

Canal Winchester

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



Meeting Minutes - Final

October 7, 2019

6:00 PM

Council Work Session

Mike Walker – Chair

Jill Amos

Will Bennett

Bob Clark

Mike Coolman

Bruce Jarvis

Patrick Lynch

- A. Call To Order** Called to order at 6:00 pm
- B. Roll Call** Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker
- C. Also In Attendance** Mayor Ebert, Matt Peoples, Lucas Haire
- D. Request for Council Action**

RES-19-023*Mayor*

A Resolution Endorsing The Passage Of The 2019 Franklin County Children Services 3.1 Mill Renewal Levy Issue 10 (**resolution**)

- Request to move to full Council

Motion to move resolution to full council made by Jarvis; seconded by Coolman

Motion carried by the following vote:

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

Mayor Ebert said Mr. Caldwell was here a few weeks ago to comment on Franklin County Children Services issues and the upcoming levy. This resolution is to support the 3.1 mil renewal levy which is on the ballot as Issue 10.

RES-19-024*Development*

A Resolution To Establish the Route 33 North Community Reinvestment Area And To Authorize Real Property Tax Exemptions Established By Sections 3735.65 Through 2723.70 Of The Ohio Revised Code (**resolution**)

- Request to move to full Council

Haire said this resolution would approve findings of Route 33 north community reinvestment are housing study and allow creation of the community reinvestment area; CRAs are permitted to offer real property tax abatements. In this specific CRA we are looking at area north of Route 33, boundaries of Rager Road and Cemetery Road, to include these parcels excluding the cemeteries. Within this CRA we can offer real property tax abatements to be evaluated on a case by case basis; with the developer of that property, specifying the terms of the agreement. Commercial and industrial property remodeling, investing more than \$100,000, would be eligible for up to 50% abatement and up to ten years of real property tax abatement. New commercial or industrial property would be eligible for up to 100% abatement and up to fifteen years; negotiated based on amount of investment, priorities of council, number of new jobs created, etc., all go into the incentive agreement with the developer. Lynch stated he is for the CRAs bring jobs to our area; question about mixed use development with residential and commercial use. Haire stated this is for mixed use; looking twenty years down the road, the big box stores have large parking areas; potential change in use of personal vehicles usage; potential to re-develop the large parking areas;

could be mixed use structures with zoning changes in future; things can change over time; this resolution is a tool to use if necessary at that time. Lynch asked about developing a condo or apartment type complex would that be mixed use; Haire said our zoning code states a mixed use is commercial use on first floor and other use on top, could be commercial or residential above, but has to have both components; commercial has to be open to the public; Lynch said to qualify for CRA the buildings have to be viable and filled with tenants; Haire said council would have to look at these on case by case basis and negotiate; Lynch said we don't want to be in habit of offering tax abatements to residential developers; Haire said we left residential out of this. Jarvis asked about the housing survey in the packet; Haire said the state of Ohio requires a housing study; discussed how renovating a historic home is more costly and this can off set some of those costs, not included in this CRA; Jarvis asked about the council evaluating on a case by case basis; Haire responded. Jarvis asked about section 9 and council has ability to opt out of this agreement; Haire said this is language for this to be re-evaluated in 2028 if necessary; Jarvis said staff or council would have to remember there is an expiration in 2028 and to make a decision; Haire said it would be brought up in the tax review committee to evaluate at that time. Bennett asked about section 9 and mandating a review by council at that time; Haire was not sure if it would make a difference. Clark commented about Opus deal and shared income tax with the schools; Haire stated the law changed in 1994 with funds going to schools due to CRAs, state law requires revenue sharing agreements, negotiated with schools, needs to be approved by schools before city council considers it.

Motion to move resolution to full council made by Clark; seconded by Bennett

Motion carried by the following vote:

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

RES-19-025

Public Service

A Resolution In Support Of Stormwater Awareness Week ([resolution](#))

- Request to move to full Council

Peoples stated this resolution is in support of stormwater awareness week; it is an effort for soil and water conservation and activities; held recent event of tire sweep, removed 42 tires from creek; required to do these type of activities due to our EPA permit; will do press releases to raise more awareness in the future.

Motion to move resolution to full council made by Bennett; seconded by Lynch

Motion carried by the following vote:

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

ORD-19-055

Development

An Ordinance To Accept The Application of Teresa L. McCormick For The Annexation To The City Of Canal Winchester Of Certain Territory In Madison Township Containing 0.75+/- Acres And Being Located At 6055 Bixby Road, To Amend The Zoning Map To Zone 0.75+/- Acres To Limited Manufacturing (LM), And Declaring An Emergency ([Ordinance, Exhibit](#))

- Request to move to full Council

Haire stated this ordinance will accomplish two things; it would approve the annexation of this parcel to make it part of the corporation of Canal Winchester; it would also be zoned limited manufacturing; this is a single-family home located at southeast corner of Bixby and Rager Roads; this parcel has a development proposal; service resolution for this parcel was passed in June; been more than 60 days since commissioners approval. Jarvis asked about non-conforming use and will the home be leveled; Haire replied the home will be sold to developer and demolished. Coolman asked the reason for the emergency request to waive second and third readings; Haire replied the real estate contract and due diligence to gain annexation and people are anxious to sell and move on; if emergency request is removed how much longer would they wait; Haire replied they would have to extend the site development plan 30 days after Mayor's signature; annexation takes approximately four months to complete in Ohio; this was heard by commissioners in June and now in October. Amos stated it was not held up on our end, we were waiting for it to go through process.

***Motion to move to full council made by Bennett; seconded by Coolman
Motion carried by the following vote:***

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

ORD-19-056
Development

An Ordinance To Accept The Application Of Michael L. And Cassandra J. Sullivan For The Annexation To The City Of Canal Winchester Of Certain Territory In Madison Township Containing 0.62+/- Acres And Being Located at 6229 Bixby Road, To Amend The Zoning Map To Zone 0.62+/- Acres To Limited Manufacturing (LM), And Declaring An Emergency ([Ordinance, Exhibit](#))

- Request to move to full Council

Haire stated this parcel is another single-family home in proposed area for re-development for manufacturing facility and need to accept the annexation and re-zone to limited manufacturing.

***Motion to move to full council made by Amos; seconded by Bennett
Motion carried by the following vote:***

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

ORD-19-057
Development

An Ordinance To Accept The Application Of Dean Jenkins For The Annexation To The City Of Canal Winchester Of Certain Territory In Madison Township Containing 1.26+/- Acres and Being Located at 6091 Bixby Road, To Amend The Zoning Map To Zone 1.26+/- Acres To Limited Manufacturing (LM), And Declaring An Emergency ([Ordinance, Exhibit](#))

- Request to move to full Council

Haire stated this parcel also needs annexation and re-zoning to limited manufacturing. Bennett asked if any of these sales have been contested; Haire replied that this parcel has a renter, so person living there is not the one selling the property; property owner has signed the annexation petition; litigation pending; Hollins is aware of it.

Motion to move to full council made by Clark; seconded by Lynch

Motion carried by the following vote:***Yes 7 – Clark, Lynch, Amos, Bennett, Coolman, Jarvis, Walker*****ORD-19-058***Development*

An Ordinance To Appropriate A Fee Simple Absolute Interest In 2.291 Acres, More Or Less, Located At West Waterloo Street, For The Public Purpose Of Constructing Roadway Improvements, And Declaring An Emergency ([Ordinance, Exhibit A, Exhibit B](#))

- Request to move to full Council

Haire said we did a similar process at the last meeting; acquiring underlying interest in an easement on Waterloo Street near Aldis, a remnant piece of property, property owner is deceased, did not go through probate process and still own the fee simple interest; need to acquire clean title to parcel to use for economic development project; Lynch asked the price of the property, Haire responded it is \$300 which is the ODOT minimum price. Jarvis asked how this differs from RES 19-021 from last month; Haire responded this is a separate parcel, but both parcels are nearby in same area; the correct parcel acreage is 2.391, the number in the agenda is an error.

Motion to move to full council made by Lynch; seconded by Coolman***Motion carried by the following vote:******Yes 7 – Lynch, Coolman, Amos, Bennett, Clark, Jarvis, Walker*****ORD-19-059***Public Service*

An Ordinance To Waive Competitive Bidding For Park Amenities Portion Of The Westchester Park Improvements Project And To Authorize The Mayor And Finance Director To Enter Into A Contract With Landscape Structures, Inc. And Declaring An Emergency ([ordinance, Exhibit A, Exhibit B](#))

- Request to move to full Council

Peoples said this part of Westchester Park improvements plans has been approved by ODNR, two distinct portions of site amenities, working with Columbus Asphalt paving, competitive bidding; site amendment proposals, playground structures are on state bids, plans included in packet for council. Amos asked the asphalt was competitively bid out; other parts were not; Peoples said some structures did go through state bid program, shelter house was not on state bid. Amos asked if the new toys are ADA compliant; Peoples said yes they are (see diagram in packet); Peoples described the different types of playground equipment in the diagram and the shade structure. Peoples said we are over on the project as submitted to ODNR by approximately \$50,000; added drainage where areas were wet in park. Amos asked about lights; Peoples said there are lights on the shelter house and additional street lights in parking lot; lights on photo cells and shelter house on photo cells, electrical outlets in shelter house. Jarvis commented about waiving the competitive bid process; Peoples said the shade structure was not included in competitive bid; still working with Amanda for funding grants, etc.; hoping to get started soon. Peoples asked to change this ordinance tonight to change it to first reading only so he can communicate with Amanda regarding funding. Bennett asked about the style of the shelter house in the photo; Peoples and Haire said basically they want to make all park fixtures the same, such as shelter houses, benches, trash cans, etc. This plan includes an agreement of the home owner's association, the golf course and the city. Amos asked if there is a warranty on the park structures; Peoples said yes. Walker stated he was on the

steering committee and they discussed matching benches, etc.; Peoples said yes, they will make them match.

***Motion to move to full council made by Coolman; seconded by Bennett
Motion carried by the following vote:***

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

E. Reports

Matt Peoples - Peoples added to his report stating the Central Ohio Health Care Consortium voted for a rate 9.5% increase overall, doing well, 5.8% reduction from carry-over balance, factor in reserves.

Lucas Haire - Haire stated an update on the planning and zoning issues of planned industrial space, Nifco completed their space at Canal Point, site work has begun at the lot behind town hall and that parking lot is closed, started façade improvement from a grant. Lynch asked who owns the roadways around Rager and Bixby Roads; Haire said they are township roads and they maintain them.

F. Items for Discussion

Bennett stated at our recent Committee of the Whole meeting we discussed inviting Bexley Mayor to discuss the hands-free ordinance. Walker asked the Bexley Mayor to come forward. Ben Kessler, Mayor of Bexley, stated he appreciated the city reaching out to him for information. They passed their ordinance in 2017. They had issue of seeing people driving through cross walks while holding their phones. Canal Winchester has similar characteristics and pedestrian traffic flows. Granville recently adopted similar ordinance, and has similar characteristics as well. It is much better if it has wide spread adoption in surrounding suburbs. Initially saw it in place in Chagrin Falls near Cleveland; saw a sign that said “hands-free” and did research on it; it basically said don’t hold your phone in your hand while driving. If person is pulled over and officer can see them holding their phone, it is still difficult to prove that it was a text message being used as opposed to a phone being dialed. We found officers were resistant to issue distracted driving citations because it is hard to prove. So they made it a primary offense if you are driving with a phone in your hand. After passing ordinance, they had public information session. They put signs at every street entrance into Bexley. We started with a one year warning period of issuing warnings only. They have issued over 200 warnings and 82 citations. There is an increase in accidents statewide. Sensitive of drivers from other cities. Jarvis asked what public information campaign actions did they do; Kessler responded they put signs out and they are still there, they used light up signs and move them around the city, large community effort with social media, emails, paper information. Kessler talked about Bluetooth in cars and using headphones, etc. Coolman asked about the crosswalks being painted and it being in the news; foot traffic patterns for children going to school; Kessler said it is an alley that kids used frequently going to school; Coolman commended Kessler for painting the crosswalks as it was a great idea. Coolman asked about any problems in court to enforce the tickets; Kessler said none that he knew of. Jarvis asked about enforcement and is there a work load impact for the Bexley police department; Kessler said yes due to each officer having duties with each stop made, but not overly burdensome. Walker asked if he had the number of citations given, number of warnings given and when it started; Kessler responded 200+ warnings, 82 citations, started in 2017, does not know how many were contested. Clark asked how many of these were issued to out of town residents; Kessler did not know. Lynch asked what has been the feedback from residents; Kessler said he has not had any negative

complaints, commented about many people being parents and wanting something done to make driving safer; people still do it, it is a constant campaign, he said it helps him to remember to not use his phone while driving, important for teenagers to see parents model behavior and not use phone while driving. Walker stated same law being discussed in state Ohio; Kessler understands it has not yet been introduced in General Assembly. Bennett asked what the fine is in Bexley; Clark answered it is \$115 according to Bexley clerk of courts. Coolman asked about population and are university students affected by this; Kessler said he is not sure, not a large population group, hard time tracking that. Bennett asked about strategy in the information campaign for high school kids and they are covered by Ohio law; Kessler said they did not target the high school age kids, used digital light-up roads signs to gain attention. Walker thanked the Mayor for attending tonight.

G. Old/New Business

Clark said he wanted to discuss the town hall meeting and if we have any rules, who will chair the first meeting; Walker said he brought it to the table and asked if Clark would chair it. Bennett asked if we have an end time to the meeting, modeled after community coffee that has a hard stop time; Clark doesn't want to cut anyone off, but you have to end it eventually, possible list of speakers so everybody is recognized, people sign in on a sheet, clerk of council will be there to take minutes, more lax notes than normal, Clerk offered to be a moderator unless they prefer the chairman idea, discussion ensued regarding general format of town hall meeting for tomorrow night.

H. Adjournment

Motion to adjourn made by Bennett; seconded by Lynch

Motion carried by the following vote:

***Yes 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker
Adjourned at 7:13 pm***