evening; all council members and the mayor, all elected officials are required to fill out financial disclosure forms with the Ohio Ethics Commission; those are due Tuesday, May 15th; you can do that electronically, or you can print a copy on their website, there is a fee that has to be paid with that; several of you are registered to attend an ethics training on May 10th at the BWC Auditorium in Columbus; if you are not registered and are interested in attending, please let me know; April 2nd is the deadline for the Dr. Bender Scholarship Applications, if you know anyone who would be eligible and is interested, please encourage them to apply; we will accept applications at the municipal building through the close of business at 4:30 on Monday.

Public Service Director

[18-028](#)

Director of Public Service Project Update

Peoples: Nothing to add to my written report.

Development Director

I. Council Reports

<i>Work Session/Council</i>	<i>Monday, April 2, 2018 at 6 p.m.</i>
<i>Public Hearing</i>	<i>Monday, April 2, 2018 at 6:30 p.m.</i>
<i>- 100 Winchester Cemetery Rd Rezoning</i>	
<i>Work Session/Council</i>	<i>Monday, April 16, 2018 at 6 p.m.</i>
<i>Committee of the Whole</i>	<i>Monday, April 30, 2018 at 6 p.m.</i>
<i>CW Human Services</i>	<i>Mr. Lynch</i>

Lynch: Nothing to report.

<i>CWICC</i>	<i>Mr. Clark</i>
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Coolman: Nothing to report. Meeting coming up.

<i>CWJRD</i>	<i>Mr. Bennett/Mrs. Amos</i>
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Bennett: We were supposed to have our annual meeting last Thursday, unfortunately had to postpone due to a family emergency; it'll be this Thursday, March 22nd at 7pm at Town Hall; we did

have an emergency meeting over the weekend to approve a swim commissioner and appoint swim coaches for the upcoming season; Jarvis: Those were coming up so fast that you had to appoint them? Bennett: Yes, the swim season has already begun, they're working on schedules now with the teams, so we needed to get our coaches and commissioners in place so they can work with the city on securing dates.

Destination: Canal Winchester Mr. Walker

Walker: Our annual meeting is coming up on March 27th at 6:30. Jarvis: That will be an election of officers at that meeting?; Coolman: Yes, and it's held at the Interurban Building.

- J. Old/New Business**
- K. Adjourn to Executive Session - NONE**
- L. Adjournment @ 7:45 p.m.**

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

Yes 6 – Coolman, Lynch, Amos Bennett, Jarvis, Walker