

# Canal Winchester

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



## Meeting Minutes - FINAL

**November 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 7:00 p.m.*
- B. Pledge of Allegiance - Amos
- C. Roll Call *Present 7 – Amos, Bennett, Coolman, Clark, Jarvis, Lynch, Walker*
- D. Approval of Minutes

[MIN-18-050](#) 11-5-18 Work Session Minutes ([Work Session Minutes](#))

[MIN-18-051](#) 11-5-18 Public Hearing Minutes ([Public Hearing Minutes](#))

[MIN-18-052](#) 11-5-18 City Council Meeting Minutes ([Council Minutes](#))

***A motion was made by Amos to approve minutes 18-050 18-051 18-052, seconded by Coolman. The motion carried with the following vote:***

***Yes 7 – Amos, Coolman, Bennett, Clark, Jarvis, Lynch, Walker***

- E. Communications & Petitions - NONE
- F. Public Comments - Five Minute Limit Per Person
- G. RESOLUTIONS - NONE
- H. ORDINANCES

*Tabled*

[ORD-18-029](#)  
*Development*  
*Sponsor:*

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 11.954 Acre Tract Of Land From Exceptional Use (EU) To Planned Residential District (PRD), Owned By The Dwight A. Imler Revocable Living Trust, Located On The Southeast Corner Of The Intersection Of Hayes Road and Lithopolis Road And Consisting Of Parcel Number 184-002994, And To Adopt A Preliminary Development Plan And Development Text For A Proposed 79.5 Acre Planned Residential Development (Middletown Farms) ([Ordinance, Exhibit A, Exhibit B, P&Z Recommendation](#))

*- Tabled at Second Reading*

*Jarvis: is there any reason to leave this ordinance on the table; that's kind of a double negative; Bennett: are you asking to un-table the ordinance; Jarvis: exactly; if I said it the other way around is there any reason to un-table the ordinance then it would require some kind of a response whereas the way I stated it if nobody responds then I can say hearing none; (laughter); just so we're clear I'm asking to un-table*

*this ordinance; Bennett: I thought we were waiting for a response from planning and zoning; that came out of our last meeting; Jarvis: that's a good point; I know something that is not generally known; Bennett: so I wouldn't expect this ordinance to be un-tabled until we've heard back from P&Z; I guess that would be my expectation; Jarvis: was there a recommendation from P&Z from the last meeting; Haire: they met last Monday night and reviewed the application along with the presentation that you all view last meeting as well as some additional information on some revised floor plans that Westport produced for some of the homes showing the implications of the garage moving back 4 feet; after reviewing that information they made a recommendation to recommend approval to council as presented; and as presented in the application it is the garage being it is the garage being located no further in front of the most front portion of the front porch; so basically the garage won't be located in front of any portion of the front porch; Bennett: so it will be flush; Haire: exactly; Amos: Mr. Haire, what was the vote on that; Haire: it was a unanimous vote and there were 6 members present; so they are amending or agreeing to amend the condition in regards to lot coverage and then we would have the condition that is also listed in the development text that the garage would actually be no further forward than the front most portion of the front porch; Lynch: the other consideration was minimum 30 percent lot coverage; Haire: correct; and they said that they would amend the text to include that; Jarvis: so it's no longer a condition; Bennett: so then Mr. Jarvis, the answer to your question would be silence; (laughter); Jarvis: hearing silence do I have a motion to un-table this ordinance 18-029; I did have the opportunity to talk to Mr. walker at 3<sup>rd</sup> reading he does intend to recuse himself under Ohio ethics law requires recusal if you believe your vote may have a some personal financial gain; Mr. walkers extended family is still involved with litigation with Westport and other communities;*

***A motion was made by Bennett to un-table ordinance 18-029, seconded by Lynch. The motion carried with the following vote:***

***Yes 6 – Bennett, Lynch, Amos, Clark, Coolman, Jarvis,***

***Abstain 1 – Walker***

*Haire: I did have the opportunity to talk to Mr. walker prior to the proceedings this evening; he did abstain from removing it from the table; just for the record so we make sure to get this right; at 3<sup>rd</sup> reading he does intend to recuse himself; we've talked and there is under Ohio ethics law there's absolute required recusal if you believe your vote on a piece of legislation may have a some personal financial gain; that is not the situation; I want to make that clear for the record; however, a member of Mr. Walker's extended family is still involved with litigation amongst other parties with Westport and other communities; therefore he feels inappropriate that he recuse himself from deliberations and any vote on the actual deliberations; we wanted to get that on record; and tonight he just was abstaining; we'll do second reading and this will be a third reading; Jarvis: thank you for the clarification; Walker: I don't know exactly where it all stands so thank you;*

*Third Reading*

[ORD-18-036](#)

Finance

Sponsor: Amos

An Ordinance To Authorize The Mayor To Enter Into An Agreement With The Fairfield County Sheriff For Police Protection ([Ordinance, Agreement, Ex. A](#))

- Adoption

**A motion was made by Amos to adopt ordinance 18-036, seconded by Bennett. The motion carried with the following vote:**

**Yes 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker**

[ORD-18-037](#)

Finance

Sponsor: Bennett

An Ordinance Authorizing The Mayor To Enter Into A Contract With The Fairfield County Commissioners And Fairfield County Sheriff's Department For The Housing of Prisoners ([Ordinance](#))

- Adoption

**A motion was made by Bennett to adopt ordinance 18-037, seconded by Coolman. The motion carried with the following vote:**

**Yes 7 – Bennett, Coolman, Amos, Clark, Jarvis, Lynch, Walker**

*Second Reading*

[ORD-18-033](#)

Development

Sponsor: Amos

An Ordinance Amending Section 1193 Of The Codified Ordinances Regarding Wireless Communication Facilities ([Ordinance](#))

- Second Reading Only

[ORD-18-038](#)

Public Service

Sponsor: Coolman

An Ordinance To Authorize The Mayor To Enter Into An Amended And Restated Joint Self-Insurance Agreement With The Central Ohio Health Care Consortium For The Provision Of Healthcare Benefits For City Officers And Employees ([Ordinance](#))

- Second Reading Only

[ORD-18-039](#)

Finance

Sponsor: Bennett

An Ordinance To Authorize The Mayor To Enter Into A Health Services Contract With Franklin County Public Health ([Ordinance, 2019 Contract](#))

- Second Reading Only

[ORD-18-040](#)

Finance

Sponsor: Amos

An Ordinance To Make Final Appropriations For Current Expenses And Other Expenditures Of The City Of Canal Winchester, State Of Ohio, During Fiscal Year Ending December 31, 2019 ([Ordinance](#))

- Second Reading Only

*First Reading - NONE*

**I. Reports**

*Mayor's Report- none*

*Fairfield County Sheriff - Cassel: I don't have anything additional; except I do like the 25 mph sign; I thinks it awesome; I just wanted to thank Matt for all his hard work in assisting with the speed issues that we have; Jarvis: appreciate that comment and I think we all share that; Matt thanks for digging in;*

*Law Director - Hollins: we're going so quickly through the agenda that you knew it was going to happen; I do request an executive session at the end of the regular meeting for the purposes of discussing pending litigation; other than that no further report;*

*Finance Director - Jackson: thank you Mr. Jarvis; Two things I want to point out from my written report; we are in the midst of 2018 performance evaluations for our employees for 2018; every year I bring the merit raise scale to council; this year is the same as last year; the highest percentage rate available will be 2.5 percent; and you can see in the memo included in your packet the number of points an employee will need to receive in order to qualify for the 2.5 percent raise, this was what was included in the budget that was present to you as far as raises go; and is actually very, very consistent with what is happening around central Ohio; I am part of an HR network that was recently discussing this and it looks like between 2 and 2.5 is where most everyone is going to land this year; the other thing I wanted to point out is that bed tax grants are due November 30<sup>th</sup>; so if you know of any organization that is eligible to apply please encourage them to do so; Jarvis: did we identify who from council is who is going to sit in on the committee; Jackson: we have not; Jarvis: do we need to do that this evening; Jackson: we can do it this evening; based on the way the calendar falls that is actually a Friday and we will have a council meeting that following Monday; so if you want to wait until the first meeting in December to do that we can; it's really up to you; Jarvis: is there anyone that has a desire to serve on this committee; are there two council members that are required; Jackson: that's typically what we've done yes; Jarvis: it's on a voluntary basis; it's not fun; I will tell you that; I'll be honest; it's kind of gut wrenching really; because there's much more demand than there is supply; Bennett: I'll participate; Amos: I will too; Jarvis: does anyone else want to arm wrestle; Jarvis: alright Mr. Bennett and Mrs. Amos are your helpers on that; Jackson: thank you;*

**18-130      Finance Director's Report, Merit Raises Memo**

*Public Service Director - Peoples: Mr. Jarvis; nothing to add to my written and work session report; on the last agenda on the OPWC project where you said we'd notify (inaudible) could you explain that; Peoples: they are not going to meet the time frame for their completion as specified in the contract so the contract allows us to charge what's called liquidated damages; \$500.00 a day for every day they're not complete; they did get their substantial completion; which means everything is working properly; but the final completion date is going to be delayed due to traffic signal poles; the delay in the manufacturing of those; so it's looking to be late January mid-February; by the time the whole thing is done; signatures are done for the final completion; Amos: that's what I thought; I just wanted a little clarification; thank you;*

18-128      Public Service Director's Report

*Development Director - Haire: thank you Mr. Jarvis; we continue to move forward with evaluating the Bixby Road property; I did get back the survey work today; so we will get some annexation underway soon so we can get the annexation filed on that property; I mentioned the ED411 and sent out an email in regards to that; right now I have Bob Clark, Pat Lynch and Mike Coolman going; is anyone else able to attend that day; I'm going to do the registrations tomorrow; if you're able to please let me know; if you'd like to and you're able to I will file those tomorrow and get everyone registered for that; Jarvis: what's the parking situation at the union center at 7 in the morning; pretty bad; Haire: there's parking generally available; Jarvis: the students don't eat it up; Haire: it is prepay and I believe it's 10 dollars; so make sure you have cash available; in the past it's been cash only; I don't know the specifics but I'll let you know once I register; Hollins: I was there last week and there is ample parking; they set that up because they knew they'd have a bunch of those luncheons at the union; so I think they built extra parking; Coolman: it's just the traffic pattern getting there; Haire: the problem used to be getting out; that's why they've turned it to prepay only; because everyone was trying to run their cards getting out of there and leaving at the same time; when you get 500 people leaving it wasn't pretty; Jarvis: in regard to the Bixby Road property there was some feeling or statement at least my understanding was the might be some hidden issues with that property that did not materialize; Haire: you're probably referencing a comment we had in regards to the mineral rights; it was just some language they put in a contract and we were able to discover that we don't believe that there's been any transfer; we'll have to wait until the complete title work comes back; Jarvis: that would be a show stopper; Haire: not necessarily; it's just something we want to know about; but there was a specific piece of language in the original contract that their attorney sent back to us that led is to question; but we resolved that since;*

**J. Council Reports**

**Work Session/Council** - Monday, December 3, 2018 at 5:30 p.m.

**Public Hearing** - Monday, December 3, 2018 at 6:00 p.m.

- Winchester Blvd Rezoning, Landscape Code Text Amendment, and Residential Appearance Standards

*Jarvis: someone had a question here about the residential standards with regard to the project the Westport Middletown project; this would not apply to that project; because it started prior to this being approved; Haire: so once this text in this format is approved the it would be 30 days after that's approved; anything that would apply for preliminary development plan or subdivision; a new subdivision at that time would be required to do it but anything existing that has got a development test on it, it would follow their development text that they've already established; Jarvis: even if it was passed as an emergency; Haire: still; Clark: Lucas, under a PUD, you have the right to negotiate materials and things you want anyway, right; that's the way I understood it; it can be tougher than what; Haire: with the Westport Homes with their application you can negotiate any of those standards; Hollins: (inaudible); Clark: what we came up with those houses would be there in 25 years; Hollins: because at the end of the day its council; Haire: this basically sets a minimum standard; the residential appearance standards would be the minimum and you would have to show why if you're applying for a community that doesn't meet those standards you would have to show basically, like they have done in their application, where*

there are any deviations from that; and how it benefits the community to allow the deviation; Clark: I would be supportive of the increase in the building standards/materials that we came up with;

**Work Session/Council** - Monday, December 17, 2018 at 6:00 p.m.

**CW Human Services** - Mr. Lynch

Lynch: we will be coming up with the adopt a family in December; I need to find the dates as to when that's going to be; Jarvis: do they have a fundraiser planned for that; its donations right; Lynch: they collect throughout the whole year for that; Jarvis: do they still take toy donations at the bank for the Santa Claus during Christmas in the Village; Amos: I don't think we've done that for a while now; Jarvis: they've stopped; Jackson: I don't believe so; Amos: the fire station was taking toys for a while; Coolman: Madison Township;

**CWICC** - Mr. Clark

Clark: November 28<sup>th</sup> 11:30 a.m. at the Interurban building;

**CWJRD** - Mr. Bennett/Mrs. Amos

Bennett: we have our final meeting for the year currently scheduled for Thursday, December 20<sup>th</sup> at 7:00 p.m. Town Hall; Mr. Peoples I do have a question for you; our usage agreement with the city is that still current or has that expired; Peoples: probably has expired or will this year; honestly I don't know why it's not a continuing type of thing; I guess it's just never got set up that way from the beginning; Bennett: I think that's one of our contracts that I need to maybe work on renewing before the end of 2018 or 2019; Peoples: I will check and see if I have it; Bennett: that would be great sire; I appreciate it;

**Destination: Canal Winchester** - Mr. Walker

Walker: final meeting of the year is November 27<sup>th</sup> 2018 Interurban 6:30 p.m.

## K. Old/New Business

Amos: I did want to thank Amanda Lemke for including us on some of the recent press releases that were out; it was nice seeing them ahead of time and knowing what was going out there for us; Jarvis: she does a lot of good work that is kind of under the surface and behind the scenes; you see the fruit of it here and there; especially related to the events; Coolman: I'd like to say Lucas, the crafted in Canal branding is going well; Destination continues to get positive feedback; they have more activity every time the PR firm launches something through the website Crafted in Canal; it's getting an excessive number of hits; it's being well recognized and received around Ohio; it's all positive; we all think that Karen does all that; it's fabulous; Jarvis: I'm still an administrator on the Destination Facebook so I get he notices also; I couldn't quite figure out what was going on either but its blowing up; Coolman: its blowing up; it's fabulous; going over well; thank you;

Haire: we have a number of vacancies coming up on Landmarks Commission and Planning & Zoning; so if you know anyone that is interested in that you can have them send me their information and I can forward that onto the Mayor for his consideration; I know we have at least one Planning & Zoning

*vacancy and at least two Landmarks vacancies coming up; Jarvis: we probably all know somebody hat would be a good fit for that; Haire: there are certain qualifications; discussion ensued;*

**L. Adjourn to Executive Session @ 7:29p.m.**

***A motion was made by Walker to adjourn to Executive Session, seconded by Bennett. The motion carried with the following vote:***

***Yes 7 – Walker, Bennett, Amos, Clark, Coolman, Jarvis, Lynch***

*Council returned from Executive Session @ 7:45 p.m.*

**M. Adjournment @ 7:46 p.m.**

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

***Yes 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker***