

Canal Winchester

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



Meeting Minutes - FINAL

June 3, 2019

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 @ 7:00 p.m.*

B. Pledge of Allegiance - Lynch

C. Roll Call *Present 6 – Amos, Clark, Coolman, Jarvis, Lynch, Walker*

Absent 1 – Bennett

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

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

D. Approval of Minutes

[MIN-19-025](#) 5-20-19 Work Session Minutes ([Work Session Minutes](#))

[MIN-19-026](#) 5-20-19 City Council Meeting Minutes ([Council Minutes](#))

A motion was made by Coolman to approve MIN-19-025 and MIN-19-026, seconded by Lynch. The motion carried with the following vote:

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

E. Communications & Petitions

[19-051](#) Madison Township Fire Report - May 2019 ([MTFD May 2019](#))

Jarvis: We have a report from the Madison Township fire department for the month of May; Jackson: Mr. Jarvis – I spoke with chief earlier today, he said he could not be here this evening, but if you have any questions, feel free to talk to him; Jarvis: Hopefully everybody had a chance to read that, and if you do have any questions for the chief, then take him up on his offer.

F. Public Comments - Five Minute Limit Per Person

Brigid Krueger, 6362 Rossmore Lane: I just wanted to take a few minutes of time here – my husband Matt and I have had some concerns; he reached out to Matt Peoples, who I know is on vacation; Matt was able to contact him, and they did speak this morning; my husband and I's concerns are about the pool, and several issues that are happening there; I know that the city contracts with Columbus Pool Management; for the most part, I think everything goes well there, the employees there are Canal Winchester kids, they do a great job – I personally have 2 daughters there that are lifeguards – that gives me information that I might not see, but that I also see as a patron; I'm not sure if anyone here has been to the Canal Winchester pool lately; I've bought a pool membership for the last 18 years, so I'd like to say that I go there frequently; I have a major concern – my husband and I, we love being a part of this community; I am so concerned about the safety issue, and the fact that right now we have a lot of kids employed at the pool between the ages of 15 and 20, and they are trained for lifeguarding, and they are trained to save lives, to recognize when kids are struggling in the pool – they are not trained to be

managers; currently, Columbus Pool Management has one manager for 5 pools; they do have gentlemen that are assistant managers, but they are young, they are not adults; our safety issue is the fact that – I've seen this – many kids are being dropped off that are under the age of 10, who are not strong swimmers, and they are dropped off and then expected to be babysat; the amount of saves that have happened in the first 10 days of the pool being open is disturbing to me as a mom, it's disturbing to me as a community member; I don't want to see our community put into a position where a tragedy is in the making; unfortunately, we can't change parenting skills and parents' judgements; the other issue we have – I think the issue is that people don't really know the pool rules, and there is no one there to enforce them; my kids are 17 and 20 – they're not going to go up to a mom or a dad and say 'you can't leave your kids here'; my daughter has had 2 saves of kids whose parents haven't been there; I think we need to look at Columbus Pool Management and their role in making sure the rules are enforced; as a mom, I don't want my kids as lifeguards to have a tragedy on their hands as a cause of a neglectful parent who has left their kids at the pool; my husband has talked with Matt Peoples, he said 'absolutely, we will look into it'; also I wanted to bring up the fact that the CW Community Pool has now become a public pool – when I go there, I hardly recognize anybody; that's fine, I know the pool was in the red, and changes were made to open it up to the public - but when you're not a part of the community, you don't care what goes on there, you're disrespectful to the lifeguards, to the other management, because you don't know them and you don't care; the other night was in the chair at the diving board, and a middle school fight happened in the corner – she blew her whistle, and told them to cut it out; some of them started to leave – her responsibility as a lifeguard is to guard the pool, not break up fights; a parent came up to her in the chair and said 'you need to do something' – this is a 17 year old girl, and her responsibility is the pool, that's what she paid \$200 to get certified to do and make \$9 an hour; I would just like to say that we need to pay attention to what's going on at the pool, because it has gone from a community pool to a place where you don't know who is there, and when you're not a part of the community, you don't care about the facilities; I'm happy to talk to anybody, and give feedback – I have a few suggestions, possibly that we have a sign out front that says law enforcement will be called if you leave a child under the age of 10 with no supervision; maybe a handout of bullet points when you pay that states those rules, so that parents are aware, because they're just not aware; I would also say to get with Columbus Pool Management and look at your contract with them, and talk about getting an experienced manager there; last year there was an experienced manager, and she took care of problems.

Krueger: I am here to offer suggestions, because I am someone who is a patron of the pool, and have been for the last 18 years; my real concern is the safety – these lifeguards are trained to save, and look for people; the problem is that there are kids there who don't know how to swim very well, and there is no parental supervision, so their job has been increased tenfold.

Jarvis: I think you've given us something to think about – I'm not sure without knowing more whether this is an enforcement issue, or a policy issue; I wish Mr. Peoples was here, so that he could share what he spoke about with Matt; all I can say is that there will be some response to this, we just don't have one right now.

Krueger: I think Columbus Pool Management does a decent job, I just think it is an enforcement issue, and a matter of educating the public of what the pool policies are; Jackson: Mr. Jarvis, I can address just a little bit of this, having been in charge of the front desk for the last several years; it's unfortunate, but when they do try to enforce some of these rules, parents and children both get very rude and mean to the children working the front desk; I personally experienced it, I was called a nasty name for trying to

enforce the rules; while the kids try to do what they can, they don't deserve to be treated that way; they are put in a difficult position trying to ask how old a child is – a lot of times, they lie; I personally talked to them at the beginning of the season on opening night about them needing to pay attention; sometimes it gets so crowded, they miss it sometimes; and then sometimes it's like 'well my mom is already in there'; there is only so much they can do; while I would like to think that we are doing the best we can, I'm sure there is more we can do – I will say, anyone that signs up for a pool membership gets the pool rules – whether they read them or not, who knows, but they are emailed out; and the membership can only be purchased online; Jarvis: This situation that Mrs. Krueger described about the underage, or under 10 year old child who doesn't know how to swim being left there – there are rules that state that isn't allowed, but they do it anyway? Jackson: Correct, a couple of years ago when we brought the pool rules to council, we actually asked about raising that to 12; council decided they were not ready to do that at that time; Krueger: I just want to add that a lot of times, an older sibling is being left there with a 5 or 6 year old sibling; it's not just the 10 year old that may know how to swim – my daughter said that there was a girl, probably about 10 or 11, she had her little brother there; the sister kept going into the big pool, so he would follow and jump in, couldn't swim; the sister is like 'go away', and he says 'mom told me to stay with you'; so you have those situations where a 10 year old is asked to watch their little sibling; Jarvis: I think you've brought some new light to what sounds like a problem, some controls will come out of this; hopefully we can improve the picture, if not outright fix it, thank you; Krueger: Yes, I am happy to be contacted at any time; I just want to make sure that with the contracted services, everyone is getting what they are supposed to be getting.

Lynch: Mr. Jarvis, based on this information, is there a way we can sit down and put together some ideas, look at the current rules and see if they are applicable; it seems to me if kids are being dropped off at 10 and under, and there is no one over 16 keeping an eye on them, it becomes a liability problem for the city; Jarvis: As Ms. Jackson said, it apparently was proposed initially at 12 – Mayor: Council turned it down; Lynch: How long ago was that? Mayor: We proposed 12 years old 2 years ago, and council turned it down; Lynch: Maybe we need to revisit that, then, giving the current circumstances; we are a growing community, and so the crowd is growing at the pool I'm sure; is there a way we can look at these rules? Jarvis: I'd like to give staff the benefit of the doubt; Mayor: If Matt is aware of it, I guarantee you he will soon contact Columbus Pool Management, if he hasn't already; Jarvis: If it continues, I think we could have a committee thing – I think they're processing this new information; Lynch: I understand that there are 3 different assistant managers that work there – I don't know what ages they are, maybe 20, it almost seems like they should be older than that; Mayor: The problem is that we can't get anyone older than that to apply for jobs; Lynch: What about teachers on summer leave? Jackson: They have a very hard time hiring – every pool in central Ohio runs into this issue every summer.

Amos: Obviously we want to give Matt Peoples some time to address this; I do think we need to reconvene on the rules – I don't know that that can happen this season, Ms. Jackson? Jackson: The 10 and under rule is in the rate ordinance; Amos: So that could be changed? Jackson: We would have to look at the pool rate ordinance to do that; the rest of the rules are done administratively; Jarvis: Would it be possible to include this as a topic at our next meeting this month? I don't know how long Mr. Peoples will be gone, and when he will have time to look at that between now and then; Jackson: It depends on what you want us to look at – the rate ordinance has the 10 and under, but everything else is done administratively; Walker: My concern would be waiting any amount of time; can we get a couple more lifeguards just until we can get it addressed? Jackson: There are different job assignments at the pool – the people that work the front desk and concessions stands would be the first line of defense, not the

lifeguards; the issue would be having enough people up front, to stop people and figure out whether or not they should be at the pool; in a perfect world, we could do this and never have anyone under 10 that is without supervision; unfortunately, people figure out a way around the rules; Amos: Ms. Jackson – I've not been to the pool – do we have staff members that walk around the pool, and identify kids that are by themselves? Jackson: I don't know that the managers don't do that; Amos: I just feel like the lifeguards' main priority is to watch the pool, but who is watching the surrounding area? Jackson: The manager would be in charge of doing that, and checking it over, but unfortunately we live in a society where this is the norm, and this is what happens; the parents can be unreasonable when you try and talk to them about these things.

Walker: The lifeguards are being distracted by what they are supposed to be doing; Krueger: My daughter who is 17, who was in the lifeguard chair Sunday night when the fighting was happening – yes, she would have had to look behind her and take her eyes off the pool to see that; I know you've talked about adding more lifeguards – I will tell you that the training costs \$200 to get certified; most kids don't want the responsibility of having to watch out for other peoples' lives; I can tell you this week, my older daughter is working every day, almost 8 hours a day because they don't have enough lifeguards; I do think what Ms. Jackson said about the first line of defense being the gate is true – I wish I wasn't employed full-time, as somebody who has managerial experience; after there is a save in the pool, there is an incident report that has to be filled out by a manager; I don't know if in that incident report that they're required to call a parent; as someone who wants to problem solve, that's a question I have.

Walker: Thank you, this is urgent – Clark: It sounds like the top management is circulating, and having too much to do; can we ask for a top management person to be assigned to this pool? I know that it's additional money – Jackson: My guess is that they're going to tell us they can't do that, because they don't have the staffing; I will say that who I believe to be the manager – she has been at the pool, I've seen her; I will talk to whoever is managing tomorrow, and see what we can do; I need to look out for the workers there, and the way that they are going to be treated – I want to enforce the rules, don't get me wrong, I also just don't want the employees calling me, crying, for trying to enforce the rules; Lynch: It seems to me a lot of these problems could be solved if there was a manager onsite; do the lifeguards have radios at all? Krueger: No; Lynch: They might be able to use a radio to contact a manager on the other side of the pool to get them to an address an issue, if there is a problem; Jackson: This is where we start crossing into the line of Columbus Pool Management's responsibilities, and how they operate the pool; while we want them to operate in a certain manner, they also have a way of doing things, and reasons for doing them; Lynch: At the same time, we don't want liability on our end, either; Jackson: No, we don't – they do carry insurance, and we are named as an additional insured on their policy; we'll see what we can do to get this addressed; Jarvis: Ms. Jackson, if you would let us know what measures are being taken, so that we are at least in the loop, and also Mrs. Krueger; I think it can be made better, and if it requires a change in contract in order to get it right, I'm sure council would be willing and receptive to hear your recommendation on that.

G. RESOLUTIONS

RES-19-009

Mayor

A Resolution Authorizing Destination: Canal Winchester To Operate The "Canal Winchester Blues And Ribfest" On The Various Streets And Sidewalks Of The City Of Canal Winchester ([Resolution](#))

- Adoption

A motion was made by Coolman to adopt RES-19-009, seconded by Jarvis. The motion carried with the following vote:

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

RES-19-010

Mayor

A Resolution Strongly Urging The Ohio Governor And Members Of The Ohio General Assembly To Restore The Local Government Fund To Pre-Recession Levels ([Resolution](#))

- Adoption

A motion was made by Jarvis to adopt RES-19-010, seconded by Walker. The motion carried with the following vote:

Yes 5 – Jarvis, Walker, Amos, Coolman, Lynch

Abstain 1 - Clark

H. ORDINANCES

Tabled

ORD-18-046

Development
Sponsor: Clark

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 69.237 Acre Tract Of Exceptional Use (EU) To Limited Manufacturing (LM), Owned By Gender/Thirty Three, Located On The North Side Of Winchester Boulevard (PID 184-000532 And 184-000871) ([Ordinance, Exhibit A](#))

- Tabled at Third Reading

Third Reading

ORD-19-028

Finance
Sponsor: Amos

Authorizing The Issuance Of Not To Exceed Nine Hundred Fifty Thousand Dollars (\$950,000) Of Notes In Anticipation Of The Issuance Of Bonds For The Purpose Of Acquiring Approximately 110.244 Acres Of Land And Interests In Land At The Corner Of Bixby And Rager Roads And All Necessary Appurtenances And Improvements Thereto; And Declaring An Emergency ([Ordinance](#))

- Adoption

A motion was made by Amos to adopt ORD-19-028, seconded by Lynch.

Jackson: Mr. Jarvis, I'd like to address a few points in this ordinance prior to vote; I sent you earlier today an updated version of this ordinance – we had to make a couple of changes to it, one of which is in the title; because of the timing issue that I discussed in work session between us closing on this, and the funding being available, we had to include language for the city being reimbursed through the bond

anticipation notes for the money we are putting out for the purchase; because of the way that this is going to work with us essentially flipping this property to a developer – this is now a taxable issuance, rather than a non-taxable issuance; not a huge deal, but I wanted to make you aware of that before you voted on it; those are the 2 changes that have been made since the first reading of this ordinance; Jarvis: So noted.

The motion carried with the following vote:

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

ORD-19-030

Public Service

Sponsor: Lynch

An Ordinance To Accept Hill Road Right-Of-Way ([Ordinance, Exhibits A B](#))

- Adoption

A motion was made by Lynch to adopt ORD-19-030, seconded by Coolman. The motion carried with the following vote:

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

Second Reading

ORD-19-032

Development

Sponsor: Coolman

An Ordinance To Authorize The Mayor To Enter Into An Agreement For Building Department Services With Dynasty Inspections, LLC For The Provision Of Building Inspections And Residential Building Official Services ([Ordinance, Exhibit A](#))

- Second Reading Only

ORD-19-033

Development

Sponsor: Lynch

An Ordinance To Amend Chapter 1321 Of The Codified Ordinances Of The City Of Canal Winchester To Adopt The 2019 Residential Code Of Ohio Including All Referenced Standards Therein ([Ordinance](#))

- Second Reading Only

First Reading

ORD-19-034

Development

An Ordinance To Repeal And Replace Ordinance 19-021 And Authorizing The City Of Canal Winchester To Enter Into A Community Reinvestment Area Agreement With Opus Development Company, L.L.C., Pursuant To Section 3735.671 Of The Ohio Revised Code; Authorizing The City Of Canal Winchester To Enter Into A Related School Agreement With The Canal Winchester Local School District And Opus Development Company, L.L.C.; And Declaring An Emergency ([Ordinance, ORD-19-034 Exhibits](#))

- Request waiver of second and/or third reading and adoption

A motion was made by Clark to waive 2nd and 3rd readings for ORD-19-034, seconded by Coolman.

Amos: Just wanted to make sure that we declared on the record why it is an emergency; Hollins: This is part of the closing that's coming up on Opus; the drafts of everything with respect to the incentives on this particular matter were drafted by the folks at Vorys, and their own client – they misidentified their own client's legal entity, which would take title to the property – they're running everything back through both us and the school district at this point; that is the reason why we are trying to get this done in short order.

The motion carried with the following vote:

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

A motion was made by Clark to adopt ORD-19-034, seconded by Coolman. The motion carried with the following vote:

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

ORD-19-035

Development

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For The Villages At Westchester Section 13, Phase 1 ([Ordinance, P&Z Recommendation](#))

- First Reading Only

ORD-19-036

Finance

An Ordinance To Amend The 2019 Appropriations Ordinance 18-040, Amendment #4 ([Ordinance](#))

- Request waiver of second and/or third reading and adoption

A motion was made by Amos to waive the 2nd and 3rd readings for ORD-19-036, seconded by Coolman.

Amos: On record, reason for waiving? Jackson: We need the \$950,000 that we discussed for closing on the Bixby Road property.

The motion carried with the following vote:

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

A motion was made by Amos to adopt ORD-19-036, seconded by Coolman. The motion carried with the following vote:

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

ORD-19-037

Finance

An Ordinance Approving And Adopting The 2020 Tax Budget ([Ordinance, 2020 Tax Budget](#))

- First Reading Only

[ORD-19-038](#)

Finance

An Ordinance To Set The Salaries Of Members Of Council Effective January 1, 2020 ([Ordinance](#))

- First Reading Only

[ORD-19-039](#)

Finance

An Ordinance To Set The Salary And Fringe Benefits Of The Mayor Effective January 1, 2020 ([Ordinance](#))

- First Reading Only

I. Reports

Mayor's Report

[19-049](#)[Mayor's Report](#)

Mayor: Just a couple of things I want to point out on my written report – the 2020 Census Count Committee will be meeting on June 14th at 9am, at the community center; the invitation has been sent out to those folks; the 2020 Census jobs – if anyone is looking for a job – they are available by going to 2020census.gov/jobs; the jobs in this area range from \$14-\$18 an hour, depending on what the position is; on June 6th, which is this Thursday, at 6pm in the community center – we are having an opioids and substance abuse seminar; some people have asked why our flags are flying at half-staff today – the president declared earlier today that flags be lowered in honor of the victims at the Virginia Beach shooting.

Fairfield County Sheriff - I don't have a written report for you today, I'll have that for you the next time we meet; I did want to add a couple of things to the pool safety issue; in my opinion, I don't think we should have juveniles telling adults what they can and can't do, because the adults won't want to listen; in my opinion, we need an adult there to tell them what they can't do; you need to enforce the rules you have in place, and at first you're going to have resistance like with anything else, but once you start enforcing the rules, then they'll know; and saying 'hey, you can't talk to me like that, so you're not going to come to the pool for the rest of the summer'; Jackson: We have done that; Cassel: Again, you'd need an adult there, because an adult won't listen to a 16 year-old kid; Coolman: Sargent Cassel – what about endorsing a letter going out to every member of the pool saying that they can't leave their children unattended? Cassel: I'll do whatever we need to do to resolve the issue – the problem is how we are going to get ahold of mom and dad if they're not there; if I have a juvenile that does something, I'm 'stuck with them' for lack of a better phrase all day until mom or dad gets there; the first line of defense would be at the gate – don't we have school IDs? Mayor: It, in a way, has become a babysitting service; that's why we requested 12 years old a few years ago, and it didn't work; Amos: It's a new council, though; Mayor: If you want to change it, we are ready to change it; Cassel: Having somebody sit outside the gate, making sure they're with they're with their mom and dad; I think it would be an easy fix; I agree that a lifeguard that's a juvenile shouldn't be responsible for fights; mom and dad shouldn't be dropping the kids off – all the kids we have problems with, they're not with their parents; like she said, you can't fix bad parenting; Mayor: It's everywhere; Jarvis: I don't think this situation was foreseen when the policy was handed out; I think council is receptive to whatever it takes to make this better; Hollins: We'll have to bring an ordinance to you, because the policy was set by an ordinance; Jackson: The 10 and under was in the rate ordinance; Cassel: My other idea is that any time there is a fight at the pool –

their parents need called, and we need called, and they shouldn't be back for the rest of the summer; anytime we deal with juveniles, that's the first thing we do is call their mom and dad.

Walker: I'd just like to add on that we have it everywhere, but in a swimming pool lives are at stake, and this is more urgent than those other situations; we don't want to have any bad results.

Law Director - I'm happy to report that we have no requests for an executive session this evening; no further report.

Finance Director

[19-050](#)

[Finance Director's Report](#)

Public Service

Director

[19-048](#)

[Public Service Project Updates, Construction Services Update](#)

Development Director

[19-047](#)

[Development Report](#)

J. Council Reports

Work Session/Council - Monday, June 17, 2019 at 6:00 p.m.

Public Hearing - Monday, June 17, 2019 at 6:45 p.m.

- 2020 Tax Budget

Work Session/Council - July 1, 2019 at 6:00 p.m.

Jarvis: It has been a custom of council in previous years to have a recess and meet only once in July –

Jackson: It was discussed at the end of last year, when we looked at the calendar for 2019.

CW Human Services - Mr. Lynch: Last week, Brock Strong had a food drive for the pantry; they didn't have enough drivers, and asked the city to assist with pick-up, and they did; it was a very successful food drive.

CWICC - Mr. Clark: Our next meeting is July 31st, 11:30 at the Interurban Building.

CWJRD - Mr. Bennett/Mrs. Amos: Nothing new to report; our next meeting is June 20th, 7:30 here at Town Hall.

Destination: Canal Winchester - Mr. Walker: Our next meeting is June 25th, 6pm at the Interurban; remember that July 26th and 27th is the Blues and Ribfest.

K. Old/New Business

Lynch: I have some new business – it was brought to my attention that there are cars that are ‘camping’ in the Walmart parking lot; someone mentioned this to me after going by on several occasions, and saw the same van there over and over again; on top of that, we have trucks that are parked out front of Walmart – they seem to have a policy of allowing trucks at their stores; I don’t think that area is zoned to be a truck stop, I don’t think we have truck stop zoning in Canal Winchester; we do design our zoning in a way that trucks and loading docks are supposed to be in the rear of a building; if there is a way we can enforce the moving of those trucks – Hollins: Sargent Cassel and I had an opportunity to talk about this; when we did the original zoning of Walmart, part of their zoning approval is that there would be no overnight parking; it was intended towards the campers, and the semi-trucks, but it would apply equally to people living; I asked Sargent Cassel to get with the zoning crew to get the actual conditions that were part of the approval; I think they addressed the person living; Cassel: We did, he left on Friday – he was a veteran and he was homeless; I gave him a VA homeless book with contact numbers, \$30 for gas and escorted him out of the city; Hollins: Going forward, I think it’s worth refreshing – the managers change from time to time and my guess is that they are not aware of what Walmart agreed to in the zoning, so we need reeducate folks that’s not something that we permitted; Haire: The parking lot is posted with signs, also; Lynch: So based on the zoning and those signs, law enforcement is able to enforce that.

L. Adjourn to Executive Session (if necessary)**M. Adjournment @ 7:51 p.m.**

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

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