



Meeting Agenda

July 6, 2020

7:00 PM

City Council

Mike Walker - President

Mike Coolman - Vice President

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

Until further notice, all City Council Work Sessions and Regular City Council Meetings (held on the first and third Mondays of each month) will be closed to the public. They will be hosted online using the “Go-To-Meeting” platform for the public to view.

Per the direction of the Ohio Attorney General Dave Yost and the Ohio Public Meetings Act, public comments may be also accepted prior to a council meeting. Written comments regarding legislation or other topics will be accepted until 3:00 pm on the day of the meeting.

Submit a Comment

CW City Council Meeting - 7-6-20

Mon, Jul 6, 2020 6:00 PM - 10:00 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CWGov/cw-city-council-meeting---7-6-20-8>

You can also dial in using your phone.

United States: [+1 \(312\) 757-3121](tel:+13127573121)

Access Code: 357-930-037

Note: In this format, video and audio of the meeting will be available as the meeting takes place, however, viewers will not have microphone or webcam permissions.

- A. Call To Order
- B. Pledge of Allegiance - Lynch
- C. Roll Call
- D. Approval of Minutes

- [20-130](#) Minutes Work Session 6-15-20 ([Minutes](#))
- [20-131](#) Minutes Full Council 6-15-20 ([Minutes](#))
- [20-132](#) Minutes Public Hearing Tax Budget 6-15-20 ([Minutes](#))
- [20-133](#) Minutes Public Hearing Swine 6-15-20 ([Minutes](#))
- [20-134](#) Minutes Town Hall 6-23-20 ([Minutes](#))
- [20-135](#) Minutes Public Hearing Church Sign 6-29-20 ([Minutes](#))

- E. Communications & Petitions
- F. Public Comments - Five Minute Limit Per Person

- [20-140](#) Public Comments from Resident C. Lynch ([Comments](#))
- [20-141](#) Public Comments from Resident R. Sycks ([Comments](#))

- G. RESOLUTIONS
- H. ORDINANCES

Tabled

Third Reading

[ORD 20-029](#)

Finance

Sponsor: Clark

Second Reading

An Ordinance Approving and Adopting the 2021 Tax Budget ([Ordinance, Exhibit A](#))

- Adoption

ORD 20-031

*Development
Sponsor: Lynch*

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 2 ([Ordinance, Exhibit A, Exhibit B, Exhibit C](#))
- Second Reading Only

ORD 20-032

*Development
Sponsor: Amos*

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 1 ([Ordinance, Exhibit A, Exhibit B, Exhibit C](#))
- Second Reading Only

ORD 20-033

*Development
Sponsor: Bennett*

An Ordinance Approving the Final Development Plan for the Greengate Residential Development ([Ordinance, Exhibit A, Exhibit B, Exhibit C](#))
- Second Reading Only

ORD 20-034

*Public Service
Sponsor: Lynch*

An Ordinance to Repeal Section 333.03.1 of the Codified Ordinances of the City of Canal Winchester ([Ordinance, Exhibit A](#))
- Second Reading Only

First Reading

I. Reports

Mayor's Report

[20-150](#) [Report](#)

Fairfield County Sheriff

Law Director

Finance Director

Public Service Director

[20-154](#) [Report](#)

Development Director

J. Council Reports

Work Session and Council Meetings on Monday, August 3, 2020 starting at 6:00 p.m.

Work Session and Council Meetings on Monday, August 17, 2020 starting at 6:00 p.m.

Committee of the Whole Meeting on Monday, August 31, 2020 at 6:00 p.m.

CW Human Services - Milliken

CWICC - Clark and Coolman

CWJRD - Amos and Bennett

Destination: Canal Winchester - Walker

K. Old/New Business**[APL 20-001](#)**

Notice of Appeal Regarding the Denial by the Canal Winchester Planning and Zoning Commission of an Appeal to Overturn a Notice of Violation Issued by the Planning and Zoning Administrator Regarding Swine Being Housed on Property Located at 392 Sarwil Drive South ([Draft Findings of Fact Conclusions of Law](#))

[APL 20-002](#)

Notice of Appeal Regarding the Approval of Variance Application VA-20-002 by the Canal Winchester Planning and Zoning Commission to Allow Internally Illuminated Signage at 6600 Bigerton Bend Which is Restricted by Chapter 1189.06(c) of the Canal Winchester Zoning Code. Applicant: DaNite Sign Company; Property Owner: Crossroads Christian Church.

L. Adjourn to Executive Session (if necessary)**M. Adjournment**

Canal Winchester

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



Meeting Agenda

June 15, 2020

5:30 PM

Council Work Session

Mike Walker - President

Mike Coolman - Chair

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

A. Call To Order *at 5:31 p.m.***B. Roll Call***Present 7 – Amos, Bennett, Clark, Coolman, Lynch, Milliken, Walker***C. Also In Attendance***Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson, Bill Sims, Sergeant Hendershot***D. Reports***Bill Sims -*

Sims said the 2020 street program is continuing. We have resurfaced West Waterloo Street between the Walmart east entrance and Chesterville Drive. The paint strippers have been in town and started working on the thermoplastic striping on West Waterloo. The Cherry Landing multipurpose path has been paved, contractor is working today and next couple of days for restoration along the edges of the path; it is already being heavily used, I have been out there about three times and there have been a number of people out there each time. The work at the expansion of the pool parking lot I anticipate that starting the end of this week or beginning of next week, that is the last major item on the street program. We have begun work on the Bixby Road utility extension project, sanitary force main pipe installed closer to Wyler Dodge so that project is just begun and we have several months of water and sewer pipes on that job. The ODOT resurfacing of 674 the paving is complete and there are a handful of items they will be working on this week, miscellaneous striping, reflective pavement markers that need to go in, a man hole to adjust today so you will continue to see intermittent work on Gender Road for the next week or so. Private development Westchester 9-2 extension of Conner Drive getting curbs installed this week on that portion of the road, also the extension of Winchester Boulevard for the Winchester Logistics project they are just about ready for curb to go in on that project and working on schedule for the contractor to get in on that. Three Fountains is continuing water and sewer are in on that project and they have a lot of on-site stuff to work with definitely see improvements in the grading and it is really starting to take shape now. A new project is the Learning Center on Winchester Boulevard sitting between the office buildings and the Fairfield Inn site; they just started work on that project as well. There is some right-of-way work going on in town. Gas company is working on a gas main extension down Cherry Alley for the new building at 18 West Waterloo and there will be new gas mains installed in these new subdivisions as well as soon as the curbs go in. MCI continues to have right-of-way permits and have installed part of their systems but still have quite a bit more work to do to get the cable and fiber infrastructure in as planned in town. No questions from council. Sims said he will leave Mr. Clark the opportunity to talk about the municipal building meetings we have been having; we have completed the second design development meeting; starting to hone in on a more complete floor plan; one of the areas we spent a lot of time on in the last few weeks is the community center; I shared our last drawing with Linda and she is going to share it with the senior board as well; very excited for the provisions made to try to accommodate what they do into the new building as much as possible and it is moving along quite well but I will leave the details to Bob.

Coolman called Sgt. Hendershot if he is available; Jackson said he is not available at this time; Coolman said we will come back to him.

E. Request for Council Action

RES 20-005

Finance

A Resolution Affirming that Funds Distributed Under Amended Substitute House Bill 481 by the State of Ohio to the City of Canal Winchester Shall be Expended by the City Only for Costs Permitted Under the Federal Coronavirus Aid, Relief, and Economic Security Act (Resolution)

- Request to move to full Council

Jackson said back in March, President Trump signed into law what is being referred to as the CARES Act, which is the Coronavirus Aid, Relief and Economic Security Act. This is a federal funding bill to help with expenses for local government, state government, local businesses and residents had to endure during the pandemic. The state is responsible for distributing dollars to the local governments, because we are small we have to go through the state to get ours and the only way we can do that is to pass this resolution saying that we intend to apply for it and we only intend to use it for certain expenditures. I have looked at what we have expended and what I have found so far is not a huge amount but I am not done with going through all of our expenditures from when the pandemic started that qualifies. I am bringing this to you so that it is already passed in case we find it is worth it for us to ask for funds from the state under this Act. Coolman said he read in the packet that it is funds for through the end of the year; Jackson said correct; Coolman said but you have to report them by October 15th, how are you supposed to do that or do you just make a guess. Jackson said that is the federal government for you; Coolman said okay. Jackson said I have not looked at anything past what is allowable under this, just again I don't know that we have expended that much to get funding but I am doing it in case we feel it is worth it so that we will be ready to go and not have to come back to council especially with your July break coming up. Coolman said I saw in the local paper over the weekend there are a couple of local communities that have already applied and seems like they got a pretty good chunk of money they asked for. Bennett asked what would our threshold be that we would consider not applying; Jackson replied honestly, what we have spent to date is very minimal; Bennett said less than \$5,000; Jackson said way less than \$5,000, and a lot of that is because of our makeup, we don't have a fire department or a police department and the first responders to this type of pandemic and that is where you will see a lot of expenses coming from other communities I think, and here we just don't have that. Bennett said and we contract our health department, too, so even those expenses would be Franklin Counties; Jackson said yes. Clark asked about not running our pool; Jackson replied that revenue loss is not eligible; Lynch said do we actually make money off the pool; Clark said if we can makeup what we lose.

Motion to move RES 20-005 to full council made by Bennett; seconded by Lynch

Motion carried by the following vote:

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

ORD 20-031

Development

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 2 (Ordinance, Exhibit A,

Exhibit B, Exhibit C)

- Request to move to full Council

Haire said Mr. Moore can represent that application since he is there. Andrew Moore, Planning and Zoning Administrator, said section 9 part 2 of the Villages of Westchester is at the stage where it is ready to be platted. Right now, they are finishing the underground utilities of that section and hopefully starting on curbing in the next thirty days. This section consists of 4.2 acres which is completion of the Conner Court stub and this section is behind the high school and the section that connect with Cormorant Drive and the Conner Court stub and backs up to the homes that front Groveport Road. This section combined with the next ordinance will put together a total of 24 new lots; this section 9.2 will contain 17 single family lots. This section is a continuation of an existing product line that the Villages of Westchester is developing. Within that section of the community it has been highly successful and there is only one lot left to be developed within that product line. There are other products fronting the golf course section and a patio home product down by the roundabout that you are familiar with how they look. Planning and Zoning Commission reviewed the plats and recommended it be approved as presented and it be approved by city council when up for adoption. Lynch said the houses being built here, they were plotted about twenty or thirty years ago; Moore said the preliminary plan was approved in the 90s, the final development plan is the next step to approve the exact number of lots and the breakdown of the phases and that was approved in 2017; Lynch said are they subject to the building standards that were adopted, not the current ones but the previous ones is that correct; Moore replied in 1990 there were no building standards, the only standards that were developed as part of the Westchester development text were lot sizes and typically the setbacks for those lots and in section ten specifically because they back up to existing single family homes, that was the only section of Westchester that actually backs up to something that pre-existed it; they allowed those lots to be a little wider, all of those homes are built out and meet those development standards so they are meeting their own development text. Lynch said okay, so they are not subject to any current residential building codes or architectural standards; Moore said correct. Bennett asked how many lots between the two ordinances; Moore replied twenty-four.

Motion to move ORD 20-031 to full council made by Lynch; seconded by Bennett

Motion carried by the following vote:

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

ORD 20-032
Development

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 1 (Ordinance, Exhibit A, Exhibit B, Exhibit C))

- Request to move to full Council

Moore said section 9 part one is the first extension of the Connor Court stub that leads into 9.2 which we just discussed. The utilities for this section have been in the ground for over two years. They went to do pavement last year but based off of timing they were not able to, so they are looking to get the pavement done and court extension and whole final area; this section constructed a culvert that went over the ditch in that area. This section was engineered and constructed in 2017 and due to trying to be forthcoming and put the ditch and culvert before the Army Corps changed their permitting requirements and required different things to be submitted to them and since they had already received approval and so this is for seven lots just south of that ditch crossing for the total of twenty-four in the two ordinances.

Motion to move ORD 20-032 to full council made by Amos; seconded by Clark

Motion carried by the following vote:

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

ORD 20-033
Development

An Ordinance Approving the Final Development Plan for the Greengate Residential Development ([Ordinance, Exhibit A Greengate Application Only, Exhibit B](#))

Request to move to full Council

Moore gave a power point presentation and said this is for final development plan application 20-002, this is for the Greengate development which is 46.17 acres off Hill Road, located at parcel ID# 0420388600 and parcel ID #0420388500. The request is for the final development plan for the 191 detached condominium sites for the Greengate residential development. The subject property is 46.17 acres on the west side of Hill Road, this is part of the original residential plan for Greengate; the development exhibit for this site indicates this specific section was planned for detached condominiums. To the north of this site is Busey Road park, this park was a school land dedication and was accepted by the city at the time for this overall planned development. To the west is phases one through four of the Winchester Ridge apartment community that contains 329 multi-family units. To the east of this site is undeveloped land within the PRD which is in the same zoning district but this specific parcel is zoned for assisted living and independent living. To the south is the Meijer shopping center, this is also part of the same planned district as this site was designated as a PID with different specifics within the zoning text. ORD 52-01 set the preliminary plan for the Greengate development and was approved in 2001 by city council; there are a number of conditions that are associated with that ordinance that are in my staff report for you guys to look over; all of these conditions are being met with this final development plan. The PRD had a development map that was associated with it and the map helped visualize the separation between the different districts. There is the PCD zone which is the immediate intersection of Diley and Busey about 35 acres; there is the PRD zone which is all the multi-family units that are constructed this site and the assisted living that is further to the east; and the PID zone which is the Meijer development and all of its outparcels; Meijer has created a sub-text that further restricts the type of development that happens in the outparcels themselves. The subject site was designated for detached condominiums, a total of 246 dwelling units were approved with the 2001 ordinance. It does not say the 246 have to be constructed, it was just the maximum that was permitted; This was all a part of the discussion and negotiation with this land with city council in its heyday. When going through this plan I will talk about the site plan analysis for the Greengate development. Now on the screen is the overall context map of the site and the area in the center is the 46 acres for this PRD. Surrounding the site is all properties within planned districts that were just discussed and the other various properties that are outside of the corporate limits or in Violet Township. One of the unique conditions of this ordinance that was passed by city council in 2001 was that all final development plans be reviewed by Planning and Zoning Commission and City Council; this is the same as the Meijer outparcel developments which you are familiar with the recently approved they are also a part of this ordinance that have to go for city council approval. Typically, council doesn't look at final plans they just look at preliminary that create the zoning and approving those documents; at the time council thought this whole side of Diley Road needed the two-review step process. The proposed plan for Greengate is creating a total of 191 detached condominium units, as part of the history of this site when this property was designated for detached condominiums it

was not something that was common in the central Ohio region and city council at the time asked the developer what a detached condo was and the developer said it is very similar to a single family development, you have stand-alone homes and the homes are in a condo community where they have common ground, maintenance and you don't own anything but your four walls and what is within and everything is shared in the community as far as how it is maintained. The condo association takes care of code enforcement types of items, very similar to what Cherry Landing does, just the type of ownership is a little different. This developer came into this site as planned detached condo as is what the development text requires. As part of the development plan you can see it is a typical grid pattern and a main thoroughfare road that will connect Hill to Diley Road as the central street; the sub-streets doing the loops to the north and south are also for the single family lots; this development has been designed where each street has scaled different widths and right-of-way and is tiered; there is a small cul-de-sac to the south of the site which has a narrow right-of-way. This development does feature an eight-foot asphalt path on the north side of Greengate Blvd. and will connect all the way through to Diley Road and terminates at Hill Road at this site and then along the western side of Hill Road continues to the corporate limits. Throughout the development there will be five-foot sidewalks along all public streets except for along that north side of Greengate Blvd. which is the central street. There is also planned eight-foot asphalt paths that wrap around the retention basin and the developer has provided two asphalt paths from the north street at Busey Road park and in the future connect with the paths in the park and trail system and link this neighborhood to that existing amenity. The residential development has been preliminarily designed with these seven phases and the developer has indicated they plan on doing more than one phase at a time but in terms of not restricting themselves they have set these seven phases up as the minimum amount they will build at a time. As part of this property's zoning requirements it goes in front of the land use committee to review all final development plans and the land use committee recommended that if they do one than one phase in a row they do the phases in the order of what the map shows specifically phase one and two get constructed in order so all of Greengate Blvd. gets constructed all at one time. The city has a commitment to finish the rest of Greengate Blvd. by 2025. So, the thought behind that is that by 2025 this whole section should be made and not a gap in the middle and waiting for a private developer to do it. The development plan shows connection to existing public sanitary, connection to public water, stormwater is handled by the retention basin to the south corner of the site. The developer has put together a landscape plan and is the only thing in this plan that is required to meet our most current standards; the applicant is meeting our most currently landscape standards. As you see in the plan they are making up for trees that are cut down, planting trees for every single house that will be constructed as well as other screening requirements in the development text. The applicants will be removing 61 trees and will be planting over 700 trees. The development text is doing a new hybrid type of planting. Previously as a city we did not wish for developers to plant the street trees in the public right-of-way because they could not be managed effectively; they were required to make landscape plans that required diversity and other standards to be met and it was something that was not managed very well. This has a four-tier plant list system that has each lot dissected down to what tree species that will be planted in front of the lot, on the lot, behind the lot making it very easy from a compliance standpoint when someone goes to move-in we can make sure it is done right or we can hold occupancy for them to replace. There is the screening plan for Hill Road as part of the development text requirements and see the plan for signage along Hill Road. The applicant has provided what the homes to be constructed will look like in this development; these are sample elevations from a product type they plan on constructing; they all have the same interior layout with these six different elevations, these are examples of what they plan on doing at this time. The plan is not limited to just these six home

elevations, the developer can bring a new home as long as it meets the requirements of the 2001 zoning text it can be constructed. These are to show you examples and put together a picture for you. It was suggested to add it to the P & Z packet to give some insight to what they are looking at approving. There are side and rear elevations and all of the homes are exactly the same except for the front façade will provide some diversity in the first phase. This development features all public streets, it will allow for on-street parking and because of the set-backs of the units the staff made sure of was ability to have on-street parking with the driveway clustering and so this shows the room to have a standard parallel parking space in between each house and making sure utilities are not in the way and clustering to maximize the on-street parking and to act as a traffic homing device and it narrows the perception of the street and makes you slow down. With all feature developments in the United States they are requiring cluster mailbox units instead of individual mailboxes for each home and the developer has set aside an area for the units and provided three off-street parking spaces based on location of the CVUs at a curb so you can park and get your mail and this area is nicely landscaped. This development also had a lengthy traffic study and city staff reviewed the traffic study for five or six months and put together the review comments in the traffic study, it is 700+ pages in your packet and I will sum up the findings for you. What is an improvement that has to be installed by the developer is an improvement along Hill Road to provide a left hand turn into the site when traveling north on Hill Road, this turn lane exists within the existing right-of-way limits and part of this turn lane is in the county jurisdiction for review, this resulted in needing a ten-foot grading easement from the east side of Hill Road to be constructed effectively. The east side of Hill Road is a similar family member to the subject property, staff required the applicant to provide a sufficient form of guarantee they can do the required improvements and they have provided a signed easement agreement to show they have the ability to do the required improvements. The Fairfield County Engineer has reviewed the traffic study and improvements and they agree they improvements are achievable and one of the items that I highlighted was that the applicant will do the seven phases in reality in three phases each phase one year apart. Based on the speed of growth the county recommends that the Hill Road improvements be done with phase one and not pushed where the traffic study says it has to be done as they want all required improvements done from the get-go and city staff agrees with that assessment and thinks it makes total sense. The traffic study goes through the other various intersections that are impacted by this development such as Diley Road and Greengate Blvd. and the anticipated improvements that will be needed there based on future development of that outparcel and also the Kings Crossing and Hill Road intersection and improvements that will be required and Busey and Hill Road intersection. The traffic study and development study are here in summary for you, traffic study pages 1-6. This development is for 191 detached condominiums and this slide shows a colored in detail of where it is on the aerial map and this gives you a visualization of Greengate will connect with Howe Industrial Parkway and these meet the minimum setback from wall to wall of the units because they are detached condos there are no property lines and they do meet all requirements from that 2001 ordinance. Planning and Zoning commission reviewed the final development plan and made the following recommendations to city council with the following two conditions, the turn lane improvements along Hill Road be constructed with phase one of the development to mirror the county's request for the same and the applicant is responsible for the proportional share of offsite traffic improvements at the Kings Crossing and Hill Road intersection and the Diley Road and Greengate Blvd. intersection and acknowledging the applicant will contribute to that construction cost in the future.

Coolman asked do we know how much they are willing to contribute and what the overall expense would be to us at that time; Moore replied the traffic study talks about the proportion they can contribute to

those intersections and I believe 12-17% of those intersections will have their communities traffic impacting it and one of the things we will be looking at prior to the next meeting is the actual cost of those improvements and what percentage of it relates to us. Clark said in his conversation with Lucas the Hill portion is 100% funded for the turn lane was 100% funded by the developer; Moore said the Hill turn lane is 100% on this development and no other development is contributing for the need for this intersection improvement so they will absorb the sole cost of that. Clark asked about the Greengate Blvd. that goes out to Diley and we have to have that built by 2025 is that to be done on our dime or I think there might be a TID to pay for that; Moore said there is a TIF to help with some of that cost and with the apartment neighborhood directly to the east they contributed to constructing the section of Greengate that is between this development and the commercial outparcel that is undeveloped so they are constructing their entire portion and the commercial outparcel portion will be refunded through the TIF when things get built through there. We created the TIF to give incentive to the commercial growth in that we will construct it by 2025. Clark said so if nothing goes there and there is not enough money we have to find the money in our general fund but we can get reimbursed as the areas develop there and the TIF dollars grow; Moore said correct. Haire said the TIF is on the apartments and so we are starting to accumulate funds into that Greengate TIF currently; and so we set that in the development agreement with the owner of the commercial piece so we would have enough funds in there to construct the roadway so there will not be anything coming out of the general fund to construct that roadway; it will come out of the agency funds that currently exist and the TIF fund. Lynch said the TIF money we are getting is coming from the apartments to the west of this development; Haire said that is correct; Lynch asked are we able to apply a TIF charge to these new condos as they get built; Haire replied TIFing residential properties is much more difficult, the state looks at apartments as commercial for their standards and is much easier; a residential TIF can be done but it is much more difficult to do; the estimates we have for this TIF and what it will generate for this area are more than enough to cover the costs associated with the infrastructure in that area. Lynch asked about the CDA the community development authority or general development authority is that anything that can be applied to these units; Haire replied we have not talked specifically about that for this project, no. Lynch asked would it be beneficial to do that; it would generate funds for future road improvements in a general area much like a TIF would but it would apply to residential; Haire replied it could be an option we can discuss with the developer for their portion of the cost as well. Bennett asked if there was any estimate on cost for these condominium units; Moore replied the developer is present to join the discussion to answer those types of questions. Lynch asked about building standards what standards does this fall under and do we have any say-so as far as the overall appearance of these units; I love this development, the paths, the tree planting is great and the houses look good; my concern is the materials and finishes that are being used; are we creating Hollywood fronts and then vinyl around the side and we also had the sides are bear with no windows in them and on the back there are no eaves or overhangs on the house; so what kind of leeway do we have as far as an appearance standard; Moore said if you look at page three of the staff report it includes all of the conditions that were part of that Ordinance 52-01 and there is a condition in there for exterior building standards the condition reads, the attached condominiums, detached condominiums, apartments shall each incorporate a common element of style, color and materials so they are architectural compatible and complementary; the exact style, color and material for each area and use shall be submitted for the village approval along with final site plans and final engineering drawings; so the only requirements we have is that they match, everything else is up for final village approval as per the ordinance. Lynch said so as long as it matches it doesn't matter what material they use but we still can't approve or disapprove specific materials; Moore said it would be however council

wants to interpret the conditions they set forth in the ordinance; Lynch said I would like to see that it meets the latest building standards, we are trying to improve the quality of houses we build here in town so that we don't have places that are garage forward or houses that are all wrapped in plastic or vinyl and walls that are completely blank, I think we have worked to get away from that so I want to make sure that doesn't happen here. Moore said the development text doesn't require any of that, it would be up to the applicant to want to do that, so to speak; the exterior standards have to be compatible with the whole community; Lynch said absolutely, yes. Moore said it is up to city council to determine if this project is compatible with the apartments which are already constructed because that is the one that set the standard. Lynch said so compatible with the apartments not just compatible within its own; Moore said correct, compatible with everything that has been built in that entire PRD, so the apartments set the standard for the quality and they have to see that what is being built is meeting that standard; Lynch said okay, I'd like to see how we can improve that standard a bit and step it up a little higher. Clark said I don't think that's...we have already done that for approval of new plots but this was already approved and so we are going under the 2001 ordinance and what the building standards were, we are kind of hamstrung a little bit with any teeth to force them to increase any building standards, right; Moore replied it would be a discussion you would have to have with the developer, and again council is approving the final development plan; Lynch said so we do have some leeway as far as asking for certain things. Clark said so we approve of this tonight; Moore said tonight is the first reading and there are three total readings; Clark said okay; Moore said tonight is the introduction where I tell you guys of the nuts and bolts and the applicant is here virtually to comment on any questions you have that I can't answer, like architectural items, what was submitted in the development text is the bare minimum things that are required, anything else that you are looking for would be above and beyond and they needed to get P & Z recommendation so these are questions you can ask them directly. Lynch said as council one of the greatest things we can do for this community is steer how things get built here; I have no problem with this development, it is well laid out, we need the homes, I am curious to hear the price point, the plantings around it are well done and well thought out but let's make sure whatever we build and the quality of the exterior product is there I think we owe that to the community. Bennett said I think it would be good to let the developer answer some of our questions at this point. Milliken asked about Greengate Road that will go out to Diley and connect with an existing intersection is that right; Moore replied yes.

John Bills from DDC Management began speaking virtually. He is with the applicant for this project and ultimately the developer for it; thank you for the discussion here tonight and the opportunity to work with staff for almost a year and planning out this development and get it restarted. It is our first development in the city and happy to get up and running and move the project forward. I got derailed a bit with the pandemic but sales have remained strong and we are optimistic and believe this will be a successful project for everyone involved. I will hit on a couple of the questions and things I heard. As it relates to the traffic there was a good bit of discussion on that and we are obligated to do the main improvement of the turn lane as you come into the site and that is 100% on us and that will be done with our first phase. We plan to build the boulevard in the first phase of construction and we anticipate starting that in 2021 and I know the remainder of it doesn't have to be finished until 2025 but we plan to build out our portion of the boulevard in 2021. There was talk about the landscape and we are happy with the plan that has evolved out of it, we think it will bring a lot to the community and are excited from that standpoint. We are not a builder, we develop and then sell the land or sell the lots in this case the home pads to the builder, Ryan Homes is who we are partnering with on this project and those were

their elevations that were shown. We worked with them to find elevations that we think meet the standard that are similar in nature in material and in style, you have multiple materials on the front, it is like a craftsman style where you can get like three different facades to help break up that front which is similar if you look at the Redwoods apartments that are over there and that is what we need to be similar to in nature and we believe we meet that in color and style to that same kind of craftsman style or cottage style fronts which we are mimicking in our subdivision. The questions from a price standpoint we anticipate that Ryan Homes will be in the mid to upper \$200s. We do see this as first time home buyer community and there is no age targeting with it and it will be open to everybody but basically meant for families and there are different age groups that do not want to take care of maintenance and take care of large yards and this is a good alternative in a condominium where it still has that upkeep in the community with a company taking care of it with the HOA or the condominium association taking care of the exterior. The six elevations shown, we are not saying those are the only six, there are three different homes types in there and of those the square footages range from 2200 down to 1680 with the average around 1900. I will be glad to answer any other questions from council. Clark asked if there will be basements; Bill said yes there will with options for finishing, not sure about half, but definitely full basements. Lynch asked about the finishes and you mentioned you are following the style of the apartments that are already built based on building standards and everything, but what are finishes that will be used on this product; Bills said can you clarify that a bit about finishes; Lynch said what type of materials are you using, vinyl siding, aluminum siding, concrete fiberboard, what are you looking to use on these; Bills replied vinyl siding is part of it and there are different materials on the front and a component of vinyl siding similar to what is on the apartments. Lynch said so, somewhat of a Hollywood front then, good finish on front and lesser on the sides and back; Bills said I am not familiar with that term but there would be vinyl on the sides and the rear similar to that of the apartments; Lynch said okay thank you. Bennett asked Haire on the sides of the apartments are those 100% wrapped in vinyl or are there other architectural elements that break those up; Haire replied it depends on which section of the apartments you are talking about, the first two phases that are south of Greengate Blvd. are different from the second two phases I guess, so, the majority of those units are all vinyl, they are vinyl shakes, vinyl siding, some of the unit have porches or covered porches so that changes up the architectural elements on some of those units that are facing outward from the development, but all of the material is vinyl. Lynch said the stormwater catch basin that is not currently existing, right; Bills said no it is not, it would be part of the development; Lynch said is that going to be continually filled with water or is that a catch area; Bills said it will be a wet basin; Lynch said okay, wet basin, thank you; are there going to be any fountains or anything in that; Bills said yes, we haven't gotten to that level, but we put fountains in all of them to keep them aerated and it is less about appearance and more about maintenance of the pond, occasionally we put a bubbler in, but 99% of the time we put a fountain in; Lynch said I notice there are storm easements all the way around the basin and I know there is a path that comes from the west side and wraps around the south side of the basin, but is there a plan to bring a path all the way around this pond or could there be; Bills said our preference would be to keep it as drawn, bringing it between the pond and the houses just from a distance standpoint and proximity to them, the condo association their living space and we don't have an option when you get closer on the cul-de-sac, and bring it up to the road, but we wanted to give a place to walk and enjoy that pond, but not so close to those homes and leave them as much sense of a rear of yard and space as possible; we try to limit where it is in perceived back yards because homeowners don't like the idea of somebody walking back there and looking into their home and we try to limit that in our design; Lynch said okay fair enough; the asphalt path that runs to the north of the property that goes towards that park is there going to be screening then along that

path so those people achieve privacy in those units; Bills said I don't have the landscape plan pulled up in front of me, but I don't think there is a similar plan there like on the other side, so no I don't think there is any screening currently planned along that path; Lynch asked do those paths stop at the property line or will they connect to the paths in the park; Bills replied they stop at our property line. Amos said Mr. Moore I believe you said the intention is to eventually connect to the park, correct; Moore said yes, Violet Township maintains and does all of the improvements to the park and as part of the land use review with Violet Township and with this plan part of that discussion was to have these paths terminate at the property line and in the future the township can connect them to the development. Lynch asked do the utilities come from Violet or Canal; Moore said Canal Winchester, sanitary already exists on site, water was constructed underneath the right-of-way of future Greengate Blvd. and they can tie into that, the storm water is handled by their site run off and the other tributaries that drain into this site and handled by the basin and just south of the basin is the ditch that runs between Diley Ridge hospital and goes down to 33 and the pond will outlet into that ditch for stormwater control.

Motion to move ORD 20-033 to full council made by Bennett; seconded by Coolman

Motion carried by the following vote:

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

ORD 20-034

Public Service

An Ordinance to Repeal Section 333.03.1 of the Codified Ordinances of the City of Canal Winchester ([Ordinance, Exhibit A](#))

- Request to move to full Council

Peoples said as I detailed in my report we have been looking at the transition of 35 to 25 mile per hour out on West Waterloo street and as Mr. Sims reported we have a bike path that is in there now that comes out in that section and we have added two crosswalks in that area and there has been a lot of discussion in the last year about moving that 25 mph out to Cemetery Road. As we were going through this we found an ordinance from 2004 that sets the speed limit out there and after the ordinance was set we put into the codified ordinances the ability for me as Director of Public Service to set speed limits throughout the village, the city, and this would be a duplicate ordinance that we would like to repeal, the code section 333.03.1. Coolman said so it will be 25 mph all the way out to Gender Road; Amos said Cemetery; Peoples said we are looking at it to be at Cemetery, we have not finalized that but the items that I listed are going into that evaluation so if we are moving forward with it, this existing code section would be an obstacle to that; Coolman said okay. Lynch said Cemetery Road is west of the Sunoco station, is that correct; Peoples replied that is correct; Lynch said I have had people request to be able to drive to Sunoco in their golf carts to get gas as opposed to going all the way around the block; Coolman said we have heard that at earlier council meetings this year where someone said I could not even fuel up my golf cart; Lynch said instead of going 100 yards up the road you have to drive two miles around to get to it, so this makes a lot of sense, thanks for looking into this Mr. Peoples; Peoples said thanks, I want to stress that this is not being done just for the golf carts, when we look at speed limits we look at the configuration of the roadway and this being an open section with three lanes there with a center turn lane by itself would not constitute a change in the speed limit but when you add in two crosswalks and the bike path we just put in, it puts some markers in that allows us to further justify moving that speed limit. Amos said the seniors from the condominiums there have said they walk a lot and cross there and they have asked for it to be reduced as well so I know they will be excited if we go through with it;

Bennett said keep in mind we are just eliminating the standard that prevents Mr. Peoples from changing the speed limit; Amos said we want to give him the power back; Coolman said it doesn't change it but it opens the door to change it; Peoples said it is an encouraging sign that we want to repeal this but it's not a done deal yet; Coolman said I think it is a positive move; Clark said I think with that intersection now and Bigerton Bend opened up you are getting more traffic now coming down and you don't have a square there or a tee in the road with Chesterville Drive it's kind of weird there and you get cars turning, and it's my neighborhood and I have noticed more and more traffic of cars kind of missing each other while turning in and out of between Chesterville and Bigerton there and I know that is 35 mph right there as well. Coolman asked isn't the rest of West Waterloo 25 mph as you come from the overpass up by Pfeifer and all the way down; Peoples said yes, currently it is 25 from East Waterloo at the county line at the city limits all the way to Bigerton Bend, and a little bit of background about this code section, the 25 mph transition was right at West Street when we redid the roadway and widened it out it was sent all the way out to Bigerton Bend. Coolman said I would like to opportunity to make that all 25, because I am with Mr. Clark I have been up there and trying to go to the car wash and you can drive down there in that area from Cherry Bend going up to the woods gas station is kind of like a launching area for some people who are observing the speed limit so they accelerate to get to Walmart a little bit quicker or out to Gender Road quicker so I would like to see that all controlled as 25 mph all the way out there; I know we are not passing a speed limit change yet, but I am dropping a hint; Amos said we are just encouraging. Peoples said the ordinance that was passed after this one that provides me the authority to do so it is administrative so out of courtesy we would report anything we do under that provision in the code especially on a speed limit like this so you will be notified when that extension is made; Coolman said very good, thank you.

Motion to move ORD 20-034 to full council made by Lynch; seconded by Bennett

Motion carried by the following vote:

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

F. Items for Discussion

Jackson said Mr. Hendershot is now at the community center and is available to give a report. Hendershot said good afternoon council and thank you for having me today. You should have in your report the stats for May so we'll just go over those a little bit. Dispatch calls we had 480 calls, 391 multiple unit calls, 92 reports, 255 traffic stops, 110 of those were citations and 131 being warnings, 15 warrant arrests, 20 summonses issued, 35 misdemeanors filed, total busy downtime was 70.8%. One thing you will notice in May is the number of pickup runs we had 1510, this has increased quite a bit and it has to do with our new logs that were put out by the third shift sergeant; his third shifters were not getting a lot of stats, pickup runs were not counted for anything so the lieutenant didn't want to start a whole new spreadsheet for the entire year so we started implementing this process; so if somebody is in the neighborhood, say like in Ashbrook for a half hour patrolling that area and that is logged on the report and it is added as a pickup run until next year when they redo the entire spreadsheet; so there are about 600 more pickup runs so it doesn't mean they are doing anything different. At Mayor's Court we had two different days down here and that seems to be going really well with Amanda helping out and the rest of the crew so we'll continue doing that. I just found out that Deputy Manier on the second shift, he is in the Marines and he needs back surgery immediately so he will be off the next six months; that is all I have. Amos asked while Deputy Manier is off will we have somebody who is coming in to cover;

Hendershot said yes, I will be working on that tomorrow and working with Lt. Churchill this week to see what we need to do; Amos said do we just borrow from somebody; Hendershot said that is what we are going to try to do, but I think they already started the motions to get somebody else on the road but in the meantime we will mandate people and have other people fill in; Amos said okay, I just know they have said when we train somebody it takes such a long time to get somebody new and I didn't know if there is a pool you are able to borrow from, so to speak; Hendershot said not currently, but we have one in training now and one just found out they are coming out; Amos said okay, we will wait to hear your news and send Deputy Manier our best; Hendershot said I will. Lynch said I hope things go well for the deputy having surgery; give him our best. You did a great job on the protests last week, thank you for getting the additional officers, glad to see it was a peaceful protest and you guys did a great job working with the crowd and being present and thank you for that. My next question I see on the report it is the second month in a row that we see a 70% busy time, I know in the Mayor's report it said he was working with Chief Lape as far as looking into additional help, I hope we can get that for you, I hope that is going well, too, so we can bring the busy number down a little bit and give you guys a little bit of relief; Hendershot said we appreciate it and you know the Mayor and the Chief had a meeting, I don't know much about the meeting, it was a long meeting and a lot of good came out of it and I made my recommendations to the Mayor so we'll see what happens in the future. As far as the protests go, we had four protests in a week and every one of them went well and the deputies did a good job; Lynch said yes, thank you for all of your help with that.

G. Old/New Business

H. Adjournment

***Motion to adjourn made by Bennett; seconded by Lynch
Motion carried by the following vote:***

***Yes 7 – Bennett, Lynch, Amos, Clark, Coolman, Milliken, Walker
Adjourned at 6:50 p.m.***

Canal Winchester

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



Meeting Minutes - Draft

June 15, 2020

7:00 PM

City Council

Mike Walker - President

Mike Coolman - Vice President

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

A. Call To Order at 8:02 p.m.

Walker asked for a moment of silence and/or prayer for unity with our community, churches, our state, our country and peace on earth and good will to all people and the healing of our land; please join me and stand for a moment of silence.

B. Pledge of Allegiance - Coolman**C. Roll Call**

Present 7 – Amos, Bennett, Clark, Coolman, Lynch, Milliken, Walker

D. Approval of Minutes**[20-120](#)**

Minutes from Work Session 6-1-20 (**[Minutes](#)**)

[20-121](#)

Minutes from Full Council 6-1-20 (**[Minutes](#)**)

Motion to approve minutes from 6-1-20 work session and council meetings made by Lynch; seconded by Coolman

Motion carried by the following vote:

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

E. Communications & Petitions**[20-122](#)**

Madison Township Police Department May 2020 Statistics (**[Report](#)**)

[20-123](#)

Madison Township Fire Department May 2020 Statistics (**[Report](#)**)

[20-124](#)

Letter from Sachs Regarding Waste Management (**[Letter](#)**)

[20-125](#)

Email from Frost Regarding Waste Management (**[Email](#)**)

F. Public Comments - Five Minute Limit Per Person**G. RESOLUTIONS****[RES 20-005](#)**

Finance

Sponsor: Bennett

A Resolution Affirming that Funds Distributed Under Amended Substitute House Bill 481 by the State of Ohio to the City of Canal Winchester Shall be Expended by the City Only for Costs Permitted Under the Federal Coronavirus Aid, Relief, and Economic Security Act (**[Resolution](#)**)

- Adoption

Motion to adopt RES 20-005 made by Bennett; seconded by Lynch
Motion carried by the following vote:

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

H. ORDINANCES***Tabled******Third Reading******Second Reading*****ORD 20-029**

Finance

Sponsor: Clark

An Ordinance Approving and Adopting the 2021 Tax Budget ([Ordinance, Exhibit A](#))*- Second Reading Only****Clark stated second reading only.******First Reading*****ORD 20-031**

Development

Sponsor: Lynch

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 2 ([Ordinance, Exhibit A, Exhibit B, Exhibit C](#))*- First Reading Only****Lynch stated first reading only.*****ORD 20-032**

Development

Sponsor: Amos

An Ordinance Authorizing the Mayor and Clerk to Accept and Execute the Plat for Villages at Westchester, Section 9 Part 1 ([Ordinance, Exhibit A, Exhibit B, Exhibit C](#))*- First Reading Only****Amos stated first reading only.*****ORD 20-033**

Development

Sponsor: Bennett

An Ordinance Approving the Final Development Plan for the Greengate Residential Development ([Ordinance, Exhibit A Greengate Application Only, Exhibit B](#))*First Reading Only****Bennett stated first reading only.*****ORD 20-034**

Public Service

Sponsor: Lynch

An Ordinance to Repeal Section 333.03.1 of the Codified Ordinances of the City of Canal Winchester ([Ordinance, Exhibit A](#))*- First Reading Only****Lynch stated first reading only.*****I. Reports***Mayor's Report***20-126**Report ([Report](#))

Mayor said he didn't have anything in addition to his written report. Sgt. Hendershot gave his report earlier and had to leave. Lynch asked if there are any updates with Chief Lape; Mayor said we have only had one meeting with each of them regarding the deputy issues for next year and the deputies we need for next year; we have three different scenarios to work with and what shifts it might be, we are still working through that, we think third shift is okay that is where least activity is, looking at first and second shifts or even a mid-shift and deputies coming in for a mid-shift; we are working on it; we talked to Chief Lape last week and he is aware of what we want to do, they are in a hiring freeze, but Canal Winchester is not in a hiring freeze, we can hire when and where we want. Lynch asked about the contract we have left with Fairfield County; Jackson said the contract expires December 31, 2021. Lynch said are we looking a short term or long-term contract with Fairfield if we continue our contract with them; Mayor said if we get deputies for 2021 it will be good for the end of the contract and then we'll figure it out from that point what we are going to need; if we are going to retain the Fairfield County Sheriff's department, I don't know, that is up to you guys; Lynch said okay fair enough, thank you. Coolman asked how does the Madison Township police calculate into that, you know last year a big attention was given to Madison Township and how we need to get the contracts in between us and them to get them to patrol on a primary basis versus a phone call back-up basis, do they calculate into that equation at all; Mayor said they do patrol the city occasionally, they were here for protests at our request, they were patrolling quite often, but maybe tailed off a little bit with them, why I don't know, does that answer your question; Coolman said not really; are they counted on as a partner, do they calculate into the number of police officers we have covering our streets or do we not include them; Mayor said no, we do not include them because we don't know when they are going to be here and when they are not; Coolman said okay. Clark asked if the letter has been signed by the township trustees yet, is there any news on that front about the memorandum of understanding and cooperation; Hollins replied I have not seen a draft yet from the prosecutor's office, I did get a call from one of the head civil prosecutors trying to pick up the ball; you may have seen there was email traffic from the trustees and the prosecutor's office everybody was waiting on the draft from the prosecutor's office; that by the way is just so those deputies could write tickets into our mayor's court but not actually holding them up from actually patrolling over here; Clark said and there is nothing in that agreement that is going to make them increase their patrol or anything like that; Hollins said no, it's just the ease and convenience to be able to do it in our mayor's court rather than in municipal court, that is what that is about. Walker said Mayor, I did have an opportunity to talk to Sheriff Lape for just a moment, maybe we already know this, he mentioned to me that the MARCS system would not work for everybody to communicate with no problem, and that was originally one of the hang-ups and then there was another meeting and now it sounds like there is no hang-up at all with the MARCS system radio system that they are currently on; Mayor replied that is correct; Walker said good, I understood that correctly then.

Fairfield County Sheriff

[20-127](#)

May 2020 Statistics ([Report](#))

Law Director

Hollins said we expanded our law department, a member of our law department, Thad who has been down here from time to time, had a baby another girl so now he has twin girls and another girl so basically there is competition right now going on with him and Mrs. Jackson (laughter); other than that nothing to report; it is very good to be back and see everybody and we are still waiting to see if they lift the ten person limitation, we'll let you know if we hear anything, perhaps in July, but we'll see. Coolman

said good to see you and good to be seen. Walker said we extend our congratulations to him as well.

Finance Director

20-128

Finance ([Report](#))

20-129

May 2020 Bank Financial Statement ([Report](#))

Jackson said related to our sheriff's department discussion, as Sgt. Hendershot said we started court back up, we have had Mayor's court the last two Thursdays, we have been doing that at the community center to help us achieve social distancing, we have kind of re-worked things and made it more of a drive-thru type court if you will and things seems to be going very well. We will continue to have weekly court up through the beginning of July trying to get us caught up from the court dates we missed during the shut-down; all in all going very well there. I did want to let you know that late last week I did received an email from the Ohio Association of Chiefs of Police regarding their study, the new way they are trying to propose to do these types of studies in regards to staffing police departments and it sounds like they are not going to have anything ready until the fall so I just wanted to keep you apprised of that and let you know I am still in contact with her but it is going to be a while longer before they are even ready to come to us to see what it is exactly that we want them to do. Coolman asked is that the earliest they expect to be ready or is that the latest; Jackson replied she just said fall.

Public Service Director

20-130

Public Services ([Report](#))

Peoples said I sent council an email on Friday with a timeline of the RFP process for the trash and recycling collection contract; I didn't get many comments from that and it was really just for notification. The biggest thing I wanted to point out is that we will only have two readings before council, the second reading it will have to pass as an emergency just from a timing standpoint to give bidders enough time and if we stay with Waste Management we would be able to go with three readings so that is one caveat there, but if we go with a new contractor given them roughly forty-five days some of them I talked to would prefer sixty just with all of the carts they would have to get so we definitely want to be sure we are giving them enough time to do so and from the last meeting we are very fortunate with Waste Management to extend that contract or we would have barely had one reading to go through. For the Westchester Park we were notified by the EPA we did get the \$50,000 funding for that so is basically a principal forgiveness on a loan, we are not sure if we are doing a loan or paying cash, if it is cash it will be a reimbursable grant, so that was good news to hear. That does put us on a much quicker timeline, out for bids in July and have an August bid opening as per normal on our bid contracts like that we would request an emergency ordinance to authorize that because we have to be done by the end of the year, there is a long lead time on ordering a generator, so we'll be doing what we can to get that moving and get the bid out. Jackson said did you say Westchester Park; Peoples said I may have; but this is for the generator project; Jackson said the treatment plant generator. Amos said I openly admit Mr. People I was questioning where the generator was going and I how missed that whole conversation about the park; Coolman said doesn't everybody know it's back in Westchester Park (laughter); Peoples said there is electric being put in so maybe that is what I was thinking, again, my apologies; Coolman said it's all good, thank you.

Development Director

Haire said Northpoint is back to working on closing on the property again so hopefully that will come to completion in early July and I communicated with them last week and again today; they have a lender back on board for that project and are moving forward. For McGill Park we received the final environmental clearance we need for that, came today from ODNR and working on getting a final agreement in place for the trail connector project. A private construction project to note on Panda Express and they are going to break ground later this week and that is for their new restaurant located on Winchester Blvd. just behind Walgreens.

Community Affairs[20-140](#)Report June 1 ([Report](#))[20-141](#)Report June 15 ([Report](#))**J. Council Reports**

Conversation with Council Town Hall Meeting on Tuesday, June 23, 2020 at 7:00 p.m.

Jackson said given the success with the setup this evening that we could do the same thing for next week's town hall meeting so if everyone is in agreeance with that; Walker and Coolman replied yes.

Public Hearing Regarding Appeal of Zoning Variance on Monday, June 29, 2020 at 6:00 p.m.

Committee of the Whole Meeting on Monday, June 29, 2020 at 6:30 p.m.

CW Human Services - Milliken

Milliken said right now they are experiencing a lot of downtime, doing a lot of cleaning and organizing and not a whole lot going on with no events due to the shutdown, hoping to schedule a trip with seniors in July, starting to see a bump in the transportation program now that some doctors are opening back up as well. The community garden is up and going and everybody is excited about that and they had teachers from eighth grade STEM project come out as well and did some planting for the kids.

CWICC - Clark and Coolman

Clark said the next meeting is July 29 at 11:30 am at the Interurban building. For an update on the McDorman building plans, we met on June 4th and June 10th so some of the items being discussed are the floor plan layout was a bit topic in moving some things around and trying to maximize the space, shrinking some electrical areas and storage places freed up some space, discussed some materials to use such as glass now that we are in COVID and the type of glass to be put in; we discussed the hearing and cooling and trying to find space inside and the guy had laid out five spots and this is going to take up a big footprint in the back yard we would lose a lot of parking spots in the back of the building which would be the best spots to pull in and pay a ticket, so we are looking at possibly putting some of this inside so we can free up those spots. Security features are being discussed like cameras and panic buttons. The door entrance was a big topic and the features of the door entrance and how big it is going to be, a double door and built out and it was quite large and they brought that back in and could be cheaper as well. The next meeting is June 19th. Coolman said Mr. Clark you are doing a great job.

CWJRD - Amos and Bennett

Bennett said the joint rec has opened up softball and baseball registrations with no fee to gauge interest for major and minors combined which is 3rd, 4th, 5th and 6th; we have 38 baseball registrations and we are hoping for 72 but we are falling way shy of that for baseball; softball is at 37; so now we are trying to go back and project costs based on the number of registrations for baseball and softball; we are thinking about \$85 per player based on a shorter season, usually those registrations are about \$110 so might only end up playing eight games weather cooperating. Games will be played on Saturday and Sunday and weekdays used for practices and skill development. Skill assessment this Saturday at Hanners for baseball and on the 23rd for softball; games would start the weekend of July 11th so they would play Saturday and Sunday and hopefully have four teams so they could rotate who they are playing. Also, potentially discussing merging minors and majors depending on number of registrations so we may pair the 3rd and 4th graders with the 5th and 6th graders so a lot of communication to come out. Also, looking at trying to split registration fees for parents so that it is not one lump sum and spread the burden of the fees out. Had a great conversation with Mr. Peoples and Mayor Ebert and so this pandemic has really affected the joint rec, extremely adversely, so much to the point that cash on hand we cannot meet our budget projections for the end of the year, so now we are trying to figure out, if things the trend continue the joint rec is in trouble, and the conversation with Matt and the Mayor was to find ways to help, opportunities to help, maybe waiving the port-a-john costs at Hanners, small expense, but major when you are working a program based on \$85 registration fees and only 70 kids; the expense to us is a few hundred bucks and appreciate the city potentially picking up that cost. Tonight, there is a school board meeting and had a meeting with the Treasurer Nick Roberts and the schools are discussing becoming the fiscal agent for the joint rec and what that looks like for the joint rec and a cost savings perspective potentially \$35,000 in expenses for the year and our usage agreement with the schools is up and they will extend our agreement one year and potentially waiving all fees associated with our agreement and we usually pay a \$5.00 per registration fee and helping to rebuild the joint rec coffers and get back on a solid footing and for one year no expenses with the school and use the facilities. That is the state of the joint rec world right now. Coolman said the CWJRD is in trouble financially right now, are neighboring communities in trouble as well, is there such an idea as partnering with them and having a rotating field option like if Pickerington and Groveport or Grove City joined in and rotate venues. Amos said Pickerington's program is merged with their city; Bennett said their city is the parks and rec provider; Amos said so it is run by the city, same with Grove City, Obetz, and a good chunk of them are that way; Coolman asked if their enrollments are down, my point being if they don't have enough kids to put together a team like you are talking about; Bennett said we have explored the communities around us that are not proceeding with baseball and softball and our softball commissioner is actively engaged in conversation with those folks, like Teas Valley, they are not having a softball program this year, come play with the rec and we'll have so many games, our border because we don't have a levy and we don't enforce a strict boundary so we serve the surrounding communities and so by extension those kids could come play here. You are looking at 37 registrants for softball with those inclusive areas are reaching out to recruit other communities to come and play under our banner. Amos said before we closed our pool we had people knocking on our door to come over and we could have taken them and we are reaching out to a lot of different cities but and I have talked to Pickerington in the past couple of weeks and they in the same boat but not in the same financial pinch that we are; Coolman said I understand that; I am saying there are a lot of kids in the community and the neighborhoods that are struggling with how I can get my athletics in this year, and I hate to see you combine the grades with developmental and size differences, you got to find a real way to make them

blend because a lot of times they won't; Bennett said that has been a big topic of conversation for those commissioner to figure out if that is what they want to do; Coolman said there a bunch of kids out there that don't have anywhere to go and we have leagues out there like PYA or Groveport and they don't have anywhere to go with their kids either so you'd think we would have enough; Bennett said you are saying parents are being very hesitant to register even at no cost that was all of the interest we were able to gage, so we are going to try again and we have more communications coming out this week after we have established the price and we are hoping that will engage the people who have not registered just yet because they were waiting to see what the price is and we said there was no obligation, but people may have felt obligated anyway, so we are going back with a firm price and see again what interest looks like but even with those two sports and trying to do a condensed season they are in jeopardy, we may not be able to pull it off if we can't get more than forty kids for baseball; Coolman said I understand that and that's the same for our festivals this year. Amos said we are very thankful for the city and the school and that they are willing to step up and Will has had a lot of meetings with them and both have been very receptive to helping us. Bennett said the city has agreed to waive some of the fees that are associated with our usage agreement and we usually do the herbicide and weed and grass feeding and prevention at Hanners and they city has been more than willing to help cover that for this year, it comes to about \$1,000 to \$2,000 annually and again, it is a significant expense for that program. Clark said you mentioned the toilets and the fee, are you proposing that we waive, the city already waived that; Bennett said the city and the Mayor and Matt already agreed and we generally pay for two months at Hanners and it's about \$150 but I don't know how port-a-johns are serviced under this conditions so I am not sure of the cost associated with that would be but the city has agreed to help out with that. Again, we are trying to figure out how we continue and try to move forward. Coolman said so, the utility usage fees are all being hopefully covered by the school to help you recover, so what is your biggest expense left; Bennett replied it is staffing; Amos said we have a full time admin that helps facilitate the uniforms; Bennett said currently that role, Chasity Ebert used to serve in that role, now Misty Swearingen is doing it, and she has been reduced to half time so we have cut her salary in half, the fiscal officer has cut his salary in half and once we get through the audit he said he will cut in half again down to a quarter of what he would normally bill but as we ramp back up we will need to have them work more and again pay them to work so it is a catch 22, so we need to bring them back to help relaunch and reengage everything again; fall soccer may be the first real season that we get back. Coolman said so you pay Misty; Bennett said and the fiscal officer; Clark said but that will go away if you; Bennett said in three months, so by contract we owe him a three month notice if we are going to terminate his agreement; this has escalated quickly with the schools which would really help us and I have not had a good conversation with our fiscal officer. Bennett said the virtual board meeting is Thursday at 7:00 p.m. find us on Google. Walker asked if anything else, Mrs. Amos; Amos said no, he gave all of our bad news all at once; Bennett said but some positive news if the schools step in and that will be a big win because there are potentially a lot of protocol changes that would be established with us rolling in with there and more to come on what that will look like long term but I think it is really positive news, but don't want to put the cart before the horse and they are meeting tonight and may or may not vote on it this evening but hoping to get started by July 1 as joint rec's fiscal officer.

Destination: Canal Winchester - Walker

Walker said I made it to the farmer's market this weekend and it was absolutely laid out fantastic and hats off to Karen Stiles and the committee; Mr. Flowers gave me a tour where the trains set up is and it is fantastic what is happening with that and they have taken out hundreds of pounds of track and moved in

to make it more authentic and what it looks like all the way from Canal to Logan on through Lancaster and Nelsonville started with Parsons and all included and I had goose bumps just listening to Mr. Flowers take me on that tour and it felt like I was on the train and it is really neat. His hope is to have the train running and sounds it makes and it feels like it is coming from here to there and to add to that next week if enough people they will keep the train depot open and have the school open if enough staff to have enough both open; Coolman said it depends on the staff and who is able to work it, for now the train track is operating, plan is alternate buildings, wants to make public spectacle of it, it is really cool. Walker said July 28th is the next board meeting and the time will be 6:30 p.m. and place is not determined yet.

K. Old/New Business

Coolman said I have one item, I want to ask council's input, we have the town hall meeting coming up on the 23rd of June and as you heard Ms. Jackson say we are going to facilitate it this way, so we'll be here and the public will be in the community center with a few people to operate the mechanicals; so with the time delay we have between each location I would like to suggest as an ease for those wanting to speak they can submit their name and what their question is so we don't miss them because watching the stream sometimes it connects and sometimes it doesn't and a time delay; Amos said you mean the Mayor is not still standing there, I see him blinking (the Mayor waves); oh, he is still there. Coolman said so, I am just thinking so we can have order and nobody gets missed; I don't want to have a community meeting and somebody walk out of there and say, wow, and if we have the time deadline and we run out of time, and I think since we are not there with them we should at least have an agenda saying these people and we can get everybody up here to speak. Walker asked so when do you suggest that be in by; Coolman replied that is what everybody thinks, what is an adequate amount of time, the meeting is on Tuesday the 23rd; Clark said so what are you saying one of us need to be over there to sign people up or what; Coolman said we need ideas so we don't miss anything; Lynch said we'll have someone over there facilitating the people who want to speak, so have them text to whoever is running the meeting here as to who is up next and all they have to do is ask does anyone else want to speak, the raise their hand and then text over here and we'll say up next is so and so. Bennett said public records for the texts, all those communications are public records. Amos said Ms. Jackson is this something where, I see the train they are on, can the person over there IM to here and say next to speak is Ms. Jackson and we call you up and she wants to talk about the McDorman building so we could call them up to speak; Lynch said yes, just announce the names; Amos said is there an IM or an email that can go between here and there; Bennett said can we go old school and have them sign in on a sheet of paper and bring the sheet of paper down and people who come late ask for anyone we haven't spoken with; Clark said if there is time; Coolman said we have a time limit and if you are going into it blind and how many we have in the room at this time; Bennett said have we set a time limit; Coolman said the last town hall meeting we had people come in late that jumped up to the podium, I don't want to see anybody not have the opportunity to speak; Bennett said we had a lot of people who just wanted to listen, I don't know what is best there, I don't know if we want a member of city council down there; Amos said Mayor are you waiting to tell us something; Bennett said I don't know if it's fair to ask the city staff to facilitate; Coolman said that is correct; Bennett said Audra you are not here; the Clerk said I will be here on the 23rd; Amos said so, could we have Audra down there and she could email whoever is in charge; the Clerk said I could call Mr. Coolman and give him the names to speak; Hollins said we could get an email to Walker and the biggest thing is if somebody asks for a record we have to produce it and the easiest way to do is an email, verbal would interrupt the flow; Walker said Mr. Coolman will be facilitating that; Hollins said can you monitor your email while we are doing this; Amos said if a person is planning to speak or ask a question we have

them all sign in like they did last time, Audra can email the whole list over at one time and you have them in order then if time allows we can have Audra open the floor up and are there any last questions we have five minutes left, but I think they sign up when they get there and Audra can email the list and that would be super easy and; Hollins said that makes sense to me and it gives you a list of folks and a list of subjects; Coolman said I can watch the list as I moderate the meeting; Hollins said and it makes me comfortable because we are emailing something which is a public record we can produce if anybody asks; Milliken asked if it is too difficult to put something on the city website as a quick form submittal, I am not a website guy and I don't know how long that takes but could you put something up like name, address, question; Walker said another idea; Hollins said both on this June 23rd and even future regular meetings you can still submit written comments that can be included with our packet and get distributed as a public comment; Walker asked Mayor Ebert are you wanting to add something; Mayor said something I should have brought up in my report, but the July music in the park is a go unless something drastic happens with COVID between now and then; we have contacted the band and they are ok to play and will maintain distance between each other; the third Friday in July with the band, will have the car show and get people out and help restaurants downtown. Walker said so are we still deciding; the Clerk asked about Coolman's comment about putting something on your notice for your meeting about submitting public comments through the city website and or can submit comments by a deadline to be brought up a town hall; Coolman said no; Milliken said yes, just through the city website because there is already a form there; Amos said they will sign up with Audra while there; Walker said is there a cut off time for the list; Coolman said if they come in late they can still sign up, not need a cut off time, can still come in and ask a questions; Walker said 7-9 and be there ahead to sign up; Bennett do we want to limit the amount of time per topic; how long to ask and answer; Amos said at the last meeting someone came forward and said my questions was already asked and answered; Clark said that is where Audra needs to communicate if people keep coming in and want to speak; the Clerk clarified to have people sign in and ask their name and topic and then as people trickle in I will get their information and send it to you, anybody else who comes in I will get those people; Bennett asked is there a limit as to how many people can be at the community center, are we limited Ms. Jackson; Jackson said I have no idea; Bennett said this is not a special hearing meeting; Hollins said as long as you are social distancing you are ok and we can accommodate a number of people; Bennett said do we need volunteers to help set up since it is our council event; Mayor said we can handle it okay; Walker said 7:00 o'clock is the start time and people need to be signed up and ready to go; Bennett said it is not a one and down email, a list can keep coming. Milliken said when I attended the previous town hall there was a little bit lack of order and when someone spoke there was back and forth discussion but we can have a problem with the technology setup and someone would speak up who didn't have the floor would engage in discussion and it can get confusing and disruptive; Coolman said I will address that at the beginning of the meeting, you must be at the microphone to be able to hear you, no side bar conversations; need to know the protocol so everybody can be heard.

Amos said I have one more old new, so last week we go the invitation for the peaceful protest that started at the high school and Will and I went down there and we had the chance to talk to Emanuel and I just want to publicly say what an incredible kid, he was well spoken, he was so cordial, he was very appreciative of the conversation he had with the Mayor; Mr. Peoples, Sgt. Hendershot, the sheriffs that rode the whole bike route, we walked with them which was incredible, I got to talk to some of the parents and residents and to hear some of the things they had to say and it is hard to put yourself in their shoes; it was great conversation and I am so proud of that kiddo and I hope he comes to address us when

we have open doors again because I think you would all fall in love with him and I hope he plans to have more conversation with the Mayor and I welcomed him with open arms; just wanted to thank the city and sheriffs for their part; Clark said who sent the email to join; Amos said Amanda Lemke, it came in right before hand and I just happened to catch it and then walk down there, but Emanuel was, and I hope he comes in here, he was just a great kid and one of the things he said resonates with me because as the JRD we do not see a side of the bridge, there is no this side or that side, we are a school district, we are a city and as the JRD we are constantly pushing that we are all Indians in this community, and that is one of the things that he said there are things going on at the school that are not right and in the city that are not right and that they don't consider the other side of the bridge and ghetto Canal and he said we are not, we are part of you and it hit hard because at the JRD we are constantly saying you are all Indians, you all play for the same team and so to hear him say that as a student and a youth it made my heart aches and I hope we can bring the city together on that aspect.

Bennett said this is what has partially influenced my change and my stance on the Bender scholarship, and hearing about the divide there is in the school system, the city kids versus the other kids and the fact that we play a role in forcing that divide to me was eye opening; it is like oh, I am perpetuating that by not allowing someone else in and that is where my change of heart has come about, and it is more than that and I know it is bed tax grant money and we collect it on visitors to the city, I know it is city tax money that we collect but if I awarded someone an opportunity that doesn't live within the boundaries, it just makes you question some of the things that you kind of hold true to; when I first thought about it I felt no, this is city money, this is us, but then after hearing him speak and hearing him talk a little bit then I thought yes, I can see where I am perpetuating a divide within the school system and not helping those two communities, not by color divide, but by geographically is there a way for us to help tear down some of those divides and that is where maybe you say a change of heart from me in that email; my point to the Mayor and I wasn't trying to be obtuse or confrontational but if you think about if we had hung those banners in the town square and said only graduating Canal Winchester city residents will hang here, and I know the school paid for it and we didn't have that, but I was just saying if you thought about it that way, only the kids in the and you start to put yourself in those shoes and we didn't limit that and we celebrate all of the kids on the football team even if he lives over in the, I can't think of the name of the subdivision, and if you live over there you are still celebrated as an Indian and celebrate you on Friday night and you are big part of the community but when it comes to scholarship money, well sorry we closed that door, so that is where it is a fine line and a tough line to walk, I have no problem with anybody on either side of the issue but it is just personally where I had a change, and I wanted to share some of that rationale.

Walker called on Mayor Ebert to speak; Mayor said I still think if you want to establish another scholarship you can do that; I think the council prior to this council, Will was on that council, it would be a disservice to them to change what they thought was right and now you want to change it, so if you want to establish a new scholarship that is up to council to do. Amos said and maybe that is something we revisit, I have to just say this kid was impressive and his message was very clear, it wasn't driven with hatred but with a love of community and a love of people; you could not talk to him and go gosh, what can I do to help, little things, can I learn, can I stop and listen, there was so much to take in. Bennett said to touch on the Mayor's comment about the previous council I don't think it was even thought about as far as doing a disservice to the other student body, I don't know if it was ever a discussion point; Mayor said yes, I think it was; Jackson said I think it was Mr. Bennett; so the original scholarship and the way this was setup and the bed tax money it ran through the alumni association at the high school so essentially it was a pass through and council gave the money to the alumni association and they handed it out.

Bennett asked did the alumni association limit it to city residents; Jackson replied no the passed it on to everyone, because it was open to anyone in the school district it was not, however, open to everyone in the city, so that is the other side of the argument; Bennett said and I guess that is where my thought was, yes, there are two black and white sides to this but could eligibility be both, could I be a resident or a member of the school district and I know we pulled that money back from the alumni association because we wanted to honor Dr. Bender and we wanted to be the ones to facilitate that; Amos said I think they alumni association folded. Bennett said either way we decided, council did, that we were going to do this in Dr. Bender's honor, we were facilitating in previous councils for all Canal Winchester students to do this so in that council that eliminated it did they disrespect the previous council that allowed the kids and you can see how you can go back and forth on that. Walker said Mr. Lynch now is your chance; Lynch said I agree with Mr. Bennett we should open the scholarship to the whole school district and regarding change, everything in life is constantly changing and we as council have to look at issues and such and see how can we improve and make this better, and open it up to the whole district; his point about community there does seem to be a divide in this community and this side and that side; one of the terms I heard from this whole protest thing was the term greater Canal Winchester, I have never heard that term before but it includes a mindset of not just the city limits but our community as a whole and how can we extend ourselves to people outside but in a great Canal Winchester and try to unite this side and that side and we have to think outside of our city limits. Mayor said if you do that then what limits do you set and accept; Amos said I think you accept the school district boundary; Lynch said within the school district boundary; Jackson said so, what about the kids that don't live in the school district; Bennett said eligibility can be resident of city or school district; Mayor said within what school district; Lynch said we have kids that live outside our city boundaries but they consider themselves as being part of Canal Winchester; I grew up in Hilliard in Norwich Township in Columbus but always considered myself a part of Hilliard; we can look at our community in the same way; have to look at how we can do this. Amos said I would welcome Emanuel to us at any time and Mrs. Barnes and lots of people who helped to put that together but I think he asked for change in our society and our community. Jim Sotlar put out a letter to all of his parents and I thought it was well written and he said there are things we can change and things we need to look at and it starts with us and so that is my challenge to us and we sit here and we have the opportunity to try to make change and let's try to open minded as we look at these things and we can't do it all and can't change everything and if he shows up at our door and wants to talk he is always welcome as long as he wants to sit and talk he was just a great kid. Mayor said I never suggested, not once did I suggest that we not give scholarships outside of Canal Winchester; I said to set up another scholarship to do that. Amos said well luckily, we have one whole year to decide. Coolman said I would like to say I agree with Mr. Lynch in that we need to get better and change is constant; I would agree with Mrs. Amos that we have fantastic kids in this community as leading a charge of change and it is sorely needed, and it is long overdue, however, I would disagree with taking away from the established scholarship that we already have because then what do you say to the parents of those who say you all represent Canal Winchester and the scholarship represents a benefit for a child that lives in Canal to give them a chance to win a scholarship. I think possibly the best way to go to serve everybody and we are not taking away from one set of students to help another set of students, I don't think we do that; as Mayor Ebert suggested I think we add to it as Mr. Lynch said you get better and how do you get better, you get broader and how do you get broader you need more scholarships, and I think the school needs to get involved as they grow. We are sitting here as council members allowing our school district to grow as we are approving housing; the school makes what percentage of real estate tax in their coffers, about 93% of it so they get benefitted by us making decisions about housing and we are helping the school

grow and why not keep our identity on our scholarship and partner with other parties like the school. Amos said schools can't necessarily give scholarships from a finance portion they can't give their money away but are there other potential options, maybe so; Coolman said sure; Amos said we can broaden it, maybe change it and we have plenty of time to go back and discuss it and the population of residents that are graduating seniors that live in the downtown proper area that qualify are a very small percentage of your graduating senior class; with 300 graduating seniors and your potential candidates was maybe a quarter or a third of that so you really limit the number of students that can apply for it so that is the hard part. Coolman said but that is the benefit and the honor that has already been put out there and established and why do we want to take away from that by introducing a larger pool of people to compete for that \$1,000 scholarship; why not just create a new scholarship. Mayor said that is a privilege or benefit, whatever you want to call it, of living in the city of Canal Winchester. Lynch said how much is this scholarship, a \$1,000; Coolman said yes \$1,000 and we give two of them away; Lynch said so, \$2,000 and we opened it up to the whole school district, Mayor Ebert said the school should pay half of it, right, did I hear that right; Amos said the school can't; Lynch said if the school could we would ask them to pay what \$500 or \$1,000; Coolman anything; Lynch said theoretically if they could; Coolman said if you are creating an equal scholarship to what we have, then yes, half; Lynch said so, \$1,000; Coolman said sure; Lynch said I will give you \$1,000 every year from here on out if we open this up to the whole school district, I will donate \$1,000 a year to it; Coolman said why don't you make your own scholarship award; Lynch said I would just add it to the city scholarship; Coolman said I don't see it as necessary to take away what we have already established, there is such a thing as heritage and such thing as history of what we have and such a thing as people looking forward to that and I don't think we need to take away from that and I think as in your own words we need to better and they way to get better is to get bigger and the way you get bigger is you offer more and we have that ability. Amos said I am all for more, I will give you that one; I knew John Bender personally and he was the cross country coach for the entire school district, not just the kids living in the city and he was a man who brought kids of all diversity together and that was his passion to bring kids of all walks of life together to make a team and so that is where I wrestle because for me, John Bender was just a well-rounded individual who made sure that no matter what you brought to the table you were worth it and you had value. Clark said everything has boundaries and in Bloom Carroll they had the Wagnalls Memorial scholarship and they ran it into the ground because they kept expanding, expanding and expanding it and gave it to too many kids and now it is broke and they have nothing right now so you have to be careful and I am not saying...so you can't; one child that lived in Franklin County could not apply but went to school in Lithopolis could not apply for it because they lived in Franklin County and you had to be a Bloom Township resident to apply for that scholarship, even if you lived in the greater Bloom Township. Lynch said that Wagnalls scholarship was a completely different animal because they were paying for large sums of money; this is a fixed amount of money every year, we have a cap on it; Amos said we have not reevaluated it since we took it over; Lynch said Wagnalls was basically an open-ended thing; Clark said yes, basically it was divided by a kid in Bloom Township so that every child got some money; Lynch said that is crazy. Walker said this is a great topic and as Mrs. Amos said we have some time here. Milliken said as I am listening to everybody talk and a lot of great points on both sides and as Will said it is kind of a black and white thing here, sorry but that is the language we use but, and to step back and look at the big picture I think we are all in agreeance that anybody who feels like they are a part of Canal Winchester whether they are on this side of the line or that side of the line should feel like they are part of Canal Winchester and even though in this particular instance there is a little bit of division I just want to commend everyone for standing in unity for that, at least we are all here to support anybody who feels and calls Canal Winchester home. I am on the fence personally about this

but one thing I want to say in this time we are in and people are begging their leaders to take action we hear from leaders we want to bring people over from 33 but they don't really say what exactly they want to see done and I think it is our job as leaders to step in and do something and what we have here is what I feel is an action step, something we actually can do and like I said I am not saying I am for it or against it but I think in the light of these times and what we are facing and what people are asking for is an action step.

Walker said I would like to extend thank you to XChurch, I hope everybody got the invitation, and Mr. Clark and Mr. Milliken and I were able to attend and it was well done and the music was good and they just want to express their thank you and their prayers to all city officials, first responders, to all people and to everyone for a unified community, council, city, state on and on they are all about that as well; it was just that you could feel the power of prayer that was going out to all of us, it was amazing and I believe 5 or 6 of their pastors that got up and prayed and again it was for the city officials and first responders so well done and we thank them for that extension and again all about a unified people.

L. Adjourn to Executive Session (if necessary)

M. Adjournment

***Motion to adjourn made by Lynch; seconded by Bennett
Motion carried by the following vote:***

***Yes 7 – Lynch, Bennett, Amos, Clark, Coolman, Milliken, Walker
Adjourned at 9:30 pm***

Canal Winchester

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



Public Hearing Minutes - Draft

June 15, 2020

6:00 PM

City Council

Mike Walker - President

Mike Coolman - Vice President

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

A. Call To Order *at 6:55 p.m.*

B. Roll Call

Yes – Amos, Bennett, Clark, Coolman, Lynch, Milliken, Walker

C. Purpose of Public Hearing

ORD 20-029

Finance

Sponsor: Clark

An Ordinance Approving and Adopting the 2021 Tax Budget (Ordinance, Exhibit A)

⌈ Staff Report

Jackson said I mentioned at the last council meeting the purpose of the tax budget in that we are really looking at revenue, not looking too much at expenditures, we do a decent amount of work and it saves us some time in the fall when we start talking about the final appropriations, but these are two of the Ohio Revised Code sections that govern why we are here to talk about the tax budget. The purpose of the tax budget is to estimate the revenue the city expects to receive in the next fiscal year so our calendar year is our fiscal year, January 1 to December 31. On the screen you will see what our funding sources are, income taxes, property taxes, and with grants we have been more successful in non-water, sewer, roadway grants like for McGill Park; fines and fees, debt and the miscellaneous all-encompassing category. We are also setting the limitations for our appropriations and this means we can only spend the money we have so we are setting the limit on how much we expect to have so we know how much money we can spend. The tax budget is also to allow the county budget commission to adjust tax levies; we don't have any voter debt so that part does not apply to us but we are still required to put together a tax budget. The general fund is by far our least restrictive and largest fund. We can basically spend money out of the general fund for just about anything; it accounts for all of the city activity except for those required to be accounted for separately. Our biggest revenue sources in the general revenue fund are taxes, licenses, fees, permits and some state funding. The single largest source is income tax we have talked about at every council meeting since the pandemic hit and we knew that the shutdown was going to affect our largest revenue source. These pie graphs show you what we collected in 2019 in total revenue in the general fund from income taxes, in 2019 72% of our revenue came from income taxes. In the 2021 budget we are looking at 79% in the general fund. One of the questions we seem to talk about a lot is where does our income tax come from and you have probably heard me say over and over that the majority of our income tax does not come from our residents, it comes from businesses, as you can see 83% comes from withholdings of income tax, your employers withholding city income tax and remitting it to RITA that is where we are getting the majority of our funding and 6% are individuals that are filing returns. In 2019 what does this equate to, just over six million from withholdings and about \$450,000 from individuals. The stat at the bottom of this slide I like to point out that our top three business taxpayers make up 18% of our income tax revenue; this is lower than the number I gave you last year which was 20%, which is a good thing it means we are diversifying so if something were to happen to one of those businesses it would lessen the impact to our revenue source.

You are going to hear a theme from everything I am going to say in the rest of this presentation and that is COVID and what effect COVID has had on everything we planned to do this year and everything we planned to do next year. Projecting income tax revenue to remain consistent to where we are at this year which is just over \$7.2 million is very, very conservative; typically, we are conservative budgeters to begin with and this is even more conservative than what we would have been had COVID not hit and us being a little uncertain as to the exact impact COVID is going to have. As of when I put this presentation together at the end of last week, we are 1% behind where we were at this point last year, so, is that concerning to me, no, because it fluctuates on a daily basis and it all depends especially with the extension of the payment deadline this year it all depends on when people turn things in, so that 1% is not concerning to me at this moment. So again, COVID, it is impacting us now and it will impact us into next year; why is that...because people pay their income taxes, generally speaking, the following year. The net profit tax specifically so any effect on net profit we will not see until 2021, so we have to take all of that into consideration. We'll see a little loss in 2020 and 2021 and early projections are showing somewhere between 5% and 10% loss of revenue but we will keep a close eye on this and adjust as need be. This is our revenue projection as of today. So, if before the end of the year something changes, God forbid another shut down were to occur or something more positive happens that we see income tax dollars come in more quickly we can adjust these and even do that into 2021, but these are what we feel are appropriate for what we know today. This graph shows you what our income tax collections look like over the last several years and what I like to do is show you where we budgeted, where we actually landed and this shows our conservative budgeting practice and where we are projected to be in 2020. Our 2020 projection right now is right about where we ended 2019, so basically, we are not gaining, we could still see a little bit of a loss, but we are not typically to gain. So, we are going to stick with that projection of where we are at for 2021 and where we are at in 2020. Again, very, very conservative. The next couple of slides show you our next largest revenue sources for the general fund. Building and development permits and fees, property taxes that number has continued to go up as we have seen more single family homes being built in town and even businesses, the special assessments number is going to remain consistent because those do not typically change, the pool and the 2020 column still shows what we would have originally budgeted for revenue from the pool and we know that is going to be zero but there is hope for next year that will bring in just over \$132,000, the cable TV franchise fees we get quarterly franchise fees from every cable company that is doing business in our town and that \$120,00 is consistent with what we typically see in any given year. This is now everything else and more for your information and for you to look back on than for me to tell you why numbers are what they are. Court fines they have been busy, and just because they have been busy doesn't mean people pay so we still have to deal with that; interest things were looking good in the market for a while and then they stopped looking so good so that number is not what I hoped it would be for 2021, but hopefully will still some return on our dollars. Local government has been very consistent; bed tax was affected by the shut down and probably will continue to be affected for the foreseeable future until people are comfortable going out and traveling the way they used to; the only other one I am going to point out here are our insurance claims, knock on wood, have not had as many light poles hit recently. Our total budgeted revenue for 2021 is just over \$9 million dollars, \$9,171,550. Now let's talk about where that sits in relation to previous years. You can see it is a decrease from 2020 and we are thinking about all the effects that COVID had. I know the developer said earlier that things still look good for them from a developer perspective and let's hope that is true. We went very conservative on what to expect from development revenue in 2021. I would rather not expect to get money and then get it than the other way around. What do we pay for out of the general fund; salary and benefits, contract services, O and M, capital outlay and typically we like to see revenue equaling expenses, a balanced budget is probably a term you are all very familiar with. Not in 2021 and why is that; the biggest reason is

we have budgeted for a potential increase in our contract with the Sheriff's department; this is a topic we have been talking about for quite a while. Sgt. Hendershot mentioned it earlier that we had met with Chief Lape and Sgt. Hendershot at two separate times to discuss what they feel we need to do to move forward with staffing and I have shown some extra dollars in there for 2021 to see what we can do as far as bringing them in additional help now what that additional help looks like is still being discussed. So, when I say that meaning a sergeant, meaning deputies, meaning a detective, what is it that they need to help them function efficiently as our community continues to grow. This will require an amendment to our contract and just an FYI our contract expires December 31, 2021 so any agreement we come to we will have to bring to council for approval. My disclaimer is this is subject to change based on needs and revenue collections between now and this fall. Keep in mind while we want everything we may not be able to get it all at once. This slide shows you when you review the tax budget exactly what goes into each one of those line items and this is more in my world when somebody says security of persons and property I know they are talking about law enforcement and you may not necessarily think that so this is a guide for you as you are going through the actual budget. Staffing in the general fund we have an increase of 2% as far as salaries go for our employees; that is just a budget number and nothing will be determined until closer to the end of the year but we do like to put something in there as a placeholder. This does maintain our current staffing level so there are no additions planned for 2021. I know it sounds like a broken record when we talk about health care premiums going up so for benefits we are still budgeting for a pretty hefty increase in our health care premiums. Salary and benefits make up 26% of our total general fund budget; in 2019 it ended up being 21% of our total general fund budget expenditures and the last one of 25% of entire 2021 so you can see this is a typical range as far as the salary and benefits number to our total expenditures and this is what you will see if you look at other communities. Our plan for expenditures is an increase in contract services as the cost of business continues to go up and we expect that and some we already know and expect based on what we have seen this year. We talked about the sheriff contract; the pool management company and 2020 was our last year on that contract so I believe Mr. Peoples will be bringing something to you at some point this year in regards to that contract. General maintenance contracts like if somebody has to come in and repair the HVAC equipment and things like that we always budget for a little bit more each year. Capital outlay again these are typical of what we always plan for in the street program that includes sidewalks, street tree planting in the spring and fall, I discussed the pool contract, McGill Park phase one a carryover from 2020 based on where we are in the year and getting that out to bid and getting the project started and right now expenditures from this there is not a ton in the 2021 tax budget because I don't have a grasp of where we'll be at 12-31 of 20 so that is something I will keep looking at with that project in the fall; and then the Sheriff SUV we have talked about that for a number of years and then computer and IT stuff your typical yearly replacement. So, total budgeted expenditures for the general fund is just over \$9 million at \$9,382,625; that is a decrease of \$715,000 from our 2020 budget so that means we cut off about 7% of our budgeted expenditures. This is telling you we are being very cognizant of what we are spending given the situation with COVID and the effect on our income tax revenue and what it has done to our residents and we don't want to be out spending money when we know that some people are struggling. In any given year we only spend between 89% and 92% of our budgeted funds and that has been very consistent when I started at the city seven and a half years ago and again we are very, very cognizant of what we do and just because we put it in the budget doesn't mean it will come to fruition. The next slide shows you where we ended 2019 at as far as the general fund balance, so \$10.5 million dollars and keep in mind I just showed you our total budget expenditures for 2021 at \$9.3 million which is actually less than what we had in our coffer at the end of 12-31 of 2019. So, we are estimating to end 2020 at \$9.2 million and 2021 with just over \$9 million. We are carrying more than most entities as far as a fund balance goes, a rule of thumb is six to

nine months of expenditures and we are pretty much close to a year. Moving on to special revenue funds and it accounts for specific revenue sources that are legally restricted or committed to expenditure for specified purposes, so these are funds that we can only use for certain things and this is a list of those funds for your information. Any time we talk about a certain fund and funding source you can see where that money is coming from. Gas tax can only go into the street maintenance fund and there is an Ohio Revised Code for each one of those funds, we have a bed tax fund, we have talked about TIFs and we have the Diley Road, Gender Road and the Greengate Drive TIFs so any money generated by those has to be deposited into those specific funds. This will be boring because nothing is changing between 20 and 21. Given where we are with COVID we don't see a whole lot of movement and these funds have a predictable and consistent revenue source. The street maintenance and highway are funded by motor vehicle license and gasoline taxes are probably the ones to be hit the most with COVID with people driving less and getting gas less but as people start getting back to work we'll see those numbers coming back up to where we are used to seeing them. Because we are predicting revenue to stay about the same and we don't have anything exciting planned for 2021 right now, just things we will carryover from 2020 like we talked about with McGill Park. There are some decreases where debt payments have started to decline because the debt is older and we are not paying as much on them and the replacement cycle of some of our computer equipment that is paid out of these special funds for certain employees. The street maintenance fund is our most talked about special revenue fund and we do pay a couple of employees out of this fund and this is where we do a good portion of our street work out of this fund and you can see here where our funding source is of gasoline tax at 87% so it is very highly dependent on that. This fund is very healthy so the decrease in gasoline tax will not cripple this fund by any means. This shows where we spend that money and over half of it goes to the office for salaries and benefits and the other would be office supplies and equipment. This slide shows you revenue and expenditures in graph form. These funds can only be used for specific projects you don't see a lot of fluctuation in any of this. In the TIF funds until we have a project planned out of these funds you will see a large revenue and a small expense out of those. I want to talk about the McGill Park fund; it has a currently balance of \$502,000 and that is all donations we have received for the build out of the park. We are planning to use these funds as the city's portion to build out phase one, so this is budgeted for 2021 and as I mentioned earlier we are going to look closer at this project come in the fall when we do the final appropriations and I will have better numbers for you then. Debt, the cool thing about our debt is we have not really taken out new debt other than our lease agreements, so our yearly debt payments are going down, so this number back when I started was probably \$1.3 million and now we have basically cut it in half so what that does is free up money for other projects in the general fund. A lot of information on this slide about what those debt issuances are, keep in mind this does not include McGill Park, it does not include McDorman, I guess I could have added that in there, or our vehicle leases, these are just our big debt issuances. This is a graph showing you how our debt has declined, so when we take on new debt and you guys say can we afford it, can we afford it, this is a good way to show you that yes, yes, we can. Back in 2016 when we were at our highest at \$1.4 million maybe and now we are at \$750,000. The water and sewer funds have no projected increase in the revenue despite the number of households increasing and a scheduled rate increase in 2021. We have been watching the usage during the stay at home and it really has not fluctuated from what we typically see during that same period of time, so we are not anticipating a big increase in water usage and things are becoming more efficient, too, so that plays a part. We do have a scheduled rate increase in 2021 that was an ordinance that passed a couple of years ago and we will still monitor that and see if we feel that is necessary and appropriate. We did decrease the capital outlay in this fund for 2021 and we have been able to get some projects done and be very cognizant of our revenue. The biggest revenue source of the water and sewer fund are the utility bills you pay. This shows you dollars

amounts in graph form of what we have collected since 2017; 2019 was a huge year for us. It has been pretty consistent despite the addition of Brew Dog and the amount of water they use when brewing and the number of households. But consistent is good. This highlights the two largest expenses out of the water and sewer fund is utilities, basically electric, and chemicals in the water plant and sludge removal in the sewer plant. You can see where we were in 2017 and where we are in 2020 and 2021. There has been a huge increase especially in the water plant chemicals, so of that has to do with price and some of it has to do with the amount we are using in the water system. The storm water fund is funded with a user charge on your utility bill and we budgeted for a slight increase in this based on the new household in town and some of the development. Water and sewer connection funds are capacity based so when a developer comes to town and they want to tap into our water and sewer lines this is where those funds go and only planned expenditures right now and a small capital outlay and the emergency fund if something were to happen, like a water line break, unexpected emergency repair. The next slides are estimates of where we expect our funds balances to be at December 31, 2020 and December 31, 2021. It shows you the increases and decreases, you will see mostly increases because we are trying to be very conservative with our spending in 2021. I will answer any of your questions and I won't be offended if you don't have any.

Bennett said if I have any specific questions I will follow-up after in lieu of time this evening. Lynch said no questions, but thank you for your conservative look into the budget and also adding additional funds in there for Sheriffs and I know people were asking for that so thanks for considering that. Walker said thank you for a great report.

E. Public Comments - Five Minute Limit Per Person

Jim Bohnlein, 6320 Rossmore Lane in Canal Winchester, came forward to speak. Maybe I wasn't paying enough attention, but I didn't see anything about McDorman in the budget. Jackson said as far as the build out right now we are not far enough along in that process to have costs and that should be done here in the fall so we will talk about how we are paying for that come in the fall and it will most likely be a short-term debt issuance this year, so that won't necessarily have to be budgeted for 2021. That still remains to be seen, this is not the final appropriations, we'll bring those in the fall and we'll know more then when we bring the final appropriations as to what is going on with that building; Bohnlein said thank you; what are the top three businesses that do 18% of our budget or revenue; Clark said Lucas would know; Jackson said one of them is the schools; Clark said Nifco and TS Trim; Jackson said I don't know if it is TS Trim or HFI; Lucas said it is TS Trim; Bohnlein said so TS Trim, Nifco and schools, okay, thank you, thank you Mayor.

F. Council Discussion and Recommendation

G. Adjournment

Motion to adjourn made by Clark; seconded by Coolman

Motion carried by the following vote:

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

Adjourned at 7:26 p.m.

Canal Winchester

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



Public Hearing Minutes - Draft

June 15, 2020

6:30 PM

City Council

Mike Walker - President

Mike Coolman - Vice President

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

A. Call To Order *at 7:29 p.m.***B. Roll Call**

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

C. Purpose of Public Hearing**[APL 20-001](#)**

Notice of Appeal Regarding the Denial by the Canal Winchester Planning and Zoning Commission of an Appeal to Overturn a Notice of Violation Issued by the Planning and Zoning Administrator Regarding Swine Being Housed on Property Located at 392 Sarwil Drive South. ([Findings Facts Conclusions Law, Neighbor of Resident Response to Appeal, Resident Response to Violation, Violation Letter from Planning & Zoning](#))

Clark said he needs to abstain from this issue and become a public citizen because my residence is about ten yards from the back of this person's house so I have to abstain from this, thank you.

D. Staff Report

Andrew Moore, the City Planning and Zoning Administrator, came forward to speak. He said his capacity here this evening is to answer any questions you all have in regards to this appeal. To basically sum up the series of events to date, the property owner was sent a notice of violation after a complaint was filed for the resident having a swine on the property. A notice was sent to the property owner notifying her that swine are only allowed or permitted on properties that are zoned for agricultural animals and agricultural related uses, and her property is not zoned as such. The violation notice reached the property owner and they were given thirty days to get rid of the violation. Around day twenty-five they came in, during the first week of our offices being closed to the public, she came in to drop off paperwork showing she had a doctor's note saying she can keep the animal. I talked to the resident through our process that a doctor's note does not dissolve my duties of saying she is not permitted to have the animal and that her best course of action would be to appeal our code section of Planning and Zoning Commission. The way that the code is written there is no variance to allow the agricultural animal since it is allowed in a different zoning district and rather than trying to rezone her property to an agricultural category in an established neighborhood, my recommendation was to appeal my violation notice saying that she does not have a swine on her property it's something greater. Planning and Zoning Commission heard the application at their June 13th meeting, or excuse me the meeting in May, and during that discussion they reviewed my violation notice and giving the same talk about how it was a violation from my end and they are appealing that violation notice. A resident that filed that complaint attended that meeting and discussed with the commission her concerns about that agricultural animal and how she felt that the appeal should not be approved by the P & Z Commission, and actually the appeal would be overturning the violation notice, saying there was no violation. Planning and Zoning Commission voted to deny the appeal which in turn upheld my violation notice saying that yes, she does have a swine on the property. It didn't do anything more or less than that. It affirmed the violation notice still stands. Are there any specific questions about that process I will be glad to answer and Gene Hollins is here to answer any legal related questions.

Amos said in the packet we were given, who inserted the federal housing act in there, was that the resident with the swine; Moore replied correct; Amos said it doesn't apply to homeowners, it applies only to landlord, lease, tenant in the state of Ohio; Moore said that was part of the discussion with the applicant when she first attempted to drop off the information saying that she was exempt from zoning, I explained to her that she would want to include any and all information that explains why she is exempt from zoning so the Planning and Zoning Commission could make that determination, because I do not have the capacity to. As part of her application contents she does talk about the Fair Housing Act and she does talk about the TSA allowing emotional support animals, she did use other information that was to prove why she believes she does not have a swine on her property. Amos said the FHA does not apply to her situation, the ADA would apply but even in that situation the ADA compliance is for a dog to fall under section one, it doesn't qualify under section two or three either; Coolman said that is correct; as a matter of fact the fair housing compliance talks about the homeowner and if your home is a one to four family unit you can actually be denied by your municipality so that is really what it does say in there about being a homeowner. Bennett said so if we were to overturn...if any council member were to vote for overturning this we would be essentially be ruling that the pig, the swine, the pig is not a pig, is essentially what we would be saying, we would be classifying it as an emotional support animal and it would no longer be officially referred to as a pig. Moore said the way that our code is written is that it discusses animals by their master species, the swine is in the *suidae* classification of animals and that is how our code defines that as being a prohibited animal, so, the attempt by the applicant was to say that while our code defines something outright what she has should be a sub-category of something that is permitted. Lynch said so, it is not in sense a swine or a pig it is an emotional support animal which is outside of our code, is that what you are saying; Moore said that is what the applicant was trying to portray to the Planning and Zoning Commission; Lynch said my question is from a legal standpoint is there any recourse on the part of the city as far as ADA goes, are we violating this lady's civil rights to have an emotional support animal, won't call it a swine or anything, it's an animal. Hollins said that is the nature of why we have these appeal proceedings; I don't know necessarily they are raising a defense to our case in chief and whether it is a violation of the ordinance or not; the thought was, and I hope I don't get too far into legalese, even if you have a violation, a prima facie case there are affirmative defenses and then it is her burden to show she has an affirmative defense and in this case the idea that it is an emotional support animal or an animal in the potential ADA, American Disability law type of issue, would be an affirmative defense; obviously P & Z and council those are the places equipped to look at legal affirmative defense issues, but maybe not, and we have to go through the process and they could eventually appeal it to a court to look at the legal issues. We can provide...this is just the public hearing process this evening, you do not need to make a decision and we can provide what we provided to Planning and Zoning in terms of a memorandum of our analysis of the legal issues surrounding emotional support animals which could help you in making your decision and if you want to take this on and look at her affirmative defense or send it on to court as equipped. We also understand this may resolve itself, apparently the property may be on the market, so it may resolve itself without your intervention, but we'll see. Coolman asked as a community when do we have the ability to enforce our code when there is a process established if someone wants an exception to our codes; there is a process they should come to us first before purchasing it, this is the third year in a row we have a resident that is coming back to us after having violated the code and they want us to give them a reprieve. This one is unique because they are calling it an emotional support animal, however, the evidence supported by the complainant shows there is property damage ensuing from this animal so as a council we have to look at our ordinances that

offer safety and security for all of our residents so when does it mirror the line there, when do we stand up and say you know. Hollins said I hear you loud and clear Mr. Coolman, we would rather not be in the enforcement mode, we'd rather work on these issues prior to investing and yes this is just an emotional support animal I am sure it wasn't without cost, but there are some things that folks do without coming to us first and make a call to Mr. Moore or the other folks in the zoning department to say is there a permit process I need to go through, is there an ordinance I need look at so we can avoid these types of issues to avoid the enforcement mode or getting to the legal issues of these types of things. We would much rather work with residents or potential buyers on these issues before the fact rather than after the fact.

E. Public Comments - Five Minute Limit Per Person

Kathryn Santore, 386 South Sarwil Drive, came forward to speak. She said I am the complaining neighbor; thank you for the opportunity for allowing me to address you tonight regarding the swine that was being kept on my neighbor's property, most of what I had to say was stated in my letter to council/zoning. After the appeal was denied by zoning, an article was published in This Week News and was taken up and supported by the CW for Responsible Growth Facebook page as factual and encouraged residents to make comments against the neighbor who filed the complaint against said animal and encouraged people to send comments to City Council (of which the admin of the page's husband serves on) in support of this swine. If one had obtained the documentation from zoning on the complaint, they would have probably realized that the article was more of an emotional rather than factual piece and only presented one side of an issue. Both online and in person, as a result of this, I have heard many complaints and name calling against myself, many of which, when I addressed them in person with the facts as to why my complaint was made they quickly apologized as they realized they had formed a judgement based on erroneous information that was presented as fact. The swine was kept outside in an unsightly shelter, allowed to freely roam the yard and urinate and defecate wherever it pleased often onto my property through the fence and damage the fencing that separated our properties. Swine are extremely destructive animals when left to their own devices and there was rarely anyone there outside to ensure damage wasn't being done. Although this animal is prohibited in Canal Winchester Zoning code, it was allowed to remain on the property since March when my complaint was filed until last week when the property owners decided to sell their property. Yesterday, said property owner brought in a bobcat to clean the rotted and excrement covered straw from the property, much of which then littered their driveway, the street and my side yard creating yet more waste on my property that I then had to clean up. I do think the city needs to address the keeping of prohibited animals as emotional support animals as this is an issue that will probably be ongoing. In my opinion, if the city chooses to allow the keeping of prohibited animals as emotional support, they should put stipulations in place for the proper shelter, fencing, waste disposal and distancing requirements from neighboring properties so those animals do not become a nuisance to others as happened in this particular instance. In my opinion, I feel that Mr. Lynch should have to abstain from any voting on this particular matter as his wife's opinions could easily sway his vote. I would question if it is ethical for him to vote on any matter for which his wife expresses such strong opinions and, in my opinion, tries to get people to influence a vote the way she would like it to go, as many of his comments in council seem to echo what she presents on her personal Facebook page. I think this is also an issue that council or the Charter Review Commission should address as I see it becoming more of an issue going forward with the rise of technology in society and people rushing to judgements and trying to influence public opinion and votes without actually presenting facts in the matter. I would like to take the time to thank Mike Coolman, Bob

Clark, Mike Walker, Chuck Milliken and Jill Amos for all taking the time out of their days to get a first-hand view of what I stated in my complaint. Those efforts were greatly appreciated. Thanks for listening. Walker asked Santore to log her name and address into the book; he asked for any other public comments.

Bob Clark, 370 Old Meadows Court, Canal Winchester, came forward to speak. He said he lives about 10-15 yards from the resident, I have not met Mrs. Elliott and I am sorry she is suffering from anxiety and depression, but all I can do is just...I have a Florida room that sits and I spend a lot of time in it and I can see her entire yard the way mine is configured and I have seen this animal roam 24/7. Anytime I am out in my Florida room this animal is out and roaming around and I have never seen anybody come by and touch it, or pet it, talk to it or do anything from her, her kids or her husband or anybody so that is all I can state. I am not saying it didn't because there are times I am not out there, but when I am out there, and I do spend quite a lot of time out there, I have not seen any interaction with this animal with anyone at all in that house, thank you.

F. Council Discussion and Recommendation

Walker called for council comments, discussion or recommendations; Lynch said he wanted to thank Miss Santore for the personal attack on myself and my wife, that was very nice. I have no problem with someone having an emotional support animal I think that is fine; I do care what type of animal it is, it has to be within reason even within city limits. I went to an agricultural school horses, pigs, goats it's kind of what I grew up with, The trouble I have hear is with the, and thank you Mr. Clark for pointing this out, if this is an emotional support animal why is it outside all of the time; I don't care if she has an emotional pig in her house as long as it is within a certain size I would be okay with that, but this pig is roaming around outside, I am not sure how anyone would get any emotional support from an animal that is running around outside all the time and not living with the family, two completely separate things. What she described as far as the pig running around in the yard sounds to me like a dog, I see dogs tearing up back yards, jumping over fences, barking at people, biting people, it is actually no different than a dog. Pigs are not allowed and I don't see any evidence that it is being used as an emotional animal no matter what kind of animal it is, so I just don't see any proof it's an emotional animal. Amos said I did stop by the Miss Santore's house and I did see the outdoor facility where it is predominantly staying and I walked by on several occasions and each time the pig was outside. Being a former pig owner, mine lived inside, he was not an emotional support animal, he was just a really noisy roommate and he was an indoor pig and he was really cute but he was outside every time I road my bike past and I don't ride my bike everyday 24/7, but I do go at different times of the day and even when I would walk during the middle of the day the pig would be outside, and he is very cute but again the same thing is that if he is an emotional support animal I would think that he would be with you the majority of the time. Coolman said I live in the community, I live on North Sarwil and this location is on South Sarwil. I walk my dog past this house almost three times a week and Karen walks our dog every day of the week and it doesn't matter what time of day or what day of the week we have always seen the pig back there. The other problem I have is emotional support animal or not, the issue I have with it is if it threatens the property, if it is a nuisance to neighbors and their safety, security, pets, causing property damage then we are talking about a whole other issue. The packets that were allowed to us by both parties clearing illustrated from the breeders of swine that they advise property owners of swine to check with your community first to make sure the ordinances allow it, and also if it doesn't pose a threat to neighboring properties, property owners, damage or injury all of which was witnessed and these things are occurring and we have not even

touched on the handling of manure and that to me is more alarming. We had the same issue with chickens a year ago and how the chicken manure can start a health epidemic outbreak, and I think animal feces can do that do matter what the animal is; I think the proper housing, the proper coordination of security and safety for all of the residents and how it is being handled just wasn't exhibited here in this case. I think we have to be really careful here because anybody can get any animal and deem it an emotional support animal and reason being what is available out there on the internet now are these medical sites you can login to and ask for an emotional support letter and be granted one without even seeing a doctor if you are willing to pay a fee, and it is not that big of a fee so, that alone allows us to go get whatever we want as an emotional support animal. I would like to pay attention the wording of our ordinances and I think we need to enforce that and I think the protocol is you seek approval first to see if it qualifies not come to the city and ask for a reprieve after you violate the ordinance, that is the reason it is in place. Walker said this is a lot of good discussion; Walker said Mr. Hollins I know you are not a realtor but how would this impact property value or would it; Hollins replied that I am not saying this one does, but things that arise to nuisance conditions often are nuisances because the impact they have on the surrounding property can affect the value; those are factual determinations for your guys to make, it is a factor, if you look at the intent and purpose of our ordinance in the first place of having no farm animals in residential zones that is probably a large part of it, the intent and purpose of that ordinance was not to adversely impact your neighbors; use and enjoyment and value of their property. Milliken said I completely agree with what has been said, but just a couple of points that were touched on about the property owners has already listed her house for sale, not sure if it was in the paper, but they are planning on leaving the municipality I believe so they could have the pig or something of that nature; and that coupled with it is my understanding this resident didn't even attend the Planning and Zoning meeting and that combined with the pig being outside all of the time it really gives the appearance that there is no care here. Bennett said what are the next steps; Hollins said the next step is to close the public hearing, adjourn the meeting and council will take this under advisement and I will send some materials to you, I think I get the drift of where you want to go with this so, I can bring something back to council at a future meeting, we do have a timeline after this for your to make your decision; perhaps this will resolve itself during that timeline as well. Lynch asked would we do that in executive session or what; Hollins replied no, I can send you some materials, attorney-client privilege email, and you look it over and see if the draft is, and yes by the way, once we get a draft out if you would like to discuss it in executive session, quasi-judicial proceedings like this we can go into executive session to discuss it some more, let me get some materials out to you first so you have something to discuss. Coolman asked what is the timeline on that; Hollins replied it is sixty days, we were just talking about that to have a decision; Coolman said because we are off the second half of July. Walker said thank you for all comments and discussion.

G. Adjournment

Motion to adjourn made by Lynch; seconded by Amos

Motion carried by the following vote:

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

Abstain 1 – Clark

Adjourned at 7:56 p.m.

Canal Winchester

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



Conversation with Council Town Hall Meeting Minutes - Draft

June 23, 2020

7:00 PM

City Council

*Mike Walker - President
Mike Coolman - Vice President
Jill Amos
Will Bennett
Bob Clark
Patrick Lynch
Chuck Milliken*

A. Call To Order at 7:00 p.m.

B. Roll Call

Yes 6 – Amos, Bennett, Clark, Coolman, Lynch, Milliken

Absent 1 – Walker

Coolman said Mr. Walker will not be in attendance tonight due to a family medical situation.

C. Public Comments - Five Minute Limit Per Person

Coolman said welcome everybody and hopefully you can see us on the screen, we see a blurred vision of you right now and hopefully it will clear up. To make note of a few housekeeping items in the senior center there are thirty seats available, we are maintaining the social distancing rules put forth by Governor DeWine. We you get done speaking if you so desire to remain in the room you can or if the chairs are full and someone else wants to come in that would be accommodating. Also, speak clearly and into the microphone, there is about a one to two second delay in transmitting your message to us and we will do the same in response. This meeting is to cover city business, development, financial; if you want to speak about any comments or personal opinions about the behavior of individual council members it will not be tolerated, this is not to be focused on any individual, we are here as a unified group and we are here to help and here to answer questions directly between the residents and council. We understand the format is difficult and you don't get to interact directly with us but we are trying to accommodate that. The time limit for each speaker will be a five minute time limit and have a lot of speakers that are attending and please use the podium, and if there is a repeat of topic and your points have been covered and you feel like your questions have been answered it is okay to say my questions have been answered and then we will move on to the next one and that is pretty much it, so without further adieu we can get started. I have an initial list and folks are grouped by topics. Coolman called a resident on the list to the podium.

Jenna Acklin came forward to speak. Good evening, my name is Jenna Acklin. I moved into my home in downtown Canal Winchester (CW) fifteen years ago. I was married in CW and had two children here, my children are now fifteen and nine, Max and Mira. I have seen racism in CW from the beginning. I have met neighbors who are lifelong residents of CW who would lament about how it is just not the same town they grew up in. This always led to complaining that it all went to hell once they brought in the blacks north of 33. Please know when I say that I am cleaning up their language. In recent years I have been pleased to welcome loving neighbors who have moved in to replace some of the ones who left because of this. After the death of George Floyd, my daughter Mira, who is nine years old, asked why people were protesting. I explained as best I could in nine-year-old terms that some people do not like other people because of their skin color. She was devastated; she could not imagine someone hating one of her best friends because she was black. She asked if she could go to the CW protest. We were leaving for vacation so we were not able to attend. Upon return, Mira asked if there was another protest in CW and I said not today. She said mom, can I chalk black lives matters because I want them to know they are loved. Absolutely, I told her. She chucked in front of our driveway on the side of the road. When she was done, our neighbor came out on her telephone screaming she did it in the street real big letters I told you

this neighborhood is going to hell I told you this neighborhood is going to hell. The neighbor went back inside her house. I am assuming this is when she called the sheriff's department and reported vandalism and screaming in the street. Two sheriff's cruisers pulled up and said its chalk. The reassured my daughter she had done nothing wrong and encouraged her to continue speaking out; they said they agreed with her message and said she should be proud. Thursday, I contacted Sgt. Hendershot to praise his deputies. Friday, Christopher Burton contacted me and asked if he could come and thank Mira and his twelve-year-old daughter, Kalese, wanted to chalk with her. It was beautiful. Christopher became emotional thanking Mira and explaining to Kalese that he wants so much better for her than what he has experienced. ABC picked up on this story about Mira and asked if they could come over; they interviewed Chris and Kalese about why they had come; they interviewed Mira and then were starting to interview me. It is at this time the neighbor's daughter pulled up, got out of her truck wearing a gun holstered around her waist, entered my property and first confronted my fifteen-year-old son telling him she will take care of him while placing her hand on her holstered weapon. She then turned her threats towards me and she said she could take care of me the old-fashioned way multiple times; she attempted to bait me onto the street to fight her. Chris stepped between me and this woman putting his life at risk to protect me, a stranger. Her focused then switched to him and Kalese, she spewed hate and Kalese was in tears. There were at least ten children playing together when this happened and all of the children ran to comfort Kalese; it was terrible and beautiful. The children were all scared and shaken but all of the parents have contacted me to say they are thankful their children have a better understanding of racism and the need to speak up. This story has gone viral. Instead of looking at this as bad publicity for Canal, I am calling on you to turn it into the opposite. Now is the time for CW to come together and stand up and speak with the children that racism will not be tolerated in this town. We need to stand with the protestors, we need to walk with them, we need to look them in the face, we need to ask them their experiences in CW and we need to love them; this will keep the peace. We do not need to board windows, we do not need to arm our citizens to protect us from our citizens of color. I am calling on the city to join in this, I am calling on the mayor, the sheriff's department, I am calling on the city council members to do the right thing and to change CW. The CW that everyone is proud of is exclusionary and unwelcoming to new members of this community and there is too much racism happening here. Thank you. Coolman said thank you and asked for comments.

Bennett said it is appropriate to share these stories and these conversations need to happen and I don't know if this is old news or not but Mayor Ebert did I see there will be another march in CW on July 11th; Mayor said there will be another march on July 11th; I have met with the coordinator of that march we had a very good meeting and he said if anybody denies we had a good meeting I will call them out, so, he was very happy with what we had to offer, the route we had to offer and he expressed his intent for this to happen, so, yes, it will be July 11th at 11:00 am. Jackson reminded council members to speak into their microphones so that they can be heard; talk as close to the microphone as you can.

Amos said thank you very much for coming in and telling your story. Your experience scares me for our youth..... I have been fortunate to sit in on a few meetings with community members and I hope this continues, that level of conversation and that is where the ideas will come; that is where we can see what is we need to do to continue to make this the CW that we all love.

Clark said I appreciate you coming down and I am very sorry that you and your daughter had to experience that sickening display of humanity in our town. I know there are a lot of good people in our

community with respect and hopefully you can get this turned around. I did participate in the community health action team and had a forum with pastor Bobby Mitchell regarding the topic of racism as a public health concern with the community health officer with the Franklin County Department of Health and I learned a lot just by listening to the good conversation there and I am trying to listen and learn and understand the biases that are there and you don't even realize you have them and what you learn by listening to different things, so, I appreciate your comments and thank you.

Lynch said I am sorry to hear about what happened and red about this story; it is sad there are people like this in our community; my heart goes out to you and your daughter for having to experience this type of ignorance in our town. How do we have a problem like this and how to correct it is not an easy thing; a lot has to do with attitudes. At our last council meeting we were talking about different ways we can approach this; I think one of the things we can do and this is a term I have picked up from talking to some of the protestors and he used the term greater CW and it is a term used to encompass the area that is outside the city boundaries and is still part of our school district community. Many times, I have heard people and I myself have referred to the area north of 33 as the other side of 33. Well, that kind of needs to stop. On my part it will, as I consider that part of great Canal; and I hope a lot of other people will embrace that term and embrace the attitude that goes with using that term and not use it as exclusion or segregation of the other side of 33 we really need to stop doing that; it is just one simple little thing but I think it is a step in the right direction. I would also racism and how we combat it is a tough question any suggestions that you have or any thoughts about programs that you can bring forward I would love to hear. I have some ideas of my own and would love to talk to you about them in more detail in a different venue, thank you.

Coolman said everybody in our community we hate to hear this kind of discrimination this kind of behavior; a lot of us it is hard to believe this kind of behavior actually exists but it does. I don't think it is immunity to just our community I think it is global and it is the topic of news now is how do you fix that. There is no simple answer and all I can say is we are all in this thing together, and just like the pandemic we will get through this together but as a united effort with recognition, with empathy and a course of action. We have to have effective communication and to be effective it has to be from and with both sides so communication has to stay open and I don't have all of the answers and we need to be unified in our effort to learn from this behavior and not tolerate it. Thank you for attending tonight and bringing this to us.

Milliken said I am in agreeance with everyone; I am not sure you are familiar with Ms. French who is also wrote to us on this exact same matter. I had a great discussion with Ms. French and I would like to offer myself up to you as well and I am looking to have conversation this is something that is very focused and frank and negative. I personally have taken on a lot of self-reflection and I think most people have, however, I choose to focus on the positive and I choose to focus on the good people of CW there are a lot of good people here and unfortunately we live in a world that is just I don't think there is a solution that will completely rid the world of evil and I choose to focus on all people, thank you for your testimony and your story is gut-wrenching to all of us and it is a tough story to hear, thank you.

Mayor Ebert said CW is in this just like the United States and the rest of the world is and I feel badly and I know my city employees feel bad for what happened to you and your daughter, and all I can say is we do care what happens, we care about your daughter and everybody on the street in the city of CW and

beyond. It is a senseless act and we recognize that and we do feel bad about it.

Jenna Acklin said I heard you mention you want to help out and one idea I have is to organize a chalking with the children in the community and I was hoping that with council, and the mayor and the sheriff's department and the school district that we could potentially do that at the elementary school parking lot. So, that is my idea as far as community action and involving the children. The last thing I would like to add is that I do not need you to feel bad for my daughter, my daughter is a strong young woman and she was scared by this but she is now empowered and the feeling that we felt as far as discomfort and fear is a short lived feeling that people of color feel everyday all day long every day of their lives; this is white privilege, my pain is white privilege and I know that word, those words stab people and they don't understand them but if you think about us and the pain we have gone through that is white privilege pain and so I am willing to take it, thank you. Coolman said thank you.

Dawn Gunnoe came forward to speak. She said she is the Acklin's neighbor from two doors down and my husband and I and are son at the time moved to Franklin Street six years ago and I wanted to tell my story in coming to CW as an outsider and it is something that happened a very long time ago and it has just recently come back up. So, when we moved to town we were obviously outsiders this is a small town and it is very close knit. We met a teacher who wanted to give us the back story or the scoop on CW. She was an elementary school teacher and the first thing she did was warn us about those people on the other side of 33 that they were bringing down the home values and disrupting the schools and those people are the ones who do not come to parent teacher conferences and I was pretty upset as we had been here just a matter of days. We moved from Columbus and we instantly regretted our decision to be here. We wondered is this representative of the teachers in our school system, is this what our kids are going to face, is that what we can expect, and over the years we have experienced what Jenna said long term people that have been here that are not happy about the growth and are not happy about the diversity here and it has given us pause and made us wonder if this was the right move. I bring this up now because of what happened; Mira and my son Harper are good friends and they play together in the street and they have both been screamed at by the nasty neighbor on the corner and I think it is important now that we talk about these things. At the time being outsiders, I didn't want to ruffle any feathers or make waves or make things any more difficult for my kids being in this town and being outsiders. But when you say what can we do, this is an example of what we can do, we have to stop putting our head down and not making waves we have to call this stuff out when we see it because we have to hold people accountable, I mean this is a teacher in our school system and we need to stop accepting it and stop saying this is the way it is or this is the way it has always been we have to start calling it out where we see it. I don't want to regret living here I don't want to live in a place where I have to put my head down and not make waves for my kids and tell them to ignore things like this, we have to call it out and we have to stop accepting it. So, I hope and our nasty neighbor and this story is going to help people do that and start talking about it and having a honest dialogue about this and stop just accepting it because it has always been. I hope this is a moment in time where the city this community and the whole country will move forward I hope this is the beginning of something very big and we can all have honest dialogue, that is my hope I am calling again like Jenna did calling on all of you all to be a part of this and stop just accepting that it has always been that way, thank you.

Christopher Burton came forward to speak. He said he was here today because his daughter gave him the courage to be here. I am a little emotional for these children the most about the situation that happened

on Friday after I get home from work. I have lived here for eight years we moved here from Las Vegas I came here to help my grandmother because her cancer came back. Ever since we moved here I have had mixed feeling about it, there has been some good things there has been some bad things. I coach baseball for CW tee-ball and coach pitch for the last few years since my son has been able to play. I get home from work this last Friday and my daughter comes to me at the door and she says hey dad, I seen this thing on CW community page and there is a little girl who needs support and she doesn't look like me. And, the first thing I say is okay, and she tells me the girl Mira who had the police called on her for chalk. My daughter wanted to go to the protest downtown and take her brother with her and I said no every single time. I understand for her how it is as a woman of color growing up to be down there but I also have to keep her safe with COVID and the safety of everything else that is going on right now. So, I agreed to let her go, and in the beginning of it at first it was amazing and I was glad to see that Mira and Jenna and her family were brave enough to still wanting to chalk and be out there even after having the police called on them, and they don't look like us and they are willing to fight for us. Everything went well in the beginning and towards the end it went completely bad. The children and my daughter were fearful when the neighbor came outside with a gun. That is a scary situation for the children, and as a father and as a parent as I am pretty sure you all are we try to put our children in the safest situations possible and we try to give them the best education possible as a father I feel like I failed because I put my daughter in that situation. That hurt really bad. I try my best every single day, I walk with leads under my feet on every day, I don't want us to be looked at as a victim or as not a strong individual, but I want people to think positive out of how the community came together when they saw there was this girl in need. When that woman brought out a gun I watched all of these children come together black, white, Mexican, Asian there was tons of different kids out there but I watched them come together and comfort one another without any questions. My question is when we see one another down, as people, why can't we do that for one another. I am sorry, I get emotional. I feel like we all have to work together on learning how to get to know one another as people as a whole, because I think one of the worst things in the world think somebody is better than another because of their pigment of their skin. Jenna and her family were terrified after that. The biggest thing that I told them and that I teach my kids as well is that just because a person is ugly to you and disrespectful doesn't mean you have to become an ugly person. Just because you had a bad experience with a black person or a white person doesn't mean you have to become that person. That is me and my daughter's experience, and the school system has been great for elementary but when my daughter went to middle school she went from a fun-loving kid to a troubled kid and I don't understand how she went from being a fun-loving kid to a troubled kid because she does competitive cheer, she volunteers at homeless shelters she does all of these wonderful things. All of these teachers and all these people view her as a troubled kid on the other side of 33. I don't understand it. I want all of us to love each other and get to know each other as people whether that is through diversity training or whatever it is I want us all to work on being better people, thank you.

Bennett said he saw a video of Mr. Burton putting himself between the neighbor and the family and as a father my heart says the bravery of putting himself in harm's way to help and I comment Mr. Burton for his bravery and stepping in there. I am sad that his daughter had to have that experience it is unfortunate. I would like to figure out how to help not have those experiences I know we can't eliminate them, but we can figure out ways to help and make progress I don't know if we can do something community wide. I know the sheriffs were going to do talks on community safety around drugs. I don't know if there is an opportunity to do a diversity training program I think that would be fantastic and to have the conversation with one another about diversity.

Mayor Ebert said yes, we can absolutely look into that, absolutely yes. I want to say to the last three people to speak here and whoever else is going to speak tonight I think doing this tonight is a sign that we don't need to be yelling at each other, we don't need to be screaming at each other on our streets and wherever else they are doing it at.....having a conversation and talking to each other I think this in itself is a great start so I thank all of you for coming.

Lynch said I have a question that has come to mind, a sensitive question...were charges filed against the irate woman with the firearm who was threatening these people? Mayor Ebert responded I think they are still reviewing video. I got an email from Sgt. Hendershot earlier. Lynch said I hope that some kind of action would be taken against them; it sounds like they were threatening the lives of these people and that should not go unpunished. Mayor Ebert said I guess from what Sgt. Hendershot said is they have been to this house several times over the years not just in the last month or two for other things with this address; I am trying to remember what he said really quickly without having to read all of it. Basically, she had a right to have a gun and from what he saw in the video she never really put her hand on the gun; she pulled her shirt back to expose her gun which is what she is supposed to do, it's not concealed carry it's open carry so when you have open carry you are supposed to show people you have a gun, right or wrong, it's the law.

Amos said Mr. Burton I thought I heard you say you failed your daughter and I completely disagree and what I see from the video you showed up you stood up and so you didn't fail her, society did and some of the people in it did. As far as the training goes, you mentioned diversity training I know as a city we are looking into different things. I have a couple of feelers out to some different organizations and Ohio State as well to see what is offered and try to bring some training in and it is intimidating for conversation and how to work the diversity training. I think the city has some feelers out and a few of us talking to different members of the community. Thank you for being here.

Lynch said Mr. Burton mentioned that it was a beautiful thing where all of these kids came together of different colors and different races and they were all just playing and begin together and what a beautiful thing that was so how can we do that here in this community, so, what if we create some kind of cultural fest. It's not just diversity training, we do a great job with festivals, what if we had a festival that celebrates culture and all different cultures in our community; we have all different cultures and races and different religions we could have a festival that had different types of food stages with different types of music and what better way for people to gather than with food and music and having a big gathering. It might be something to think about as far as how we can do a festival and such and I think it would be a neat thing to do. It would be a huge step in bringing all different cultures together.

Milliken said another part of this conversation and it's not just racial. This is just theoretical right now but to say we were to do something like that it would be an amazing outreach opportunity to reach out to the people in this community that live on that side and hey, why don't we bring you in, we'll put your people in place to help us and that creates a council of people and action steps that can help. Mr. Burton if I can say I think you are doing a tremendous job as a father to come here and stick up for your kid and say the things you said it touches the heart and thank you for everything you said.

Coolman said Mr. Burton it is a big step for you and for everybody else who stepped up to the mike

tonight and let their voices be heard. It is unity of a community holding us together that makes us stronger, it's not dividing the community, it's unifying the community. It is not an easy road to travel, it is a bumpy one but it is one we can travel arm in arm and hand in hand for the good of the community as a whole and to go where we hope to head in this. It takes all of us, not just one, not one side of 33 or the other, because when we talk about north of 33 let's not forget the folks that live outside CW on this side of 33, the folks in the farming communities that are not considered part of CW. We have a large community and it is getting larger everyday but with the involvement of all of the different cultures we have amongst us we could celebrate the beautiful way the town comes together, everybody joins in and volunteers to step up and I think this is the next step that is necessary for the community to take. So, again, Mr. Burton thank you for showing up and thank you for stepping up and thank you for pitching in place.

Shauna Darfus came forward to speak. She said she wanted to come forward to show her support for this mother and this father for what they went through. The one thing that isn't getting mentioned unless you mentioned it and I couldn't understand anything you were saying is that this woman came out with a gun and she didn't get tackled, she didn't get handcuffed, I don't think and I think right there is an issue and I think we need to not overlook that fact. I am thankful that she didn't perhaps that is how it should be, but I can't help but think if that woman were a black man this would be a much different story, and so, I just wanted to bring that side of it, so thank you.

Kitty French came forward to speak. She said thank you council president Walker we are thinking of your family right now, members of council thanks for your service and convening tonight's town hall. I do want to say thank you to the law enforcement officers who have been protecting peaceful protestors in CW for the past three weeks. This is a diverse community and part of that diversity is the law enforcement community that lives here and knows the families and we appreciate them and welcome them as well. My husband and I moved here in 2015 from Worthington and I grew up down the street in Carroll. We chose CW specifically because of the school district, it's size, it's diversity, it is similar to what we were looking for our son and also the city's positive growth. You all have done a great job of bringing businesses like Brew Dog and positive economic development down here through your work here and also through the 33-corridor work that you are doing. We believe really strongly in giving back to our community and since 2017 we have tried to overcome that outsider feeling by volunteering with our football board, the Canal touchdown club and supporting all of the fundraising organizations because we see the good work that our schools and sports do in our community. We have championed and actively promoted CW businesses and every chance we get. However, in the five years that we have lived here we have witnessed firsthand on several occasions among our neighbors that we care about and like and heard numerous accounts from students and friends of our son about the racism that our CW star athletes, students and band members experience. Earlier this month we joined the black lives matter protest in March that was organized by former students who themselves have experienced racism in this town. I want to say thank you to the Mayor and the owner of any business that may have spoken with that organizer and trying to hear his experience and learn what thing look like through his eyes. I also want to thank the council members who attended the march and thanking our school district for hosting that march on June 5th and bringing the community together, giving the community a place to grieve and share their experiences and be heard in a safe place. I want to thank the council members who marched in solidarity and the businesses here who have had the courage to post signs in support of racial justice, thank you. We stand with our neighbors and we stand with our fellow parents and students and asserting

that racism on an individual level or in city politics or in public safety are absolutely unacceptable in our community. I am happy to hear you echo those concerns tonight. It is unacceptable to have a star football player who is afraid to walk through our CW neighborhoods because of the color of his skin. It is unacceptable to us at our friendly gatherings and hear people use the N word and throw around jokes as if this is 1961. It has made our lives very uncomfortable to talk about these things in a very minor way but what are we doing here, we can't have this in our city and I am glad you are looking at this seriously. I would suggest and call to you to consider some serious planning, I would call to you to consider establishing a greater CW community action committee at address racism and enact anti-racist policies in the community and a planning process that include all town stakeholders, district leaders, CW district families who have experienced racism. Through COVID and all that is happening now you are all governing through a critical point in this town. As CW grows it is really up to all of you sitting there tonight to govern in ways that create a culture that welcomes and respects the humanity and contributions of every community member and in particular the African-American families who experience racism here, those who attend our schools and live outside of the town boundaries. I know, Mayor, through our conversation this afternoon that this presents some challenges but this is a time to innovate and think differently and think bigger because this town is growing bigger. In ten years, just like Coach Stratton said, this town is going to look like Pickerington and right now we going through the growing pains and we need you to rise and meet that challenge. I want to thank all of you for your work and the continuing work that you do, thank you.

Katie Moore came forward to speak. She said it is hard to follow everybody that has spoken tonight and I do agree with everything they have said. I do want to say something about racism before I get into what I came up here to talk about. I want to say that it really starts with conversation. You can offer all of the training in the world but if people are not willing to listen it doesn't matter. It starts with open hearts and open arms and I really think that Kitty's idea of a community action committee is a great place to start and involving all major stakeholders in the community, the schools, people who have experience injustices and are seeing this things day to day and that is a great place to start and I just wanted to put my two cents into that before moving onto something different. What I came here to ask about is the progress on McGill Park. Where do we stand with fundraising, how do we get involved, is there a community committee with that so more people can be involved and have a voice instead of a small group of people kind of making decisions for all of us. Thank you.

Mayor Ebert said on McGill Park we just received the \$500,000 grant that we have been waiting patiently for. So, we should be getting started on construction hopefully this fall or very early next year depending how COVID treats us the rest of the year. As far as fundraising, that has hit kind of a standstill we had found a local company to do that and since we not supposed to do fundraising on our own we have to have somebody do that for about 15-16 months and got a lot of leads and prospects who want to do something but there was a problem with delay in our grant we were not able to show them what it's going to look like and where things are going to be but we should be able to start doing that very soon and they wanted visuals to see what they are donating to and for how much they wanted to donate, so from this point on it should start moving along I hope quickly but probably not as quickly as I want.

Coolman said it has been a long process and waiting on the government to get funding and plans put on hold until we received our funds, but not things can progress and as they progress we will start discussing in greater detail at council meetings. Pay attention to the city website for the most information from our

meetings for recordings and also can read the minutes.

Amos I won't steal Mr. Lynch's thunder, I know he had mentioned having citizens helping on the park projects, that has been discussed at great detail but hopefully in the next month or two we will have more conversations on that and hopefully it can lead somewhere and I know Mr. Lynch had brought that up to all of us and hopefully he will be leading that charge for us. Mayor Ebert said I think there will be some volunteer opportunities coming up. Lynch said the first phase will be coming, soccer fields, baseball fields; Mayor Ebert said first phase will be playground, soccer fields, parking lots, shelter house. Lynch said phase one will have a path from Ashbrook to Walnut Creek and foot traffic can get from Walnut Creek to the park on the south side of Walnut Creek and it would be nice from a construction standpoint to start at least the fields this fall as fall is the best time to grow grass and it takes several seasons for the grass to fill in before the fields can actually be used so that is why talking about trying to get this started this fall to get this grass planted.

Katie Moore said I want to follow-up on what you said about somebody working on fundraising and they were held back with a delay in funding so, what is the status of that person, are they still working with CW and are there any leads that are viable from that and what are the next steps there. Mayor Ebert said I will have to get back to you on that; I think she has several leads and at least one was a hospital system that wants to donate a huge ton of money but has now backed out because of COVID and financial difficulties. I will have to get back to you and you can call the office and get more information, is that okay. Katie replied okay, sure.

Jacob Tynes came forward to speak. He said good evening and good evening to the people behind me, how are you all, good, we can have fun in here. I am from the other side of 33 and I also pastor on this side of 33, I am one of the pastors at C3 Church here on Waterloo. I actually wasn't going to speak, but as a pastor I don't have few words, so I will take the podium just to encourage this man here (pointing to Christopher Burton in audience) that you are not a failure, and yet an inspiration and so I just want to take time and honor you for what you did because I think as a 28 year old I grew up with friends of so many different colors and my house was the house and my mom was the cool mom; I am actually from southeast Virginia so I am only a resident here for four years, and I ah, yeah, dude you are an inspiration to everyone in this room. Me and our youth pastor were actually at Shade on the Canal which has great chicken wings come on somebody and we were sitting there and unfortunately, we saw first-hand the subject that has been talked about which is racism. Racism isn't a skin issue I believe it is a sin issue of the heart. As the protestors were coming and Shade was closing their doors the kitchen was closed and the man came in and he said I have a gun and I'll just come up here and shoot all of them. I was so surprised, and our youth pastor was just in such shock because we are a church that represents so many different backgrounds and ethnicities and I am proud of that. But, racism is taught and for us to stop racism I think the number one thing that everyone in this room can do is and also the people that are sitting in leadership within this city you can start by loving your neighbor. I will be there are many of us in this room and many of us on the television screen that don't even know the name of their neighbor, and so what I challenge people to do and people who attend our church and in my sphere of influence is to go out your front door and out of your comfort zone and go meet your neighbor. My dad has also served in law enforcement for thirty-eight years, so sir thank you for your service (pointing to Deputy D'Amore in room); he taught me that you treat everyone equally and we can talk about change but unless we become change, then change will not be a result of anything that we have said and so, I want to end my

time by thanking you and thanking you, too, (turned and looked at audience) I don't even know who you all are, but you guys are dope and I just really thank you so much for coming here and standing up for what is right because I believe the generation after us the generation that is coming up is going to see a new day where it doesn't matter a color of the skin, so thank you so much. I yield my time, and I do want a Chick-fil-a in CW and I hear there is a Panda Express on the way and also a Smoothie King and I hope I see that come to pass, thank you.

Jim Kothe came forward to speak. He said I don't know how to follow that it was absolutely amazing. I am a newer resident to CW, my family moved here from Cleveland about two and half years ago and I am also a pastor at C3 Church. We came here this is my first town meeting so, we came here to support the community and really learn about the community and so, and I just appreciate everyone here and even the ones that have already spoken and just speaking their minds and creating a safe atmosphere to do this. I really just want to follow-up with Jacob and what he said on behalf of C3 and behalf of my family we support our community we are going to do everything we can as a family to support you and support everyone else here and to making change. Jacob said something that is so profound is that we can talk about change but we have to be the change and so, my family and out church is committed to being that change, helping spread the awareness and helping to be a part of the change in this great community. I believe it is a great community, yes, there are flaws but I don't think there is a city in this nation that doesn't have its own flaws and so, I appreciate everyone's courage and coming up here and speaking their mind, and everyone is gone, so I guess I didn't do a good job, so yes, I also want a Chick-fil-a.

Anthony Alioto came forward to speak. He said I was the youth pastor that was with Jacob at Shade and I just want to thank the both of you (pointing to Jenna Acklin and Christopher Burton in the audience) and as the youth pastor at C3 you know it is really important you know that the next generation sees the example; if we are not leading the charge and setting the way it is just something that is going to continue to repeat and I think my heart just dittoing what Pastor Jacob said is just you know that's the goal that I want to see, so I thank you guys for stepping up and coming here and you know like Pastor Jacob said about setting the environment and we can talk about this because it starts with conversation and you know as the next generation rises I think we can be the example to set with them and how they can set an example in that community as it continues to grow and so, I yield my time, but thank you for having this opportunity for us to share.

Vangela Barnes came forward to speak. She said I am originally from Portsmouth, Ohio, a small town very similar to this; I grew up in a middle income, middle class section of town and it was very segregated. I was the only black in my school, I went to Catholic school, I didn't see racism and that maybe was because I was the only black in my school. When I moved to Columbus, I remember the first time being called an oreo, you are black on the outside and white on the inside and I thought, wow, what does that mean. I worked at a Wendy's on Livingston Avenue and most of the people there were black that I worked around, but I had interacted with both blacks and whites all of my life so, it was nothing to me to be one side or the other. I have heard you guys say so much tonight and there is so much I could say about everything, but I want to talk about systematic racism. As a high school student my senior year, that particular year in 1983 a lot of black, I won't say there were black, but a lot of teenage girls were getting pregnant and I got pregnant my senior year and I had a 3.8 gpa in high school and didn't get into National Honor Society and I didn't get a scholarship but I was determined I was going to college. I didn't really think about why, but when I found out later from another girl that did get a scholarship and was in

the National Honor Society that she had overheard her parents saying the reason why was because one I was black and two I had a baby. And I was like, wow, really, and the systematic stuff had started. As one of the very few black women working in IT I have experienced it in a board room with all white men twice my age and being told to be quiet. When I moved to Canal, I have been here since 2002, I have raised five kids, my youngest is graduating this year. I participated in the march on June 2nd and I came past Shades and some of my kids of worked there, Lonnie worked there, Daniel, Nicholas and Ozzie and Bryce works at Kroger. I have had four kids work at Shades and I can't tell you the number of times I have come through Shades and people look at you like you are not supposed to be here or instead of saying hi they look at you and follow you all the way through the restaurant and it is a weird feeling but I try to not pay any attention because I have had four kids work there and I get along with the staff and I have never had a problem with people working there and I have met the owner before. I just think about the people living in this town and how they treat people and how they talk to people, even CWJRD and I have often times felt like some kids are not given equal opportunities as other kids because I know that parent or that is so and so's parent and I used to call it daddy ball cause I didn't like how they treated all of the kids and they didn't give everybody the same chances. And also, because it is so expensive and I have come from Worthington, Westerville, Columbus and I have never seen an area where they charge so much to play so how are you giving any of the kids on the north side of 33 or maybe there are a lot here on this side of 33 an opportunity to play if they can't afford that. Now, I will say not that they can't afford it, I will say they choose not to afford it because they don't want to deal with the racism because I know mothers who will spend every dime they have and let the electric bill be turned off to play football if they know their kid is going to be treated right. So, a lot of times it is not about the money, sometimes it is about I am not putting my kid there I will take them over to the cougars or I will take them to Whitehall to play because I don't want them to be mistreated. So, I want you guys to know if we want to grow and become a bigger and better community and we want to allow our kids all of the same opportunities we want to win those championships and equal opportunities for our kids to go to college based on their academics and their sports. We have to start treating everybody the same. I have a son who is 24 years old and I asked him how do you experience racism in Canal and he actually told me he hadn't and I was really surprised because when he said he hadn't I could think of a few instances where I thought he had. But, because I don't raise my kids that way he looked at it as something he had done wrong and that is why he didn't get that opportunity but what I knew was and I didn't really bring it up to him or reinforce it in him was I knew other kids who had done the same thing but they still had the same opportunity to go on the 8th grade field trip. So, there is where sometimes as parents we can egg it on or we can help them not to see it but it is our job as parents and people in the community to try to make things better. There are a couple of things that I thought, a lot of kids come to my house some people on this side of the tracks as I call it this side of 33 but on this side of the tracks there are a lot of people that think they have something better than us on the north side and I can come over here and look at any of y'all's shacks and compare it to where I live and say you know why I live way better than you. But, I don't think of it like that, I share it, I am a foster mom, I take care of foster kids, teenage boys and a lot of people will call my kids friends the rainbow coalition because when you come to my house if there is a teenager party at my house or a teenager event at my house you don't just see black kids you see white kids you see Hispanic kids you see Asian kids and my kids get along with everybody and that is the kind of community I want us to be. So, here are a couple of things I would like to recommend. I know there is another march on July 11th in the community; I attended the June 2nd one because I saw the windows being boarded up at Shades and that is the only reason I even attended it so I am coming down here to see what is going on and I want to be a part of saying I have four boys and one of my sons got pulled over and only because the sheriff knew me

is why he did not give my son a hard time because he looked at his license and said aw, you live on Lehman I will let you go cause if I have to say anything to you or do whatever I am going to have to hear that from my wife and your mom but he hadn't really done anything when I talked to the officer and he was just going a little fast and he pulled him over. I have been pulled over because the light over my license plate was out at 7 o'clock in the summertime I don't know how the officer even knew that and he pulled up behind me and I am like you can't even see my license plate with your headlights on my license I was feeling a little bit like pit thorn and I didn't know my windows were a little on a previous car a little tinted and so, I am like, that is why you pulled me over so, anytime I get pulled over or my kids are pulled over I am always fearful and I shouldn't have to think any more than am I going to get higher insurance rates, but a couple of things I am working on are working with law enforcement from Fairfield, Franklin, Columbus, Madison, Lithopolis and Groveport because all of these agencies come through the north side of Columbus and 33. I have seen them all up and down my road on Lehman Road so I think that there is some need for you guys to all get together and maybe figure out what we can do as a community provide an ability for you guys to know the people that live in this area better than only seeing us when you pull us over. So that is one thing I am working on. The other thing is I would like to see maybe a liaison for the city of Canal maybe put on council whatever you have to do in the city because Columbus council has a liaison and that liaison could work together with the Columbus city liaison to improve some of the community relations with the north side of 33. The pool, I don't know what you guys do with the pool memberships and how that works but there are kids on the other side of 33 that go to the pool. I don't know who you guys can think of some ideas to involve them more or with memberships I know you have memberships with living here. There are a couple of other things I am sorry I am going a little long but I am trying to hurry up. Park activities in the summertime for the kids and city contacts, what are the city contracts for minorities that is one place I have watched various different activities in the city that things are being done roads highways, etc. and how many of those businesses that you are doing in the city are contracts with, doing them with minority companies; not just companies that have one or two blacks that work for them but actually a minority owns the company, so that is another thing. I thought about cadet training at the high school where instead of having sheriffs come and do everything maybe we have cadets, you know, kids learn how to be law enforcement and we do cadet training with some of the kids at the high school. So, that is all I have to say and again I thank you and like I said I am a part of the community and I think it was one of the persons on city council that said welcome to Canal but just because you haven't seen a black person in Canal doesn't mean we don't live here and I just want you to know we would say welcome to you, too. Thank you.

Bethany Ferguson came forward to speak. She said hi guys can you hear me we are having a hard time hearing you guys in the back so I just thought I would throw that out there. I want to talk to you guys today about the Bender Scholarship that was brought up at the last council meeting. I know there was quite a big debate on whether or not we would be able to extend it to the entire school district or just keep it within the residents of CW. I want to implore every single one of you to take the time and look at the climate of CW right now and look at how incredibly divided it is. I think you heard very well from a lot of residents here tonight that we have a massive issue and a lot of that issue is racism. The other part of the issue is that CW is divided by us and the north side of 33. Just like Vangela just talked about that needs to be shut down and it is absolutely unacceptable to discriminate an entire school district. I have three children within our school district here and to say that only my kids and the kids that grow up in the city proper are eligible for that type of scholarship is unacceptable. It's discriminating and it should not be happening. I think one of you last week had described it as holding on to the heritage of CW and to that I

am going to call BS, because the heritage of CW and the climate absolutely has to change and it has to change today. We have had three marches in CW and another one coming up in several weeks and I think that shows just how passionate people are in this city about bringing people together but I think just that one step of opening up the Bender Scholarship to the entire school district is an easy action step which I think Chuck Milliken brought up last time and I thought that was an incredible statement. That is a simple action statement that you guys can make to be inclusive. We need to stop this exclusion from everybody and really just bring everyone together. I think that sums up what I wanted to talk about today. The other point I wanted to make is when the scholarship was given out this year, it was given to a Bloom Carroll student and a CW student. Why would we open up this scholarship to another school district and not include all of our children so I would like to ask you now what are we going to do about the Bender Scholarship especially after hearing from these other parents within the district and their deep concern for our kids because we really have a big problem here within the entire community of CW.

Coolman said the foundation of this scholarship was created in honor of a past city council member and that is what the basis was on; it was not based on the fact that Mr. Bender was a cross country coach it was based on his memory and service on city council and that is why that scholarship was designated to the residents of CW and the voting district. We didn't hold it up to the Bloom Carroll school system it is just we have that family that lives here in CW and their children go to Bloom Carroll. So, that is how that is how that encompasses two school systems, it is a scholarship for the residents of the city. Ferguson said I understand they live within the city proper, my point is we have the other school district coming in and taking funds when we live in the CW school district we need to open it to all of the kids not just the ones that live within our city limits. Lynch said I agree with you Bethany, Ms. Ferguson on this. When we originally talked about this a few months ago for the first time and about using a wider net and trying to catch more people and open the scholarship to the whole school district. I do agree I think we if we opened it and changed the rules to include the whole school district then yes, you are right it is a very small step it is a step in the right direction to create more inclusion of the whole community even outside of our city it is a very simple step. My hope will be to allow that to happen but whether it will or not I am just one vote. Ferguson said I had one other comment but Mr. Walker is not there so I will hold off for another time and maybe just give him a call, thank you.

Cindi Lynch came forward to speak. She said first of all I loved your stories, I think we need to hear more about what is going on in this community. I for one and many of you guys know this have been trying to get unity in CW for quite a few years now. And it is important for people for when they do speak up and maybe they don't get answered they don't feel welcomed and I think it is pretty clear what everybody here is telling you guys is that we want to be included. That means we want to be on some of these different committees. Kitty and I spoke briefly and one of the things to help unite in some ways and CW does a lot for the entire community and with some of the volunteer organizations we bring that down here and we start getting to know everybody and put them on these different funds and everything. When I look at actions items I think it was clear doing a chalk drive for the school is fantastic it starts with the kids and see that it happened and we are going to do something and we are at the point where we need action items not just a let me get back on that. If we could do the chalk; if we could advertise the protest I think we should be advertising it on our city website I think we should put it on the sign that lights up I think that shows leadership and we want to know that it is a peaceful protest. I hope that some of the city council people can actually attend unfortunately Pat and I are going to be gone I hope they video tape it so we can hear it and see it; and I hope we start putting the videos up not two weeks after

something is done but immediately so we can see things. The biggest thing we need right now is communication, open communication, get the videos out there and let people see it. I think this is; I could not be more proud of this community right now than the unity we are getting together if there was anything I prayed for this is it and it has taken a long time to get there and I hope next year when we have the election coming up and there are four spots open on city council I hope a lot of people dive in and we get the diversity and we get everything we want and it is sad we had to take this long to do it and push this hard to get it; that is all I have to say.

Todd Cook came forward to speak. He said he has been in CW since '99 and ran two kids through the schools and got one more to go. I am here representing a group of friends that are in support of additional scholarship for the students of CW outside the city limits. We do respect the Dr. Bender Scholarship and sat beside him through many track meets and to sit beside that man and listen to him talk and work with the kids was something I will never forget. We feel that after talking there is an opportunity to get another scholarship available to the folks that live outside the city limits. The suggestion that we and I feel and our group of guys I work with and group of friends are the best fundraisers in central Ohio with Tom Woodward, Eric McGee, Mike Mahode, Donnie Musick, Josh Collins, Walter Kawlinoksi and myself. So, we feel and want to offer up our assistance to do that if we can to help make that happen and bridge that gap with the north of 33 and make a difference in our community and just want to put that out there to make an additional scholarship and we will do what we can to make it happen and we are available to assist in that to make it happen. Thank you.

Marie Gibbons came forward to speak. She said good evening can you hear me; Coolman replied yes. She said I want to second what Bethany said and I am having a difficult time understanding some of you and identifying who is speaking. I would like to begin my statement by stating by making citizens attend a public event to speak during a global pandemic is troublesome. It not only demonstrates a lack of care for the health and wellbeing for our citizens it silences the voice of those who feel unable to attend due to health concerns. On May 30th I received an email from an anonymous source that contained screen shots of racist Facebook posts that were made by one of our city council members. Later that week I received additional screen shots. These posts show a blatant disregard for the black lives movement, joked about killing our first black president, and promotes stereotypes for the black community as gang members and lazy people who leach off government programs. We cannot tolerate this behavior from our leaders. CW needs leaders who are recognizing and working to correct their own basis in order to lead the entire community forward. It is my understanding that some council members also received these anonymous emails but I am certainly willing to share them with anyone who did not. I would like to know how council is going to address this discriminatory and prejudice behavior and I would like moving forward to see mandatory implicit bias training for the mayor, city council and all city employees. Thank you.

Bryce Palmer and Austin Keyes came forward to speak. Keyes said together with city council we started the community recycling program in March of 2019. We would like to thank city council for continuing the program while the two of us have been away at college. Including the curbside recycling in the current bid for the next contract with waste management we would like to thank Mr. Walker, Mr. Clark and Mr. Milliken for continuing support of the recycling program through their re-election and election campaigns by letting us know they support recycling. Our goal was to have curbside recycling for the entire city however, the contract is up for renewal at the end of August this year. Our hope for the new

addition for the program is to make curbside recycling available for everyone because some people cannot make it to the community recycling days every first and third Saturday of the month. Therefore, curbside recycling would give everyone the ability to recycle and not have a limitation of recycling on only two days a month. The next step in our plan is to educate the community as a whole on how to properly recycle. We are partnering with the Indians Club from the Canal Winchester High School to take educational material door to door throughout the neighborhoods in the city. As a community we need to work on reducing the amount of waste sent to a landfill as a lot of that waste can be recycled. Thank you for support of our program and we hope to continue this partnership with the city council to better our community. Thank you.

Amos said she would like to thank Bryce and Austin now that you have been back since COVID for coming on Saturday and helping us with recycling again; it has been great to have you volunteer and talk with everybody that has been wonderful.

Coolman said that concludes our list of speakers and I would like to thank everybody who came out in attendance, it is overwhelming. I believe we are all on the same page that racism comes in a lot of different presentation forms, it covers a lot of topics, it is not just skin color, it is basically how we treat one another. As a community we are a lot better than that, so it starts at home, it starts by looking in the mirror and it starts by treating your neighbor with the same kind of cognizance that you expect back. It is not just how you treat someone but in how you communicate; communication is a very effective tool if done properly. If done improperly where it is accusatory, discriminatory, slanderous, attacking that is never acceptable and it should never be. I applaud everyone that came tonight, I think it is community unity is making a big step and achieving that goal of everybody being unified.

Vangela Barnes came forward to speak. She said I just heard you say thank you but I didn't hear what you were going to do. This is not a kumbaya meeting, we really need to have like she said some action items what are you guys going to do to improve the community that is why we came here tonight and I want to be sure the minutes come out and the action items are documents and that somebody is assigned to get back to us, please.

Coolman said we will be speaking about it at future meetings. It is a group effort, it is never an individual effort that involves council or the city, so we will be addressing this and it will be addressing it again in our records.

Jenna Acklin came forward to speak. She said I am curious as to why there was no answer as to what you will do with the council member who was posting racist comments online.

Coolman said I started this meeting by saying that attacks on an individual council member; this is not the forum for that. Everybody has their opinion. Person in audience said no, no. You all have gotten these emails and formed your opinion on them you are entitled to that but as far as what council is going to do about something of that nature and those details. Bethany Ferguson came forward to podium to speak. Coolman continued we do not even know who and how do we know how these emails have been received and with all due respect came from a guerilla ware sender so until we identify that sender we don't know what that means. Bethany Ferguson said okay, to piggy-back on your comment, Mr. Coolman, about sending an email, that is a laugh in our face a blatant joke. I have sent numerous emails to council

asking specific questions looking for answers on numerous topics and I do not get emails back. I have been copied on emails asking for responses and I have got nothing. So, for you to say we need to email you to get a response is ridiculous. At what point are you going to answer questions and respond to your residents who clearly care and want to have answers. Coolman said for me personally, Ms. Ferguson, I want to tell you personally speaking nothing has been directed to me from you; I can tell you if you want to illustrate some emails to me I will be happy to respond to you, but I will not tolerate the way some emails we receive; they are attacking; Ferguson said direct; Coolman said and I am not going to respond to attacking emails. We are not at target for the public to take pot shots at...Ferguson and Coolman talking at same time...Coolman said excuse me can I finish; Ferguson said please. Coolman said if you will give me some examples that involve me directly. I will not allow this podium to be up here to tear apart for everybody actions. We are a council. The method of communication we have is that if you email in to us we form a unified opinion and we email back. Now, if you have sent emails in that you have not received a response back on then please I would like to hear about it. Ferguson said I would be happy to provide those; I have four emails that every single council member and the mayor were copied on and I only got one response back. Coolman said I will look forward to seeing them; Ferguson said great I am really looking forward to sending them.

Jenna Acklin came forward to speak. She said and now you are probably going to shut us down quickly because now you don't like what we are saying but today was a wonderful day and this meeting was a wonderful meeting and I appreciated your responses and your willingness to learn and willingness to join the community to do better but the way you have ended this has just slapped every single one of us in the face, thank you.

Christopher Burton came forward to speak. He said everyone that is in the room right now, they say actionable items and the simplest thing for our community to come together and I have spoken with a lot of people it might be this chalk event. I don't know if anybody knows right now but if you look at the children on social media they are going on a race war right now with one another black kids versus white kids and I am very open right now with conversation with my daughter about what is going on and what is acceptable and what is not acceptable. But, we have to do something to bring us all together if I have to make a pamphlet to bring everybody together but we find a way to bring the kids together at the school if we are able to let them know to love one another and to care for one another can we at least get that going for the start of something.

Bennett said I am 100% into organizing a community chalk fest for all of the kids and coordinating and we will need to work with the schools to get clearance with pandemic rules and spacing and while we want to commit to that right now there are some organizational logistical things and any permits we have to clear before we can 100% commit to do this before you leave here tonight; this is an action item, I will work with the school board, we will work to find a date and see if that is something we can make possible. Some of these action items take more discussion; the great CW community action area committee we will have to discuss how to organize it, who are the members, what are the rules, how is it structured and we would definitely like for you to participate in that discussion. I don't think we can answer these alone and I don't know if we have the outright authority to do some of those things but we all want to give more I think we can all agree this is the best city in Ohio so I think everyone here is committed and to do some action and for us to walk out of here with a list tonight that we have to commit to, and I know the chalk thing I will follow-up and let's look at the committee idea and see what

form that takes and I love the discussion the idea of a diversity cultural festival and block off streets and where can we have it and a lot of these things are challenged right now by health and safety restrictions as Ms. Gibbons alluded to and we see that people think we are putting their health and safety at risk just by having this meeting tonight and these communications. So, yes, it is a challenge we all want to try to do better and we understand that in this time for us to not have this conversation sends the opposite signal and I thank all of you for putting your health and thank the city staff for their attendance we are committed to doing some of these things. Ms. French and Ms. Barnes, we want to do more, we met with Jill and had a discussion on Wednesday night about joint rec and it continues to grow the list of things we want to accomplish so please know that things are going to happen. Burton said the biggest thing I would like to tell everyone in this room is that if you have children look at their cell phones and look at their social media and see what is being posted and see what is being said and stuff happening to your own child and when it hits home how fast you move and I challenge you to do today to look at the kids social media and see that it is not nice at all. Amos said I concur with Mr. Bennett the last thing we want anybody to do is to walk out of this room and feel like nothing is sticking nothing being done. If we keep doing the same and keep what we have always gotten and we need to take our first steps and find out where we are; we are hearing a lot of information from a lot of different groups personally I have had meetings with different groups and we are trying to figure out what can we do and we want the groups to reach out to us and tonight we do our best that we can and we believe in our better community and to be the voice for our community and that is why I ran so sitting here I have taken four pages of notes so I can make the next phone call and see what needs to be done and what difference can I make and know that I am listening and we need to listen and hear and I want to be able to talk further with you and how we can move forward and how we can teach the kids in our community to get stronger. Lynch said this is not ours to solve alone and there are specific suggestions and actions that can be done please let us know and email those ideas to us; next Monday we have the committee of the whole meeting I would think that we could have an agenda of things to talk about and hopefully talk about this some more and some specific actions to do but again as many suggestions as you can begin forward would be extremely helpful and it is a tough issue to tackle but, we certainly like to add to the comments we already have.

Mayor Ebert said yesterday I had a meeting with Pastor Crenshaw and we had a very open meeting. One of the things I asked him was what can we do, what can I do and I said what do I tell the people and he said tell the people we are working on it and it is going to take time. Those were his words. We will work on it. It's not going to happen overnight, but we will work on it.

Amos said all of our conversations at the schools they are on board with this. I don't know if all of you saw the letter Mr. Sotlar sent out a week ago and if you have not read it take a moment and to read it but he says even in the school there are things we have to do and the city and the school are trying to work together and the chalking is just another example of something that we can hopefully pull together to bring our kids and community together and parents and school board and during the march on that Friday where Mr. Bennett and I attended and I was so impressed with the school staff and the conversations I had with students and parents were wonderful and do know we are listening and we do plan to make changes and as much change as we can.

Jenna Acklin came forward to speak. She said we appreciate your willingness to change, we understand that things will not happen overnight, we understand that COVID-19 is happening right now and we all need to be safe but no disparaging comments were made about council members and the defensive tone

that came from your council shows there needs to be accountability in order for you to be the ones in handling this matter and for your to be charging for the change there must be accountability. No one disparaged anyone on council she did not name a name she asked what was being done to investigate the matter and you became aggressive and you were disrespectful to her, and I don't know who it was because I can't understand who you are or see who you are, thank you.

D. Adjournment

Coolman said thank you everybody for attending and be safe and thank you for a very productive meeting tonight.

Canal Winchester

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



Public Hearing Meeting Minutes - Draft

June 29, 2020

6:00 PM

City Council

Mike Walker - President

Mike Coolman - Vice President

Jill Amos

Will Bennett

Bob Clark

Patrick Lynch

Chuck Milliken

A. Call To Order at 6:00 p.m.

B. Roll Call

*Yes 5 – Amos, Bennett, Clark, Coolman, Lynch
Absent 2 – Milliken, Walker*

Motion to excuse Milliken and Walker made by Bennett; seconded by Clark

Motion carried by the following vote:

Yes 5 – Bennett, Clark, Amos, Coolman, Lynch

C. Purpose of Public Hearing

Coolman stated also in attendance is Lucas Haire, Mayor Ebert, Matt Peoples and Andrew Moore. The purpose of the public hearing is Appeal 20-002; the Clerk read the notice of appeal; Coolman called Andrew Moore to give the staff report.

[APL 20-002](#)

Notice of Appeal regarding the approval of Variance Application VA-20-002 by the Canal Winchester Planning and Zoning Commission to allow internally illuminated signage at 6600 Bigerton Bend which is restricted by Chapter 1189.06(c) of the Canal Winchester Zoning Code. Applicant: DaNite Sign Company; Property Owner: Crossroads Christian Church. ([Findings of Facts and Conclusions of Law, Variance Application, PZ Staff Report, PZ Approval Letter, Neighbor Letter of Appeal](#))

D. Staff Report

Moore said this evening we are hearing the decision by the Planning and Zoning Commission for variance application VA-20-002 which was approved for internally illuminated signage on the subject property. This property consists of 27 acres and zoned AR1 which is multi-family residential zoning. The variance the applicant is requesting is from our sign code. Moore provided some background information for city council noting which zoning districts churches and places of worship are permitted. Canal Winchester sign code prohibits internally illuminated signs on properties zoned residential. Moore explained that the idea behind this restriction was that so signage fit into the context of the neighborhood. The sign code was amended in 2019. The subject property is situated between the intersection of Bigerton Bend and Gender Road; you see on the diagram the footprint of the building in relation to the other surrounding uses. Moore reviewed the zoning department notes and discussed the unique site location compared to other church facilities. The subject building consists of approximately 58,000 square feet that seats roughly 1,200 people. The applicant requested to install internally illuminated signs on the building and again, the subject property being zoned residential in a residential district they could not have these signs without the variance process. The applicant put together graphics to show the Planning and Zoning Commission some context of this facility and the distance from the proposed location of the signs to nearby roads or houses. The distance from the closest point of the building to Gender Road is over 900 feet. The distance from the point of the building to the closest residence is through a wooded area and is in excess of 500

feet. The closest point of the building to the property that filed the appeal is over 600 feet. The building is surrounded on all sides by parking and a commercial outparcel in front, it is approximately five acres and for sale for future development. The facility put together the signage plans for your review. Moore said that the scale of the building signage meets zoning requirements and the style of the sign is the issue here. The internal illumination would be LED lighting and is designed with pin holes in the sign face so that the sign has an illusion effect where it looks like black channel letters for daytime but at night it glows a soft white. Moore used as an example the shade mechanism in new commercial buildings where you can see your car in the parking lot but you cannot see inside the building until it gets dark outside, it is the same effect. This is something the applicant requested as having it softer and not as bright as commercial lights. The applicant also told the P & Z Commission that the scale of the lettering is really thin to minimize the illumination of the sign. This graphic shows the sign facing the east facing the Cherry Landing neighborhood. When looking at the approved site plan for 2017; their signage package in terms of location and scale is the same as what was approved by P&Z with the variance request. Moore said in 2017 there was no restriction for internally illuminated signage in residential zoning districts. The changes to signage requirements in 2019 came out after their conceived plan. Moore provided site photographs of the property from neighboring views. The final landscape plan was provided for council showing that with the project they are planting over 180 trees with the majority of them located basically in this top northeast corner of the site which will effectively provide additional screening for the sign. Obviously, the trees were just planted and are a much smaller scale now but accounting for mature growth and will consider the design of the site. The Planning and Zoning Commission reviewed the application at their meeting on May 11th and made a motion to approve the variance application 20-002 as presented. During the approval the noted that based on the character of the site the sign that was requested in relation to surrounding commercial properties on Gender Road and industrial properties on down they felt the type of sign that was being requested was a fit for the area. Moore noted that he can answer any questions and noted that the pastor is available to comment on his project.

Coolman said I want to recognize that Chuck Milliken arrived to the meeting at 6:12 p.m.

Coolman said a question that I have personally is you stated, Andrew, that the building plans were approved in 2017 when they were crossroads and then the ordinance changed to not allow illumination of the signage on the building. Was the originally plan to include illumination when it was submitted in 2017. Moore said yes, as part of the site development plan process with Planning and Zoning Commission they want to see a concept for all site signage for any project to understand the sense of scale they are trying to achieve; the final signage plans are not required at that stage and can be done later administratively as long as they meet the zoning code. In 2019 the sign code changed putting more stringency on residential signs and this property happens to be zoned in a residential district; Coolman said this church is zoned residential; Moore replied correct. Lynch said how does the commercial code, I know this is not commercial it is residential, but would this pass commercial code standards; Moore replied yes, there would be no variance request if the property was zoned in a commercial district. Amos said this project was approved in 2017 with their sign approved, the rules were changed in 2019, why is it not grandfathered; Moore replied so, the sign permit was never filed in 2017, the sign permit is one of the last things to happen, this site went through a long civil engineering review and that step happens way before the applicants can submit building plans. Additionally, if they had submitted sign plans in 2017 they would have expired 1 year after approval. Signs are typically one of the last things to happen in construction. Amos said thank you I just know that it is different than building code so I am trying to

understand why it is different. The Clerk said council members please speak into and close to your microphone please. Clark said can you give us a visual of what is on Gender Road and who has these kinds of signs that are lit up; Moore said every single business from 33 to this site has this type of sign; Clark said every single business; Moore replied yes; Clark said Brew Dog does; Moore replied no, Brew Dog does not have an internally illuminated sign. Coolman said so every business you are saying in the area of Gender Road out to 33 and that property is also zoned commercial; Moore said yes, correct, those properties are allowed to have illuminated signs. Lynch said from the parking lot...I love that they are planting trees to compensate for the trees that were cut down; Moore said they did not cut down any trees for this project, it is based on building size; Lynch said my concern was coming from a residential area that down there looking towards the parking lot you would see a number of parked cars in there any consideration for mounding in that back field where something can be put on top of it that would possibly in a sense solve this conversation; Moore said so when the plans came before Planning and Zoning Commission twice for this property and they had two different landscaping concepts there was never any discussion to do excess mounding. Lynch asked is there any soil left on site that could be used for mounding I know this is going backwards; Moore said I know there was a lot of detail for the draining for that site and it would be a process for reengineering that to make a change now. Amos said I received a text from Mr. Bohnlein and they cannot hear us at all unless you talk directly right into the microphone; let's say you ask the pastor to not put a sign on the side of Bigerton could they come back at a later date once the trees have matured and ask for a variance for a sign. Moore said in my opinion, if we denied the variance you are saying it is not necessary for the property and to file for a future variance they have to substantially change the plans for a new variance request. A variance request is specifically to show you cannot use your property without it. Amos said I would like to ask the pastor some questions, does anybody have a problem with bringing the pastor to the microphone. Bennett asked do any of our churches in the community currently have internally illuminated signs; Moore replied there are no churches in the community that have internally illuminated wall signs on the building. Bennett asked if the New Life building sign being erected is internally illuminated; Moore said their new sign is external illumination; Bennett said what churches have externally illuminated ground signs; Moore said nearly every church in town has some sort of illuminated ground sign; Coolman said this one back here; Moore said the one on Elm. Bennett said okay; they are monuments not erected on the building; the only building that would be comparable in scale of size is C3 Church on Waterloo Road, their sign is roughly to scale and proportion to this one, they do not have an illuminated sign and their zoning would permit that because they are not in a residential zoned district. Bennett said the applicant wants to put a sign on the rear of the building; Moore said the way the church is oriented, the back of the building faces Bigerton Bend, their front entrance faces east and west. Lynch said we know that what they proposed in 2017 was approved but what would the sign look like if they followed the current code; Moore said the sign would have external illumination to shine up or down on the sign. Bennett said Chase right here has one that is black during the day and then lights up. Lynch said the sign has not been put up; Moore said no, However the sign construction was ordered the day after Planning and Zoning's zoning approval and then the sign company has since halted that order; tens of thousands of dollars in signage; Lynch said yes, I can only imagine the expense; my question to follow that would be the sign is not there and we have not physically seen it glow it actually doesn't exist right so the appeal is based on a sign that doesn't exist yet; Bennett said you can't appeal the variance approval after the sign is installed; Lynch said you cannot; Bennett said no; Coolman said please speak into your microphones. Moore noted that an appeal needs to be filed ten days after the P&Z decision; Lynch asked if any photometric study has been done to show how bright the lumens will be 600 and some odd feet from that sign to the residences; Moore said we do

not require a foot candle or lumen scales for signage. Moore noted that the parking lot lighting will be more noticeable than the brightness of the sign. Lynch said so in other words based on the assumed offensiveness of the brightness of this sign the parking lot lights would be just as offensive; Moore said based on the design of the sign and distance away from the property lines, the parking lot lights would be more noticeable. Lynch said the brightness of the parking lot lights will be much greater than the sign on the building. Moore said the public road street lights are brighter than the sign lights. Clark said there are three street lights in front of that house basically there are two new ones put in and one already established and those three street lights alone would probably dwarf the sign; Lynch said there are lights everywhere in that parking lot; Moore said looking at the onsite lighting, Lucas just pulled up the lighting plan that was approved from 2017, their foot candle average was 14.5 this is just throughout the site and did not include any public lighting only private; Lynch said okay; Lynch said the average street lighting in that area would be what; Moore commented the public street lights are way taller so the light spreads further; Lynch what we are talking about here is the brightness of the signs and it sounds like it a moot point with the fact of the public lighting versus the sign lighting; Coolman said that is one part of it another part the ordinance that we have does not allow for backlit signs on residential buildings and the churches we have in our community currently are all in residential areas that they respect their neighbors by keeping the monument signs and they don't have signs on the side of the building; does this church have a location in Lithopolis; Haire said no; Coolman said the World Harvest Church is that a backlit church that is pretty good scale size do they have an illuminated sign, they have monument signs in their lot; Moore said I do not know about their building signage; Coolman said that is in my opinion what we are really debating here is the reason we did this ordinance to updated in 2019 to exclude illumination and it's good enough for other churches and none have requested any variances, does this open the door for churches to do that, maybe, we have to think about here is if you change this ordinance, or approve this variance I should say, we have to take a look at what precedence this sets and for me that is important for what historical precedence we have before us is being followed; Lynch said your concern is it would become a privilege for churches. Moore said the 3 or 4 churches in the downtown area they are regulated by the Landmarks Commission and they have their own signage ordinance that prohibits the backlit signage, so the facilities that could potentially be affected would be along Groveport Road or C3 Church on Waterloo or the one on south Gender. Amos said while I am thinking about this for the church when they bought this land they were allowed to do this and they considered that lighting from day one and what was allowed in the previous agreement, now they are so much further away from houses that in the proper area we are on top of each other we can walk to next door within two seconds so I feel this is a little more out there and the closest to a home is 500 feet; Moore and that is through the wooded areas; Amos said and I understand the trees are not mature yet but still I am trying to think size wise it is not sitting in anybody's back yard and the street lights will illuminate more than this sign will; Moore said this property used to be zoned commercial and it was rezoned to multi-family when the shopping center was being developed. Clark said if this is denied can the church have signs that are not internally illuminated and have huge lights that shine up and around from the ground lighting; Moore said yes, they can; Clark said that can be just as bad; Moore said it could be spotlights within zoning regulations. Milliken said in talking about parking lights being brighter than the actual sign itself; I think we have some folks at the community center and I would like to hear from them about how they feel about it. Coolman said if there is anybody at the community center that would like to speak please come to the podium and sign in.

E. Public Comments - Five Minute Limit Per Person

Jeremy Ebert came forward to speak. He said sorry if I repeat some of the things you discussed. My name is Jeremy Ebert and I live at 6680 Bigerton Bend and I am the one who filed the appeal. Again, please excuse me if I repeat some of the things you discussed, it was very hard to hear and everything echoed and I don't think anybody really heard or could hear who was talking and could complete understand what was being said, so I will try not to go over too many things again. First of all, the reason I filed the appeal for the sheer fact it was a variance to the current code that does state there should not be any backlit signage in a residential area. It's kind of sounded like you guys talked about other backlit signs at other churches and I don't know of any other church that has a backlit sign in Canal Winchester on the building and to the proportion that this sign will be. I understand the proportion to the size of the building but the sign itself is still a larger sign no matter the size of the building. Another thing I want to discuss and I am not sure who brought it up is the parking lot lights and the street lights. I believe you said they will give off a higher light than what this sign will and to be honest with you if I had my choice and I got to file an appeal for a variance for parking lot lights and street lights on the road I probably would have then, too. In your packet you should have pictures of what Bigerton Bend looked like before the church was even built along with various stages up until now and I included two more today and I am not sure if they got included or not to the clerk. The church's variance request stated that they houses would be blocked by rows of mature trees. Myself and the next three houses next to mine no longer have a row of mature trees, that was taken away with the road that was built for the church to be able to build. They have since planted several trees in the grassy area between Bigerton Bend and what is the front of the church I guess which faces Bigerton Bend. Those trees are in no way considered mature and I believe by the legal term of a mature tree the diameter of a tree has to be 19 inches and 4.5 feet tall and those trees average 2.2 inches in diameter so they are no way close to being mature. Another thing I want to bring up and I am not sure I heard this correctly in 2017 is when the ordinance changed that churches could not have backlit signs in a residential area, is that correct? Coolman replied no, it was 2019, in 2017 the plans for the church were approved. J. Ebert said so, within the last five years any church that was built could have, without filing for a variance, could put a backlit sign on their building, is that correct? Coolman replied that is correct. J. Ebert said and still not yet one has done that. Had we known that this was going to be the plan for the area, I am pretty sure, and I am pretty sure other people want to speak, I am pretty sure that variance, sorry it is echoing, so the variance is for the backlit signs on the building and that is what we are appealing or that is what I am appealing for the sheer fact they have to file for a variance for this and I don't know of any other churches in Canal Winchester that have backlit signs on the building. I know the church filed for two other variances for signs near Gender Road and I understand there are backlit signs on the industrial buildings and the shopping centers along Gender Road but those are industrial buildings and shopping centers. I am not even sure if Walmart or Kroger or any of those shopping centers have as many backlit signs on one individual building as this church wants to put on it in a residential area. I would not be so opposed myself if the backlit sign on what I would call the front is the back the side of the building that faces Gender Road like all of the businesses have, but in my opinion the one on Bigerton Bend on the east and the one on the south facing the development of Cherry Landing I would ask we consider not allowing those signs. Thank you. Coolman said thank you. Jim Bohnlein came forward to speak. He said he lives at 6320 Rossmore Lane, Canal Winchester. I would like to speak even though the sound quality here is absolutely horrible and I know that can't be changed but it was not good at all. We didn't hear very much from Andrew that we could understand, nothing against Andrew. However, I don't know if Andrew said anything about the times that these lights would be on. How late in the evening would these signs be on. These residents have put up with a lot of stuff

since the church has been built there; increased traffic is an issue they have to put up with that. If they could reach a compromise if the variance is approved, if they could reach a compromise and if these lights would only be on for a specific amount of time. Perhaps, like on July first they look at sunset and on July first or December first or whatever sunset is nine o'clock or 9:30 and then for that entire month the lights would only be allowed to be on for a specific period of time. An hour, hour and a half, maybe as long as two hours because it does start to interfere with quality of life and there is a quality of life and there should be a quality of life. And so, they are giving up traffic so they would not have to give up time these lights are on. The traffic really slows down at ten o'clock I really don't think anybody is going to be driving around saying gee, I wonder if there is a church around here that I could go to. I don't think that is going to be an issue. During the day that church is very well positioned so that people can see there is a church there even with a sign so if they have to give up the variance and have to have a sign that is going to interfere with their quality of life perhaps they could limit the time that those lights are on, that is all I have to say, thank you very much. Coolman said thank you.

Robert Sycks came forward to speak. He said he lives at 6732 Bigerton Bend in the Cherry Landing. I am also here to ask for the variance to be reversed. This whole process with the church and the extended amount of traffic that we are starting to see has had a big impact on our development. I can't believe a church needs signage that you would be happy to have on a retail establishment that is necessary in a retail application. In consideration of all we have been through and all we are going to get with the increased traffic I would hope the church would also be considerate and be a good neighbor and have consideration and compassion for what we have gone through and going to go through for their ability to be in that new church. I am asking also that the variance be denied. Thank you. Coolman said thank you.

Barbara Goodman came forward to speak. She said she lives at 6673 Cherry Bend and I here to address council tonight to state my opposition to the XChurch signage variance approved by the Canal Winchester Zoning Committee and now being considered by city council. The zoning variance application states the backlit signage is necessary to be seen by traffic at the nearest intersection which is 800 feet from the church. It also says the signage will not reflect on the nearest residential location which is 550 feet from the church. The current zoning restriction will deprive the church of promoting their business as other commercial properties in the area do and it says granting the variance will not adversely affect the public health, safety, convenience, comfort and general welfare. The zoning committee in their statement section 2E says that granting the variance will in no manner adversely affect the public health, safety, convenience, comfort, prosperity and general welfare. In section 2F it says the church will benefit the general public. In section 4 it says signage would not reflect directly into the adjoining residential properties and section 4 says a mature tree line will diminish any harsh light or light pollution. Before approving the signage variance, I think the mayor and council should drive out to Bigerton Bend and John Drive and make an unbiased appraisal of the area. First of all, the backlit signs will be seen from the nearest intersection 800 feet away but will not reflect directly on the nearest residential property which is 500 feet. Maybe the signs will not reflect directly on the properties but the illumination will certainly be visible and distract from the peace and tranquility of the area. Possibly the mature tree line will diminish any direct light or light pollution during the summer months however those trees are bare of leaves for six months of the year. The mature trees on Bigerton Bend that are noted are not mature trees; they are fir trees that are not at all mature they are newly planted they are young and it will take many years before they provide any kind of screening from the people on Bigerton. I purchased my home on Cherry Bend two years ago and I love the community and I love the area. I bought in Cherry Landing because the

area offered seclusion and a quiet sense of peace that normally is not offered in a city environment. I feel that it is safe for a woman living alone as I do. I know the extension of Bigerton has been in the works for years and I know it is a convenience to the village but it is an inconvenience to the neighborhood with the additional traffic that has come through there it endangers our children and our elderly. I think the church leaders and the zoning committee think the sign illumination will not adversely affect the neighborhood. I strongly disagree. Already is it causing emotional unrest and feelings of distrust. I predict property values will decrease if the illuminated signage is approved. I respectfully request city council to carefully consider the justification for the variance and vote no to the zoning committee's recommendation. Thank you for your time. Coolman said thank you.

Ann Frazier came forward to speak. She said she is the owner at 6876 Bigerton Bend. I am very concerned about the variance that has been made and I am asking that it be reversed. As several of my neighbors have stated, the quality of the neighborhood in our area has diminished with a considerable increase in traffic some of it moving quickly and something no one else has mentioned is a great increase in the number of people who are using the private green space as if it is a public park, so this is fallout from the cut through of the road and we resisted that and did not win. To ask the residents of Bigerton Bend to allow backlit signage that encroaches on their neighborhood after everything else is simply unacceptable. Light pollution is a problem in cities and Canal Winchester has a sense of place and one of the things and one thing that gives it a charming sense of place is that it has a small-town quality with modern conveniences. Light pollution does not contribute to the small-town quality and it does not contribute to the quality of life in Cherry Landing. Once again, I ask that the variance be reversed. Coolman said thank you.

Tim Moore came forward to speak. He said I am one of the pastors at XChurch, and I wanted to make myself available if you guys have any questions specifically that I can answer. Andrew stated a lot of the things we had brought to the original variance which was the particular location of this property and being that it rests between the labor and manufacture of Brew Dog and the commercial. When you look down Gender Road, we felt that it was, it would be difficult, we also set our building back further which I know is not great for that but is from what we had seen from the city to have a commercial portion of this property to be used which is for sale and we end up putting that into general commercial that was something that we had been getting from the city and would be nice as we discussed with them and so we did that which of course puts us further away from the road for the signage. We followed all of the requirements, not only for a commercial building on a residential property because I mean it is we are building on a residential zoning but it is not a residential building. I think that is pretty clear with the size of the building and we had tried our best when we came to designing the building and the signs in a way to design them in a way as Andrew had mentioned already that would be least intrusive in the way they are designed and the materials that are used and the pin hole design in each sign so they are not just white signs that are fully lit all the time. The sign on the east side of the building is a more significant entrance when you look at the number of parking spaces. We really have two entrances on the east and west side. So, that was the intent for having on that side of the building. When it comes to the signs and the illumination of them one of the things I have heard a lot of the neighbors talk about and one gentleman brought up and I wanted to at least as well present to council that we would be okay with doing is have the east facing sign be on a timer. Again, like this gentleman said based on a time when it gets dark or whatever so that it could be shut off so it is not on and facing the neighborhood the entire night. We would be fine with doing that. I would ask that we do that on the east facing one. The north

facing sign if you look at it in the design is almost the entire part of it is backlit but not facing out so the X that is on there is actually a halo design so the light is facing onto the building. The only part that is lit up is the very thin X which is facing north which is the back of Walmart. That particular sign is visible as you come by Gender Road over by that shopping center so I would prefer to have that one be able to stay on but it is as others have mentioned far less intrusive than any other kind of lights that are needed for the parking lot or the street lights. The east sign is the one that is facing towards the neighborhood and we have a majority of our parking is there and like I said we would be fine if the council wants to uphold the variance and with a modification I don't know how that works but we would be absolutely fine with sticking that on a timer so that it goes off in the night and it is not staying on at night and late hours. We want to find a solution that is going to work well but that we can stay visible and again we moved our site back a little bit further for that outparcel in the front and it makes it harder for us to be visible. There is an entire row of mature trees that block from the Gender Road, Gender and Bigerton Bend that completely shield the entire facility. You cannot even see it unless you pass it on Gender Road. And so, those are some of the reasons for wanting to have that illumination especially west and the north that was an entire sign package that was put in. Those are just a few thoughts and some of the things that we would be more than willing to do to try to help so that it is a better quality of life for the neighbors behind. I don't have anything else unless someone had a question earlier if there is time for that is fine I just wanted.

Amos said that was my question would you be willing to adjust the times and you have already answered my question so thank you very much. Lynch asked about the timer and specifically what times they had in mind.

Jennifer Ferguson came forward to speak. She said I reside at 6681 John Drive which is the property that backs right into the church's parking lot and now after listening to the discussions I am now concerned about the parking lot lights also. So, if there is going to be the parking lot lights out there and the sign that concerns me. As far as the tree line, that tree line disappears and comes back and disappears and comes back but the light will be constant. So, this is something that I would like you guys to take into consideration and perhaps if someone suggests it you guys could drive out there and look at the situation and look at it from our point of view. We have to live out there, you guys don't. You guys are making these decisions, do the drive by, talk to the people because nothing like this, this is really unacceptable. You know, I have been, I was one of the original people out there and there was none of this out there and I mean there is more traffic now and we have children, we have animals, so, I would like you guys to consider revering your decision. Thank you. Coolman said thank you.

Bev Mowery came forward to speak. She said they live at 6609 Steen Road Drive and I am against the lights because elderly people go to bed earlier and school children don't stay up to after ten and if the light keeps them up that is not fair to the children. I agree with most of the other people here that there should no be light, the parking lights are going to be hard enough and we do have a lot of traffic and they do go fast and we are already seeing the changes it is making in our neighborhood, thank you. Coolman said thank you, is there anybody else. Bill Sims said I believe that is all of the comments from here; Coolman said thank you Mr. Sims.

F. Council Discussion and Recommendation

Coolman asked Mr. Andrew Moore to please return to the podium. Amos said I return to my original question about changing the times when these signs are on and allow the times but you did go ahead and address that, I think Mr. Lynch had a question further about the timing. Lynch said what specific times did you have in mind like a specific shut off time for that sign. T. Moore said he could not hear what was being said. Staff attempted to remedy situation of the audio not being heard clearly. T. Moore responded to Lynch's question saying he does not have a specific time; talking about a space of time, maybe not an issue with it being shut off at nine o'clock in the summer...we would absolutely be okay with that if they uphold it. Multiple people at both locations talking at the same time. Amos said we are finished with Mr. Moore at this time and we would like to have Jeremy Ebert come back to podium. Amos asked is the church able to adjust the sign lighting for certain hours does he feel that is fair and if can speak into the microphone. J. Ebert said I would first ask that the variance be overturned but if the council felt that was not an appropriate decision then I think that the lights being on a timer would be the next best option, it would be some sort of help but I don't think that I, I don't want to ask for that in lieu of the variance being overturned. Amos said does anybody else have questions for Mr. Ebert. Amos asked for Andrew Moore to return to the podium. Lynch asked when Cherry Landing was developed what was the zoning of the property, was it commercial; Moore replied it was zoned multi-family residential; if the church wasn't developed there, there could have been 300+ apartments in there; Lynch said so, it went from multi-family to residential; Moore said it just so happened the plan was submitted for the church, the zoning never changed. Clark said but the zoning changed to commercial, right; the site was never commercial; Lynch said does multi-family apartments allow street lights and backlit signs; Moore said for the multi-family residential zoning, prior to the sign zoning change, it would have allowed for monument signs to be erected but we have restrictions for the new units having signage at that time.

Ann Frazier came forward to speak again. She said please do not take a vote, I have something to say. Pastor Tim's proposal of turning off the sign at 10:00 p.m. I believe is unacceptable and again I'd like to ask for a complete reversal of the variance. In the winter the trees are bare and it is dark at five o'clock. If the sign goes off at ten then that means the residents of John Drive are looking at the sign all evening out their back windows until basically they go to bed. I feel turning it off at ten accomplishes nothing and again, I would appreciate having the variance reversed. Coolman said thank you.

Coolman said this afternoon we received these additional emails. Susan Potter email saying not in favor of the variance, she lives on Cherry Bend. Ms. Nancy Mills-Jones she was also not in favor of the variance. Sharon Heaton sent us an email she also not in favor of the variance. Last but not least, Mr. Jeremy Ebert sent us an email with additional photos that were not included in his packet. So, at this point is there anything else council has to discuss.

Bennett said he has two questions for Andrew Moore. What was the reason for the change in 2019; Moore replied in 2019 we did an overhaul of the sign zoning code every aspect was changed as part of the general requirements; designed primarily to eliminate the commercial...of residential areas have contacts behind them...to help further restrict the desire to have signs internally illuminated...it was more intended for commercial use. Coolman asked Mr. Moore how would this affect businesses or other businesses located in residential areas, could some of those come forward and say I want illuminated sign on my business; Moore replied the home occupation section of our code has signage language in it, this was copied over. Amos said the one thing about a variance is just that, it is that the variance was based

on the information they provided and if another church comes to us as council we might consider it differently we have to look at all of the facts that were presented, the luxury of a variance; Moore said yes and some of the residents have stated correctly it's the variance is already approved so it's the request that council to overturns that approval, I heard some of the residents say they want council to deny that variance or choose to turn over the previous approval. Bennett said when we were discussing the distance and the signage, how far is the rear of the church that faces Gender Road, how far is that sign from Gender Road; Moore replied I would say in excess of 900 feet, it is the closest point of the building to the intersection; Bennett said but it's point is closer to the residential area, did I hear you say 600 feet; Moore said it is still on the site...; Bennett said what I am saying is like the sign on the rear; Moore said the north end; Bennett said north end that will face Gender is further away from Gender than it is from the residents; is the scale of the signage smaller on what will be facing the residential section than what will be facing the commercial section or is it the same; Moore said it is the same; our signage code laws one square foot for one linear foot of wall. Clark said I am getting confused on the north, west, south and east; Moore said Bigerton Bend is to the east; Clark said so one sign is on Bigerton Bend that is to the east and then; Moore said they want a sign on the east, west and north; Clark said ok, so what would be the sign that faces Gender Road that would be the largest sign; Moore said they are all the same scale; Clark said what they call their main entrance is the one facing the railroad tracks; Moore said that is the south and no sign on the south side, the west side faces Gender and the east side faces Bigerton Bend; Clark said so, there are trees and then parking and the trees and the neighborhood; Moore said correct; Clark said who is going to see that sign, I mean nobody coming in, they would see the one that faced Bigerton; Moore said my presentation showed that elevation with the sign on it. Bennett said I thought we were saying that that sign would be obscured by mature trees eventually and the residents so I guess it is a little confusing, but eventually that sign will be obscured and the residents won't see it, but the only way you can see it right now is through; Haire said it is never going to be fully obscured. Coolman said he has driven by a lunch to see; if you drive from Waterloo down towards the shopping center you will see the west side and the east side and you see the west side approaching the bridge from...the side that has the trees on it is the east side and those trees are going to take a while before they even make a canopy and obstruct the view; the side facing towards Gender and if those commercial lots are sold and someone builds out there that sign facing Gender Road could be blocked. Coolman asked Mr. Bennett anything else for Mr. Moore, anybody else. Lynch said the vote by the zoning commission was four votes for, one dissented and two were absent; Moore said correct. Moore said on the screen for a second time for council to view is a photo of the dwelling and the closest house in Cherry Landing there is a word on there that says sign to scale of where the sign would be so what you see here is what you would see from this side approximately. Clark said I would think the sign would be better on the other side, one on Bigerton Bend on that side closest to Gender and Bigerton and then another one on Gender so you would have two signs that you would not be able to miss like that on that one corner and then that puts it the furthest away from the residents, could they live with that and the residents; Moore said the variance approved by zoning commission is not about scale, but while they did look at that information during the review, they did not dictate requesting signs to be relocated they did not feel it was necessary. Lynch asked about the concern for the brightness; Moore said the variance request was for the type of sign if the sign had lights inside of it and shining out; if the sign had lights outside and shining onto the sign there would have been no need for the variance, so planning and zoning looked at that so this level of detail as to where to locate the sign is not part of the scope and the criteria. Lynch said we talked about before whether it is exterior illuminated or interior illuminated; Moore said exterior would be floodlights and be brighter; Lynch said it is a white building and would reflect the lights.

Coolman asked if anybody else have any questions and it doesn't look like we are going to make a decision tonight so we'll just table this until our next meeting. Coolman called for a motion to adjourn; he said thank you everybody for attending and for your comments we will take them into consideration.

G. Adjournment

Motion to adjourn made by Lynch; seconded by Bennett

Motion carried by the following vote:

Yes 6 – Lynch, Bennett, Amos, Clark, Coolman, Milliken

Adjourned at 7:19 p.m.

Public Comment Submission

- Received via email from city website 6-29-20 at 7:49 pm

Public Comment

Comments regarding legislation or other topics will be accepted until 3:00 p.m. on the day of the meeting.

First Name	Cindi
Last Name	Lynch
Street Address	27 East Columbus Street
City	Canal Winchester
State	OH
Zip	43110
Email Address	cindilynch921@gmail.com
Meeting Date	6/29/2020
Subject/Topic	Video Taping

Comment

The video taping from the Town Hall and Community Center are very hard to hear and understand. We normally watch as a group. However, the meetings since June 15, 2020 have been terrible. From my understanding, the internet at the Town Hall does not work well. Have you given any consideration to have the City Council in the Community Center and follow social distancing rules? It is frustrating to try to listen in on CW issues yet can not understand what residents are saying or whom in the City Council or City Administration is speaking.

Thanks

Public Comment Submission

- Received via email from city website on 6-30-20 at 4:22 pm

Public Comment

Comments regarding legislation or other topics will be accepted until 3:00 p.m. on the day of the meeting.

First Name	Robert
Last Name	Sycks
Street Address	6732 Bigerton Bend
City	Canal Winchester
State	OH
Zip	43110
Email Address	rsycks@gmail.com
Meeting Date	6/29/2020
Subject/Topic	X Church (Crossroads)
Comment	<p>I attended the meeting at the senior center.</p> <p>As was said several times during the meeting. The audio was so bad that 80% of what was said by council could not be understood. For any future meeting this must be corrected or there is no point of using that facility.</p> <p>I want to add that I was disappointed that council chose to table the decision.</p> <p>I thought there was a strong showing by the residents of Cherry Landing in opposition to the sign variance.</p> <p>Remember we are dealing with a church on a tract zoned as residential.</p> <p>This is not a retail business. This is not Costco. This is a church.</p> <p>The reason the church moved the building back from Gender road was so they could</p>

sell the strip of land on Gender to pay for the church. It was not to accommodate the city.

ORDINANCE NO. 20-029

AN ORDINANCE APPROVING AND ADOPTING THE 2021 TAX BUDGET

WHEREAS, it is immediately necessary to approve and adopt the 2021 tax budget,

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That the 2021 Tax Budget attached hereto as Exhibit A and incorporated herein by reference be, and the same hereby is, approved and adopted.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

APPROVED AS TO FORM:

LAW DIRECTOR

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council

FUND NAME: GENERAL FUND
FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL

EXHIBIT 1

This Exhibit is to be used for the General Fund Only

Description (1)	For 2018 Actual (2)	For 2019 Actual (3)	Current Year Estimated for 2020 (4)	Budget Year Estimated for 2021 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	\$ 447,517.00	\$ 453,485.00	\$ 475,000.00	\$ 475,000.00
Tangible Personal Property Tax	\$ -	\$ -	\$ -	
Municipal Income	\$ 7,086,715.00	\$ 7,435,145.00	\$ 7,200,000.00	\$ 7,200,000.00
Other Local Taxes	\$ 204,416.00	\$ 235,294.00	\$ 300,000.00	\$ 245,000.00
Total Local Taxes	\$ 7,738,648.00	\$ 8,123,924.00	\$ 7,975,000.00	\$ 7,920,000.00
Intergovernmental Revenues				
State Shared Taxes & Permits				
Local Governments	\$ 76,364.00	\$ 94,413.00	\$ 75,000.00	\$ 75,000.00
Estate Tax	\$ -	\$ -	\$ -	
Cigarette Tax	\$ 338.00	\$ 367.00	\$ 350.00	\$ 350.00
License Tax	\$ -	\$ -	\$ -	
Liquor and Beer Permits	\$ 19,831.00	\$ 17,648.00	\$ 19,000.00	\$ 19,000.00
Gasoline Tax	\$ -	\$ -	\$ -	
Library & Local Government Support Fur	\$ -	\$ -	\$ -	
Property Tax Allocation	\$ 52,115.00	\$ 52,622.00	\$ 50,000.00	\$ 50,000.00
Other Shared Taxes & Permits	\$ -	\$ -	\$ -	
Total State Shared Taxes & Permits	\$ 148,648.00	\$ 165,050.00	\$ 144,350.00	\$ 144,350.00
Federal Grants or Aid	\$ -	\$ -	\$ -	\$ -
State Grants or Aid	\$ -	\$ -	\$ -	\$ -
Other Grants or Aid	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ 148,648.00	\$ 165,050.00	\$ 144,350.00	\$ 144,350.00
Special Assessments	\$ 196,925.00	\$ 156,644.00	\$ 151,500.00	\$ 151,000.00
Charges for Services	\$ 165,377.00	\$ 185,784.00	\$ 5,000.00	\$ 141,000.00
Fines, Licenses & Permits	\$ 1,020,279.00	\$ 1,110,965.00	\$ 695,700.00	\$ 560,700.00
Miscellaneous	\$ 988,177.00	\$ 557,888.00	\$ 269,500.00	\$ 254,500.00
Other Financing Sources				
Proceeds from Sale of Debt	\$ -	\$ 950,706.00	\$ 950,000.00	\$ -
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	\$ -	\$ 40,000.00	\$ 540,000.00	\$ -
Other Sources	\$ -	\$ -	\$ -	\$ -
Total Other Financing Sources	\$ -	\$ 990,706.00	\$ 1,490,000.00	\$ -
TOTAL REVENUE	\$ 10,258,054.00	\$ 11,290,961.00	\$ 10,731,050.00	\$ 9,171,550.00

Description (1)	For 2018 Actual (3)	For 2019 Actual (4)	Current Year Estimated for 2020 (5)	Budget Year Estimated for 2021 (5)
EXPENDITURES				
Security of Persons and Property				
Personal Services	\$ -	\$ -	\$ -	\$ -
Travel Transportation	\$ -	\$ -	\$ -	\$ -
Contractual Services	\$ 1,160,918.00	\$ 1,249,286.00	\$ 1,350,000.00	\$ 1,525,000.00
Supplies & Materials	\$ 199.00	\$ 518.00	\$ 1,000.00	\$ 1,000.00
Capital Outlay	\$ 22,096.00	\$ 33,599.00	\$ 47,000.00	\$ 50,000.00
Total Security of Persons and Property	\$ 1,183,213.00	\$ 1,283,403.00	\$ 1,398,000.00	\$ 1,576,000.00
Public Health Services				
Personal Services	\$ -	\$ -	\$ -	\$ -
Travel Transportation	\$ -	\$ -	\$ -	\$ -
Contractual Services	\$ 151,152.00	\$ 144,750.00	\$ 155,100.00	\$ 155,100.00
Supplies & Materials	\$ -	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -
Total Public Health Services	\$ 151,152.00	\$ 144,750.00	\$ 155,100.00	\$ 155,100.00
Leisure Time Activities				
Personal Services	\$ 279,712.00	\$ 256,743.00	\$ 334,725.00	\$ 317,950.00
Travel Transportation	\$ -	\$ -	\$ 50.00	\$ -
Contractual Services	\$ 144,186.00	\$ 151,085.00	\$ 185,000.00	\$ 185,000.00
Supplies & Materials	\$ 42,604.00	\$ 38,536.00	\$ 48,400.00	\$ 48,200.00
Capital Outlay	\$ 51,051.00	\$ 84,444.00	\$ 95,000.00	\$ 73,000.00
Total Leisure Time Activities	\$ 517,553.00	\$ 530,808.00	\$ 663,175.00	\$ 624,150.00
Community Environment				
Personal Services	\$ 443,016.00	\$ 469,575.00	\$ 548,950.00	\$ 564,750.00
Travel Transportation	\$ 243.00	\$ 393.00	\$ 3,000.00	\$ 3,000.00
Contractual Services	\$ 186,083.00	\$ 195,708.00	\$ 248,000.00	\$ 248,000.00
Supplies & Materials	\$ 41,831.00	\$ 36,949.00	\$ 78,400.00	\$ 74,200.00
Capital Outlay	\$ 43,266.00	\$ 41,023.00	\$ 48,000.00	\$ 50,000.00
Total Community Environment	\$ 714,439.00	\$ 743,648.00	\$ 926,350.00	\$ 939,950.00
Transportation				
Personal Services	\$ 253,841.00	\$ 260,298.00	\$ 292,850.00	\$ 299,275.00
Travel Transportation	\$ -	\$ -	\$ 150.00	\$ 100.00
Contractual Services	\$ 544,895.00	\$ 600,795.00	\$ 953,000.00	\$ 491,000.00
Supplies & Materials	\$ 27,734.00	\$ 33,947.00	\$ 49,000.00	\$ 48,600.00
Capital Outlay	\$ 790,771.00	\$ 824,749.00	\$ 1,455,066.00	\$ 824,000.00
Total Transportation	\$ 1,617,241.00	\$ 1,719,789.00	\$ 2,750,066.00	\$ 1,662,975.00
General Government				
Personal Services	\$ 955,506.00	\$ 989,382.00	\$ 1,175,550.00	\$ 1,235,700.00
Travel Transportation	\$ 2,660.00	\$ 2,557.00	\$ 5,800.00	\$ 6,450.00
Contractual Services	\$ 1,257,455.00	\$ 1,333,827.00	\$ 1,676,100.00	\$ 1,683,100.00
Supplies & Materials	\$ 381,781.00	\$ 452,941.00	\$ 604,200.00	\$ 628,500.00
Capital Outlay	\$ 128,250.00	\$ 1,005,242.00	\$ 119,100.00	\$ 118,700.00
Total General Government	\$ 2,725,652.00	\$ 3,783,949.00	\$ 3,580,750.00	\$ 3,672,450.00
Debt Service				
Redemption of Principal	\$ -	\$ -	\$ -	\$ -

FUND NAME: GENERAL FUND

EXHIBIT 1

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

This Exhibit is to be used for the General Fund Only

Description (1)	For 2018 Actual (3)	For 2019 Actual (4)	Current Year Estimated for 2020 (5)	Budget Year Estimated for 2021 (5)
EXPENDITURES				
Interest	\$ -	\$ -	\$ -	\$ -
Other Debt Service	\$ -	\$ -	\$ -	\$ -
<i>Total Debt Service</i>	\$ -	\$ -	\$ -	\$ -
Other Uses of Funds				
Transfers	\$ 1,240,000.00	\$ 1,219,250.00	\$ 1,639,172.00	\$ 752,000.00
Advances	\$ -	\$ 100,000.00	\$ 950,828.00	\$ -
Contingencies	\$ -	\$ -	\$ -	\$ -
Other Uses of Funds	\$ -	\$ -	\$ -	\$ -
<i>Total Other Uses of Funds</i>	\$ 1,240,000.00	\$ 1,319,250.00	\$ 2,590,000.00	\$ 752,000.00
TOTAL EXPENDITURES	\$ 8,149,250.00	\$ 9,525,597.00	\$ 12,063,441.00	\$ 9,382,625.00
Revenues over/(under) Expenditures	\$ 2,108,804.00	\$ 1,765,364.00	\$ (1,332,391.00)	\$ (211,075.00)
Beginning Unencumbered Balance	\$ 6,693,401.19	\$ 8,802,205.19	\$ 10,567,569.19	\$ 9,235,178.19
Ending Cash Fund Balance	\$ 8,802,205.19	\$ 10,567,569.19	\$ 9,235,178.19	\$ 9,024,103.19
Estimated Encumbrances (outstanding at year end)				
Estimated Ending Unencumbered Fund Balance				

DRAFT

EXHIBIT III

FUND List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2021	Budget Year Estimated Receipt	Total Available for Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Balance 12/31/2021
				Personnel Services	Other	Total	
GOVERNMENTAL: SPECIAL SERVICE:							
Street Construction Maintenance	\$ 486,445.00	\$ 574,600.00	\$ 1,061,045.00	\$ 350,400.00	\$ 247,000.00	\$ 597,400.00	\$ 463,645.00
State Highway	\$ 106,534.00	\$ 46,300.00	\$ 152,834.00	\$ -	\$ 37,100.00	\$ 37,100.00	\$ 115,734.00
Mayor's Court Technical Fund A	\$ 21,193.00	\$ 2,000.00	\$ 23,193.00	\$ -	\$ 2,000.00	\$ 2,000.00	\$ 21,193.00
Mayor's Court Technical Fund B	\$ 21,729.00	\$ 6,000.00	\$ 27,729.00	\$ -	\$ 4,500.00	\$ 4,500.00	\$ 23,229.00
Permissive Tax	\$ 140,373.00	\$ 65,000.00	\$ 205,373.00	\$ -	\$ 47,500.00	\$ 47,500.00	\$ 157,873.00
Bed Tax	\$ 164,446.00	\$ 100,000.00	\$ 264,446.00	\$ -	\$ 100,000.00	\$ 100,000.00	\$ 164,446.00
FEMA Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
BWC Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interurban Project Fund	\$ 872.25	\$ -	\$ 872.25	\$ -	\$ -	\$ -	\$ 872.25
Diley Rd PITIE Fund	\$ 1,732,202.00	\$ 210,000.00	\$ 1,942,202.00	\$ -	\$ 4,500.00	\$ 4,500.00	\$ 1,937,702.00
Gender Rd TIF Fund	\$ 568,390.00	\$ 320,000.00	\$ 888,390.00	\$ -	\$ 45,500.00	\$ 45,500.00	\$ 842,890.00
Cemetery Fund	\$ 18,222.00	\$ 2,500.00	\$ 20,722.00	\$ -	\$ -	\$ -	\$ 20,722.00
McGill Park Fund	\$ 502,510.00	\$ -	\$ 502,510.00	\$ -	\$ 502,510.00	\$ 502,510.00	\$ -
Greengate TIF Fund	\$ 80,915.00	\$ 55,000.00	\$ 135,915.00	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 134,915.00
Total Special Revenue Funds	\$ 3,843,831.25	\$ 1,381,400.00	\$ 5,225,231.25	\$ 350,400.00	\$ 991,610.00	\$ 1,342,010.00	\$ 3,883,221.25
DEBT SERVICE FUNDS							
G. O. Bond/Note	\$ 29,308.50	\$ 752,000.00	\$ 781,308.50	\$ -	\$ 752,000.00	\$ 752,000.00	\$ 29,308.50
	\$ -						\$ -
Total Debt Service Funds	\$ 29,308.50	\$ 752,000.00	\$ 781,308.50	\$ -	\$ 752,000.00	\$ 752,000.00	\$ 29,308.50
CAPITAL PROJECT FUNDS							
Capital Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Issue II	\$ 92,430.00	\$ -	\$ 92,430.00	\$ -	\$ -	\$ -	\$ 92,430.00
State Grant Capital Projects	\$ 1,013,254.00	\$ 502,510.00	\$ 1,515,764.00	\$ -	\$ -	\$ -	\$ 1,515,764.00
Total Capital Project Funds	\$ -	\$ 502,510.00	\$ 1,608,194.00	\$ -	\$ -	\$ -	\$ 1,608,194.00
PROPRIETARY: ENTERPRISE FUNDS							
Water	\$ 1,485,130.00	\$ 1,635,250.00	\$ 3,120,380.00	\$ 591,750.00	\$ 1,166,500.00	\$ 1,758,250.00	\$ 1,362,130.00
Water Connection	\$ 1,947,442.00	\$ 300,000.00	\$ 2,247,442.00	\$ -	\$ 405,500.00	\$ 405,500.00	\$ 1,841,942.00
Water Stability Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sewer	\$ 2,238,189.00	\$ 1,951,250.00	\$ 4,189,439.00	\$ 604,350.00	\$ 1,328,900.00	\$ 1,933,250.00	\$ 2,256,189.00

EXHIBIT III

FUND List All Funds Individually Unless Reported on Exhibit I or II	Estimated Unencumbered Fund Balance 1/1/2021	Budget Year Estimated Receipt	Total Available for Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Balance 12/31/2021
				Personnel Services	Other	Total	
Sewer Connection	\$ 3,359,050.00	\$ 650,000.00	\$ 4,009,050.00	\$ -	\$ 300,000.00	\$ 300,000.00	\$ 3,709,050.00
Sewer Rate Stability	\$ 1,000,000.00	\$ -	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ 1,000,000.00
Storm Water Fund	\$ 129,295.00	\$ 262,250.00	\$ 391,545.00	\$ 127,000.00	\$ 135,250.00	\$ 262,250.00	\$ 129,295.00
Total Enterprise Funds	\$ 10,159,106.00	\$ 4,798,750.00	\$ 14,957,856.00	\$ 1,323,100.00	\$ 3,336,150.00	\$ 4,659,250.00	\$ 10,298,606.00
Agency Funds							
Meijer Agency	\$ 143,065.00	\$ 2,500.00	\$ 145,565.00	\$ -	\$ -	\$ -	\$ 145,565.00
GreenGate Drive Agency	\$ 411,710.00	\$ 5,000.00	\$ 416,710.00				\$ 416,710.00
Total Agency Funds	\$ 442,981.30	\$ 7,500.00	\$ 562,275.00	\$ -	\$ -	\$ -	\$ 562,275.00

DRAFT

STATEMENT OF PERMANENT IMPROVEMENTS

(Do Not Include Expense to be Paid from Bond Issues)

(Section 5705.29. Revised Code)

DESCRIPTION	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Sheriff's Cruiser	\$ 50,000.00	\$ 50,000.00	General
Parks Projects	\$ 50,000.00	\$ 50,000.00	General
Street Trees	\$ 40,000.00	\$ 40,000.00	General
Swimming Pool Capital	\$ 15,000.00	\$ 15,000.00	General
Street Capital Projects	\$ 750,000.00	\$ 750,000.00	General
Buildings and Grounds Projects	\$ 50,000.00	\$ 50,000.00	General
Information Technology Capital	\$ 55,000.00	\$ 55,000.00	General
McGill Park Construction Phase 1	\$ 1,100,000.00	\$ 1,100,000.00	State Capital Projects
Valve Bolt Replacements	\$ 25,000.00	\$ 25,000.00	Water
AMI Upgrades	\$ 300,000.00	\$ 150,000.00	Water/Sewer
Tower Maintenance/Water Breaks	\$ 80,000.00	\$ 80,000.00	Water
Well Rehab	\$ 15,000.00	\$ 15,000.00	Water Connections
TOTAL	\$ 2,530,000.00	\$ 2,380,000.00	

For the year budgeted, list each contemplated disbursement for permanent improvements, exclusive of any expense to be paid from bond issues by the fund from which the expenditures are to be made. Examples for describing the permanent improvements are: window replacement, vehicle purchase, furnishing offices, appliances for fire department kitchen.

ORDINANCE NO. 20-031

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ACCEPT AND EXECUTE THE PLAT FOR VILLAGES AT WESTCHESTER, SECTION 9 PART 2

WHEREAS, pursuant to Section 1117.04 (f) is provided that Council shall be presented final plats for final approval of subdivisions; and

WHEREAS, a final plat for Villages at Westchester, Section 9 Part 2, has been presented to the Planning Commission with a recommendation to City Council for approval;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Mayor and Clerk be and hereby are authorized to execute and accept the final plat of Villages at Westchester, Section 9 Part 2.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

APPROVED AS TO FORM:

LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

CLERK OF COUNCIL

**Final Subdivision #FS-20-002
Villages at Westchester, Section 9 Part 2**

Owner: Grand Communities, Ltd.
Applicant: Grand Communities, Ltd.
Location: PID 184-003289 (Connor Court Extension)
Existing Zoning: PUD (Planned Unit District)
Request: Final Subdivision for Villages at Westchester, Section 9 Part 2

Location and Surrounding Land Uses

The subject property consists of 4.213 acres to the north of the existing Connor Court stub. The applicant is requesting to Plat Section 9 Part 2, which will account for a total of 17 buildable lots and 1 reserve lot. To the north are single family homes along Groveport Road zoned R-3 (low density residential). To the west is a 48 unit condominium development being constructed by Rockford Homes. To the south is the Section 9.1 and 10 Part 2 of the Villages at Westchester subdivision. To the east is undeveloped ground zoned R-3 (low density residential).

Zoning

The subject parcel is zoned PUD (Planned Unit District). It is currently subject to the Villages at Westchester development text and conditions adopted by Ordinance 59-90, 81-91, 17-01, and 40-02. Sections 1 through 13 of the Villages at Westchester have been developed, with 57 lots remaining for homes to be constructed, out of the 771 single family platted lots.

VAW Section('s)	Available Lots
VAW Section 12	19
VAW Section 10	1
VAW Section 13	37

The approved development standards as part of the Villages at Westchester planned unit district are as follows.

- Building heights regarding the residential and non-residential structures as well as the off-street parking and loading standards shall comply with the requirements set forth by the Village of Canal Winchester Zoning Ordinance (as adopted by Ordinance 48-90). These standards include:
 - 60 feet of frontage on an approved public right-of-way, with 40 feet of frontage on a curve with a 60 feet lot width at the building line.
 - 30 feet front setback
 - 30 feet rear setback
 - 20 feet total side yard with a minimum of 8 feet on any side
 - A minimum finished floor area of 1,700 square feet for a 2 story home, 1,500 square feet for a one-and-a-half story and 1,300 square feet for a one story or split-level home.
 - The minimum lot size for any single family detached house shall be 8,000 square feet with an average lot size of not less than 9,000 square feet, except that a total of one hundred

and eight (108) lots in Sections 8 and 9 (as identified on the Phasing Plan, dated April 20, 1990) may have a minimum lot size of 7,200 square feet. Any lot in Section 8 or Section 10 which abuts an existing single family lot shall contain a minimum of 8,400 square feet and shall be a minimum of seventy (70) feet at the building line. No final development plan shall be filed for less than an entire section as shown on the Phasing Plan dated April 20, 1990.

Zoning Analysis

The Planning and Zoning Commission approved the final development plan #FDP-16-002 for Phase 9, 10 and 11.2 in October 2016. This approved plan called for 117 single family lots that are within the three sections. Section 9 will be broken up into two construction parts containing a total of 24 new lots. Section 9.2 will contain 17 single family lots.

With Section 9 Part 2 the applicant extended Connor Court for 17 additional lots. These lots conform to the Final Development Plan for the section. This section will also include a .912 acre reserve area behind lots 820-821 for a detention basin that serves this cul-de-sac. This reserve will have public access between lots 821 and the ditch via a 10' reserve access easement.

Staff Recommendation

Staff recommends the applicant's request for the Final Subdivision Plat #FS-20-002 be approved as presented and recommended to City Council for adoption.

THE VILLAGES AT WESTCHESTER SECTION 9, PART 2

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF CANAL WINCHESTER,
SECTION 25, TOWNSHIP 11, RANGE 21,
SECTION 30, TOWNSHIP 15, RANGE 20,
CONGRESS LANDS EAST OF THE SCIOTO RIVER



VICINITY MAP
SCALE: 1" = 2000'

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF CANAL WINCHESTER, LOCATED IN SECTION 25, TOWNSHIP 11, RANGE 21, AND BEING IN SECTION 30, TOWNSHIP 15, RANGE 20, CONGRESS LANDS EAST OF THE SCIOTO RIVER, CONTAINING 5.755 ACRES OF LAND, MORE OR LESS, SAID 5.755 ACRES BEING OUT OF THAT 25.455 ACRE TRACT OF LAND DESCRIBED IN DEED TO GRAND COMMUNITIES, LTD. OF RECORD IN INSTRUMENT NO. 201706280088119, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

THE UNDERSIGNED, GRAND COMMUNITIES, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, BY TODD E. HUSS, PRESIDENT, OWNER OF THE LANDS PLATTED HEREIN, DULY AUTHORIZED IN THE PREMISES, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS ITS "THE VILLAGES AT WESTCHESTER, SECTION 9, PART 2", A SUBDIVISION CONTAINING LOTS NUMBERED 805-821 INCLUSIVE AND RESERVE "H", AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATES TO PUBLIC USE, AS SUCH, ALL OR PARTS OF CONNOR COURT, SHOWN HEREON AND NOT HERETOFORE DEDICATED.

EASEMENTS ARE HEREBY RESERVED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT", "SANITARY EASEMENT", "ACCESS EASEMENT" OR "DRAINAGE EASEMENT". EACH OF THE AFOREMENTIONED DESIGNATED EASEMENTS PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC AND QUASI-PUBLIC UTILITIES ABOVE, BENEATH AND ON THE SURFACE OF THE GROUND AND, WHERE NECESSARY, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS AND FOR STORM WATER DRAINAGE. WITHIN THOSE AREAS DESIGNATED "DRAINAGE EASEMENT" ON THIS PLAT, AN ADDITIONAL EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES AND/OR OTHER STORM WATER DRAINAGE FACILITIES. NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT. THOSE AREAS DESIGNATED AS ACCESS EASEMENT ARE RESERVED FOR THE PURPOSE TO PROVIDE INGRESS/EGRESS FROM THE PUBLIC ROADWAY TO THE REAR ACREAGE OF THE PLATTED RESERVE TO THAT ENTITY RESPONSIBLE FOR THE MAINTAINING SAID RESERVE.

THE EASEMENTS SHOWN HEREON OUTSIDE OF THE PLATTED AREA WITHIN SAID 25.455 ACRE TRACT OF LAND OWNED BY GRAND COMMUNITIES, LLC, AND ARE RESERVED FOR THE PURPOSES STATED IN THE FOREGOING "EASEMENT" PARAGRAPH.

IN WITNESS WHEREOF, GRAND COMMUNITIES, LLC, A KENTUCKY LIMITED LIABILITY COMPANY BY, TODD E. HUSS, PRESIDENT, HAS CAUSED THIS PLAT TO BE EXECUTED BY THIS DULY AUTHORIZED OFFICE.

THIS ____ DAY OF _____, 2020.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

GRAND COMMUNITIES, LLC
A KENTUCKY LIMITED LIABILITY COMPANY

BY: _____
TODD E. HUSS
PRESIDENT

COMMONWEALTH OF KENTUCKY
COUNTY OF BOONE:

THIS IS AN ACKNOWLEDGMENT CLAUSE; NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER. THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2020, BY TODD E. HUSS, PRESIDENT OF GRAND COMMUNITIES, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

MY COMMISSION EXPIRES _____

DRAFT

MARK ALAN SMITH
PROFESSIONAL LAND SURVEYOR NO. S-8232

DATE

APPROVED THIS ____ DAY OF _____, 2020

PLANNING & ZONING ADMINISTRATOR,
CITY OF CANAL WINCHESTER

APPROVED THIS ____ DAY OF _____, 2020

CHAIRMAN,
PLANNING & ZONING ADMINISTRATOR,
CITY OF CANAL WINCHESTER

APPROVED THIS ____ DAY OF _____, 2020

CITY ENGINEER,
CITY OF CANAL WINCHESTER

THIS ____ DAY OF _____, 2020, BY ORDINANCE NO. _____ RIGHTS-OF-WAY FOR CONNOR COURT, HEREIN DEDICATED TO THE PUBLIC USE ARE HEREBY ACCEPTED AND APPROVED AS SUCH BY THE CITY OF CANAL WINCHESTER, OHIO.

MAYOR, CITY OF CANAL WINCHESTER

CLERK OF COUNCIL,
CITY OF CANAL WINCHESTER

THIS PLAT SHALL NOT BE TRANSFERRED OR RECORDED UNTIL ALL ABOVE REQUIRED SIGNATURES ARE PLACED ON THIS PLAT.

TRANSFERRED THIS ____ DAY OF _____, 2020

AUDITOR, FRANKLIN COUNTY, OHIO

FILED FOR RECORD THIS ____ DAY OF _____, 2020

AT ____ M.

FEE \$ _____

FILE NO. _____

RECORDED THIS _____, DAY OF _____, 2020

RECORDER, FRANKLIN COUNTY, OHIO

PLAT BOOK _____, PAGES _____

DEPUTY RECORDER, FRANKLIN COUNTY, OHIO

ZONING:

AT THE TIME OF PLATTING, THE PROPERTY BEING PLATTED HEREON IS ZONED:
"PLANNED UNIT DISTRICT (PUD)"
"LOW DENSITY RESIDENTIAL (R-3)"

SETBACKS:

FRONT YARD SETBACK: 30' MINIMUM
REAR YARD SETBACK: 30'
SIDE YARD SETBACK: 20' TOTAL SIDE YARD SETBACK WITH A MINIMUM OF 8'

BASIS OF BEARINGS:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE EASTERLY LINE OF 13.689 ACRE TRACT AS SHOWN IN INSTRUMENT NUMBER 201612160173734 AS BEING SOUTH 04°28'49" WEST.

SOURCE OF DATA:

THE SOURCES OF RECORDED SURVEY DATA REFERENCED IN THE PLAN AND TEXT OF THIS PLAT ARE RECORDS OF THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

IRON PINS:

WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 5/8" SOLID REBAR, THIRTY INCHES IN LENGTH WITH A YELLOW PLASTIC CAP BEARING THE INITIALS "CEC INC".

PERMANENT MARKERS:

WHERE INDICATED HEREON UNLESS OTHERWISE NOTED ARE TO BE SET AND ARE SOLID IRON PINS, 1" IN DIAMETER, 30" IN LENGTH WITH A 2" DIAMETER ALUMINUM CAP BEARING THE STAMP "PERMANENT MARKER CEC".

NO	DATE	DESCRIPTION



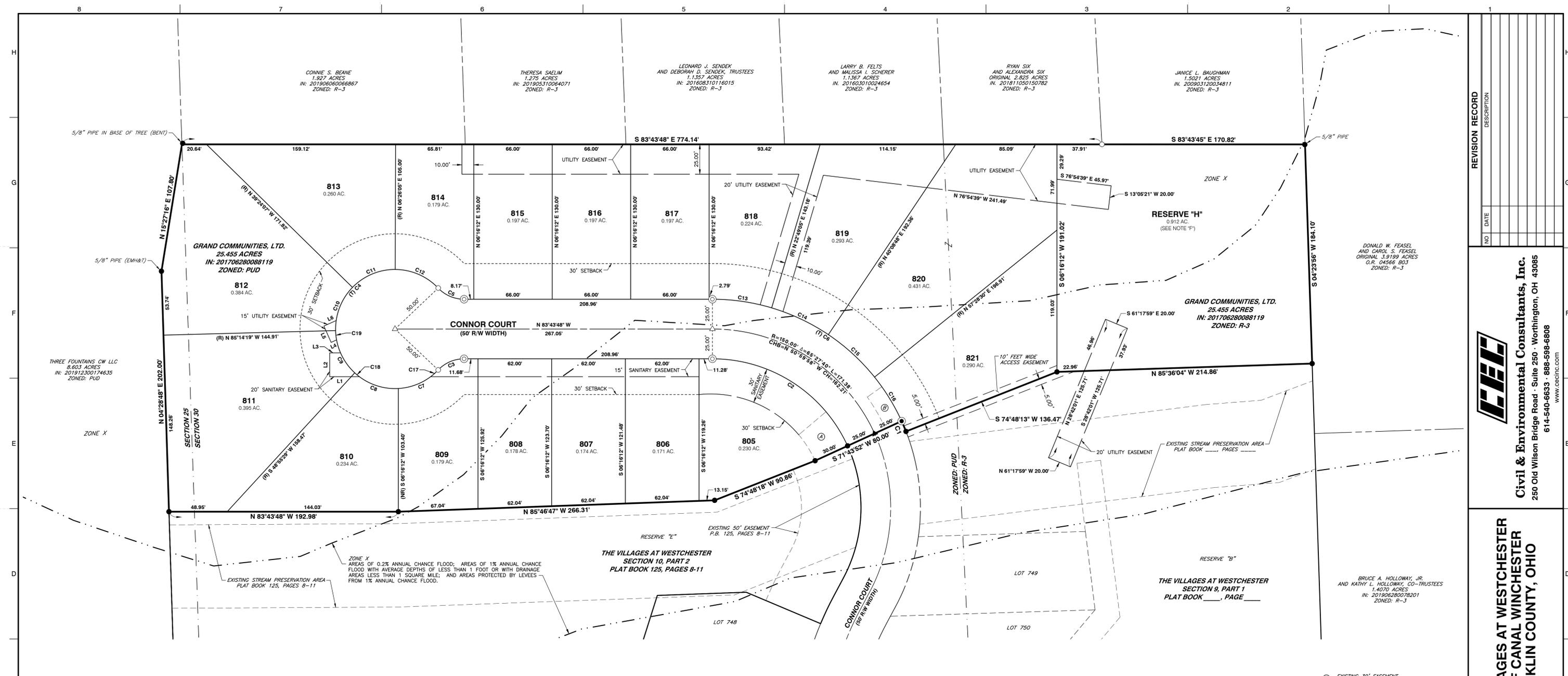
Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
614-540-6633 · 888-598-6808
www.cecinc.com

THE VILLAGES AT WESTCHESTER
CITY OF CANAL WINCHESTER
FRANKLIN COUNTY, OHIO

DATE:	MAY 2020	DRAWN BY:	KAS
DWG SCALE:	N/A	CHECKED BY:	DBP
PROJECT NO.:	162-435	APPROVED BY:	

DRAWING NO.:
PLAT

P:\2016\162-435-Survey\Draw\162435-SP1-Sub 9-2.dwg(CORNER) LS(5/29/2020 - 08:40:00) - LP: 5/29/2020 2:34 PM



NOTE "A": AT THE TIME OF PLATTING, BY GRAPHIC PLOTTING ONLY, "THE VILLAGES AT WESTCHESTER SECTION 9, PART 1", ARE IN:

ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN).

ZONE "Y" (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD).

AS DESIGNATED AND DELINEATED ON THE FEMA FLOOD INSURANCE RATE MAP FOR FRANKLIN COUNTY, OHIO, AND INCORPORATED AREAS:

MAP NUMBER 39049C0452K WITH EFFECTIVE DATE OF JUNE 17, 2008 AND MAP NUMBER 39049C0454K WITH EFFECTIVE DATE OF JUNE 17, 2008.

NOTE "B": ACREAGE BREAKDOWN

ACREAGE IN LOTS 805-821 INCLUSIVE:	4.213 ACRES
ACREAGE IN RESERVE "H":	0.912 ACRES
ACREAGE IN RIGHT-OF-WAY:	0.630 ACRES
TOTAL ACREAGE:	5.755 ACRES

ACREAGE OUT OF PID: 184-001350: 1.343 ACRES
 ACREAGE OUT OF PID: 184-003289: 4.412 ACRES

NOTE "C": AT THE TIME OF PLATTING, ELECTRIC, CABLE AND TELEPHONE SERVICE PROVIDERS HAVE NOT ISSUED INFORMATION REQUIRED SO THAT EASEMENT AREAS, IN ADDITION TO THOSE SHOWN ON THIS PLAT AS DEEMED NECESSARY BY THESE PROVIDERS FOR INSTALLATION AND MAINTENANCE OF ALL OF THEIR MAIN LINE FACILITIES, COULD CONVENIENTLY BE SHOWN ON THIS PLAT. EXISTING RECORDED EASEMENT INFORMATION ABOUT "THE VILLAGES AT WESTCHESTER SECTION 9, PART 2" OR ANY PART THEREOF CAN BE ACQUIRED BY A COMPETENT EXAMINATION OF THE THEN CURRENT PUBLIC RECORDS, INCLUDING THOSE IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

NOTE "D": THE PURPOSE OF THIS PLAT IS TO SHOW CERTAIN PROPERTY, RIGHT OF WAY, AND EASEMENT BOUNDARIES, AS OF THE TIME OF PLATTING. AT THE REQUEST OF ZONING AND PLANNING AUTHORITIES AT THE TIME OF PLATTING, THIS PLAT SHOWS SOME OF THE LIMITATIONS AND REQUIREMENTS OF THE ZONING CODE IN EFFECT ON THE DATE OF FILING THIS PLAT FOR REFERENCE ONLY. THE LIMITATIONS AND REQUIREMENTS MAY CHANGE FROM TIME TO TIME AND SHOULD BE REVIEWED TO DETERMINE THE THEN CURRENT APPLICABLE USE AND DEVELOPMENT LIMITATIONS OF THE ZONING CODE AS ADOPTED BY THE GOVERNMENT AUTHORITY HAVING JURISDICTION. THE THEN APPLICABLE ZONING CODE SHALL HAVE CONTROL OVER CONFLICTING LIMITATIONS AND REQUIREMENTS THAT MAY BE SHOWN ON THIS PLAT. THIS NOTE SHOULD NOT BE CONSTRUED AS CREATING PLAT OR SUBDIVISION RESTRICTIONS, PRIVATE USE RESTRICTIONS, COVENANTS RUNNING WITH THE LAND OR TITLE ENCUMBRANCES OF ANY NATURE, EXCEPT TO THE EXTENT SPECIFICALLY IDENTIFIED AS SUCH.

NOTE "E": A PORTLAND CEMENT CONCRETE SIDEWALK, FOUR FEET IN WIDTH, SHALL BE CONSTRUCTED/INSTALLED BY THE BUILDER OF THE HOUSE ALONG THE STREET FRONTAGE OF EACH LOT IN "THE VILLAGES AT WESTCHESTER SECTION 9, PART 2". THE SIDEWALK SHALL BE LOCATED IN THE STREET RIGHT-OF-WAY.

NOTE "F": RESERVE "H" AS DESIGNATED AND DELINEATED HEREON SHALL BE OWNED AND MAINTAINED BY THE VILLAGES AT WESTCHESTER HOMEOWNERS ASSOCIATION FOR OPEN SPACE. AN EASEMENT FOR DRAINAGE AND UTILITY PURPOSES SHALL BE GRANTED TO THE CITY OF CANAL WINCHESTER FOR THE PURPOSE OF THE MAINTENANCE OF DRAINAGE FEATURES AS SHOWN ON THE IMPROVEMENT PLANS FOR THIS DEVELOPMENT.

NOTE "G": THE STREAM PRESERVATION AREA SHALL FOREVER BE RESTRICTED FROM DEVELOPMENT WITH BUILDINGS, STRUCTURES, AND USES AND THE NATURAL STATE OF SAID AREA SHALL REMAIN UNDISTURBED. IT IS ALSO THE INTENT AND PURPOSE OF THE STREAM AND/OR WETLAND PRESERVATION AREA TO RESTRICT AND FORBID ANY ACTIVITY OR USE WHICH WOULD AS A NATURAL CONSEQUENCE OF SUCH, IMPEDE OR MAKE MORE DIFFICULT THE ACCOMPLISHMENT OF THE PURPOSE OF WHICH THE SAID AREA WAS CREATED.

ADDITIONAL RESTRICTIONS INCLUDE:

- NO DUMPING OR BURNING REFUSE.
- NO HUNTING OR TRAPPING.
- NATURAL RESOURCES OF THE AREA SHALL REMAIN UNDISTURBED AND NO TOPSOIL, SAND GRAVEL, OR ROCK SHALL BE EXCAVATED, REMOVED OR GRADED.
- NOTHING SHALL BE PERMITTED OR OCCUR ON THE PREMISES WHICH WOULD CONTRIBUTE TO THE EROSION OF THE LAND AND NO TREES SHALL BE CUT OR REMOVED, EXCEPT FOR THE REMOVAL OF SUCH DEAD, DISEASED, NOXIOUS, OR DECAYED TREES OR VEGETATION WHICH MAY BE REQUIRED FOR CONSERVATION OR SCENIC PURPOSES, OR FOR REASONS OF PUBLIC SAFETY.
- NO PRIVATE ENCROACHMENTS SHALL BE PERMITTED, SUCH AS, BUT NOT LIMITED TO, PLANTING OF FLOWERS, SHRUBS, GARDEN MATERIAL, ETC. DUMPING OF TRASH OR DEBRIS, OR THE INSTALLATION OF ANY TYPE OF RECREATION OR OTHER FACILITY OR CONVENIENCE.

NO ROADWAY OR ANY FACILITY OF ANY PUBLIC UTILITY OTHER THAN EXISTING ROADWAYS AND PUBLIC UTILITY FACILITIES OR THOSE OUTLINED IN THE ORIGINAL PLAN SHALL BE PERMITTED TO BE CONSTRUCTED OR INSTALLED IN THE PREMISES.

NOTICE IS HEREBY GIVEN TO THE OWNERS OF ALL OF THE LOTS IN THE THE VILLAGES AT WESTCHESTER SUBDIVISION THAT THE CITY OF CANAL WINCHESTER, OHIO, SHALL BE HELD HARMLESS FOR ANY ISSUES AND/OR IMPACTS ARISING FROM THE AREA DELINEATED AND SHOWN HEREON AS STREAM PRESERVATION AREA INCLUDING, BUT NOT LIMITED TO STORM WATER DRAINAGE, INSECT CONTROL OR WET SOIL CONDITIONS.

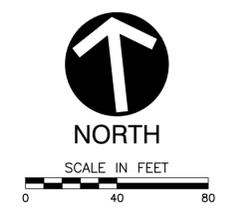
NOTE "H": THE PROPERTY SHOWN AND PLATTED HEREON IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR THE VILLAGES AT WESTCHESTER SECTION 9, PART 2 RECORDED IN INSTRUMENT NUMBER _____ IN FRANKLIN COUNTY, OHIO AS MAY BE AMENDED OR SUPPLEMENTED.

LEGEND

- ▲ MAG NAIL FOUND
- △ MAG NAIL SET
- 5/8" REBAR FD. "CEC INC" (UNLESS OTHERWISE STATED)
- REBAR SET & CAP (SEE IRON PINS NOTE)
- ⊙ PERMANENT MARKER (1" REBAR FOUND)
- ⊕ PERMANENT MARKER (1" REBAR SET)
- (T) TOTAL DISTANCE
- (R) RADIAL
- (NR) NON-RADIAL

CURVE TABLE				
CURVE #	RADIUS	DELTA	CHB	CHL
(T) C4	50.00'	273°08'06"	238.36'	N 06°16'12" E 68.75'
C1	175.00'	3°04'21"	9.38'	N 16°43'58" W 9.38'
C2	125.00'	68°27'40"	142.81'	S 50°59'58" E 135.17'
C3	30.00'	46°34'03"	24.38'	N 72°59'11" E 23.72'
C5	30.00'	46°34'03"	24.38'	N 60°26'46" W 23.72'
C7	50.00'	43°23'04"	37.86'	N 71°23'41" E 36.96'
C8	50.00'	45°50'13"	40.00'	S 63°59'40" E 38.94'
C9	50.00'	45°50'15"	40.00'	S 18°09'26" E 38.94'
C10	50.00'	45°50'15"	40.00'	S 27°40'49" W 38.94'
C11	50.00'	45°50'13"	40.00'	S 73°31'03" W 38.94'
C12	50.00'	46°24'06"	40.49'	N 60°21'48" W 39.40'
C13	175.00'	16°32'53"	50.54'	N 75°27'21" W 50.37'
C14	175.00'	17°19'43"	52.93'	N 58°31'04" W 52.73'
C15	175.00'	17°19'43"	52.93'	N 41°11'21" W 52.73'
C16	175.00'	14°15'21"	43.54'	N 25°23'49" W 43.43'
C17	50.00'	9°41'51"	8.46'	S 54°33'05" W 8.46'
C18	50.00'	5°47'03"	5.05'	S 43°58'05" E 5.05'
C19	50.00'	9°02'41"	7.89'	S 00°14'21" W 7.88'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N 83°43'48" W	25.00'
L2	N 06°16'12" E	20.00'
L3	S 83°43'48" E	9.17'
L4	S 72°15'41" W	5.07'
L5	N 17°44'19" W	15.00'
L6	N 72°15'41" E	11.38'



NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
 250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
 614-540-6633 · 888-598-6808
 www.cecinc.com

THE VILLAGES AT WESTCHESTER
CITY OF CANAL WINCHESTER
FRANKLIN COUNTY, OHIO

THE VILLAGES AT WESTCHESTER
SECTION 9, PART 2

DRAWING NO.: **PLAT**
 SHEET 2 OF 2

DATE: MAY 2020
 DRAWN BY: KAS
 DWG SCALE: 1"=40'
 CHECKED BY: DBP
 PROJECT NO.: 162-435
 APPROVED BY:



To: Audra DiOrio, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: June 9, 2020
RE: Application FS-20-002

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held June 8, 2020

Motion by Joe Donahue, seconded by Mark Caulk, to recommend to council approval of FS-20-002; to consider a Final Subdivision Plat for Villages at Westchester Section 9 Part 2; for property located at PID 184-003289. Applicant Grand Communities, Ltd. Owner Grand Communities, Ltd. Voting yes: Joe Donahue, Kevin Serna, Mike Vasko, Bill Christensen & Mark Caulk. **Motion Carried 5-0**

A handwritten signature in blue ink, appearing to read "Andrew Moore", is written over a horizontal line.

Andrew Moore
Planning and Zoning Administrator

ORDINANCE 20-032

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ACCEPT AND EXECUTE THE PLAT FOR VILLAGES AT WESTCHESTER, SECTION 9 PART 1

WHEREAS, pursuant to Section 1117.04 (f) is provided that Council shall be presented final plats for final approval of subdivisions; and

WHEREAS, a final plat for Villages at Westchester, Section 9 Part 1, has been presented to the Planning Commission with a recommendation to City Council for approval;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Mayor and Clerk be and hereby are authorized to execute and accept the final plat of Villages at Westchester, Section 9 Part 1.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

APPROVED AS TO FORM:

LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

CLERK OF COUNCIL

**Final Subdivision #FS-20-001
Villages at Westchester, Section 9 Part 1**

Owner: Grand Communities, Ltd.
Applicant: Grand Communities, Ltd.
Location: PID 184-003289 (Connor Court Extension)
Existing Zoning: PUD (Planned Unit District)
Request: Final Subdivision for Villages at Westchester, Section 9 Part 1

Location and Surrounding Land Uses

The subject property consists of 4.032 acres to the north of the existing Connor Court stub. The applicant is requesting to Plat Section 9 Part 1, which will account for a total of 7 buildable lots and 1 reserve lot. To the north is Section 9 Parts 2 of the subdivision. To the west is Section 10 Part II of the subdivision. To the south is the existing Section 10 Part 2 of the Villages at Westchester subdivision. To the east is undeveloped ground zoned R-3 (low density residential).

Zoning

The subject parcel is zoned PUD (Planned Unit District). It is currently subject to the Villages at Westchester development text and conditions adopted by Ordinance 59-90, 81-91, 17-01, and 40-02. Sections 1 through 13 of the Villages at Westchester have been developed, with 57 lots remaining for homes to be constructed, out of the 771 single family platted lots.

VAW Section('s)	Available Lots
VAW Section 12	19
VAW Section 10	1
VAW Section 13	37

The approved development standards as part of the Villages at Westchester planned unit district are as follows.

- Building heights regarding the residential and non-residential structures as well as the off-street parking and loading standards shall comply with the requirements set forth by the Village of Canal Winchester Zoning Ordinance (as adopted by Ordinance 48-90). These standards include:
 - 60 feet of frontage on an approved public right-of-way, with 40 feet of frontage on a curve with a 60 feet lot width at the building line.
 - 30 feet front setback
 - 30 feet rear setback
 - 20 feet total side yard with a minimum of 8 feet on any side
 - A minimum finished floor area of 1,700 square feet for a 2 story home, 1,500 square feet for a one-and-a-half story and 1,300 square feet for a one story or split-level home.
 - The minimum lot size for any single family detached house shall be 8,000 square feet with an average lot size of not less than 9,000 square feet, except that a total of one hundred

and eight (108) lots in Sections 8 and 9 (as identified on the Phasing Plan, dated April 20, 1990) may have a minimum lot size of 7,200 square feet. Any lot in Section 8 or Section 10 which abuts an existing single family lot shall contain a minimum of 8,400 square feet and shall be a minimum of seventy (70) feet at the building line. No final development plan shall be filed for less than an entire section as shown on the Phasing Plan dated April 20, 1990.

Zoning Analysis

The Planning and Zoning Commission approved the final development plan #FDP-16-002 for Phase 9, 10 and 11.2 in October 2016. This approved plan called for 117 single family lots that are within the three sections. Section 9 will be broken up into two construction parts containing a total of 24 new lots. Section 9.1 will contain 7 single family lots.

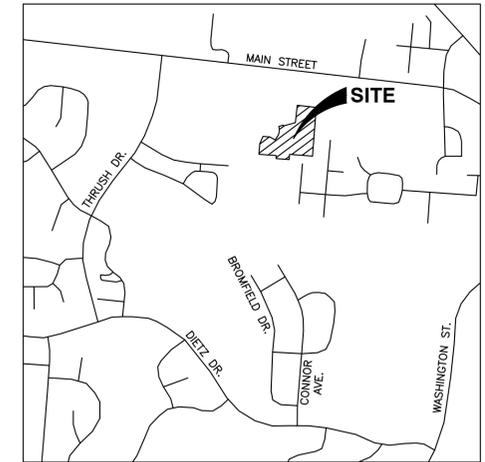
With Section 9 Part 1 the applicant extended Connor Court for 7 additional lots. These lots conform to the Final Development Plan for the section. This section will also include a 2.081 acre reserve area behind lots 749-751. This reserve will have public access between lots 749 and the ditch via a 10' reserve access easement.

Staff Recommendation

Staff recommends the applicant's request for the Final Subdivision Plat #FS-20-001 be approved as presented and recommended to City Council for adoption.

THE VILLAGES AT WESTCHESTER SECTION 9, PART 1

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF CANAL WINCHESTER,
SECTION 30, TOWNSHIP 15, RANGE 20, CONGRESS LANDS EAST OF THE SCIOTO RIVER



VICINITY MAP
SCALE: 1"=1,000'

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF CANAL WINCHESTER, AND LOCATED IN SECTION 30, TOWNSHIP 15, RANGE 20, CONGRESS LANDS EAST OF THE SCIOTO RIVER, CONTAINING 4.032 ACRES OF LAND, MORE OR LESS, SAID 4.032 ACRES BEING OUT OF THAT 25.455 ACRE TRACT OF LAND DESCRIBED IN DEED TO GRAND COMMUNITIES, LTD OF RECORD IN INSTRUMENT NO. 201706280088119, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

THE UNDERSIGNED, GRAND COMMUNITIES, LLC., A KENTUCKY LIMITED LIABILITY COMPANY, BY TODD E. HUSS, PRESIDENT, OWNER OF THE LANDS PLATTED HEREIN, DULY AUTHORIZED IN THE PREMISES, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS ITS "THE VILLAGES AT WESTCHESTER, SECTION 9, PART 1", A SUBDIVISION CONTAINING LOTS NUMBERED 746-752 INCLUSIVE, AND RESERVE "B" AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATES TO PUBLIC USE, AS SUCH, ALL OR PARTS OF CONNOR COURT, SHOWN HEREON AND NOT HERETOFORE DEDICATED.

EASEMENTS ARE HEREBY RESERVED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "EASEMENT", "ACCESS EASEMENT" OR "DRAINAGE EASEMENT". EACH OF THE AFOREMENTIONED DESIGNATED EASEMENTS PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC AND QUASI-PUBLIC UTILITIES ABOVE, BENEATH AND ON THE SURFACE OF THE GROUND AND, WHERE NECESSARY, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS AND FOR STORM WATER DRAINAGE. WITHIN THOSE AREAS DESIGNATED "DRAINAGE EASEMENT" ON THIS PLAT, AN ADDITIONAL EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING MAJOR STORM WATER DRAINAGE SWALES AND/OR OTHER STORM WATER DRAINAGE FACILITIES. NO ABOVE GRADE STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT. THOSE AREAS DESIGNATED AS ACCESS EASEMENT ARE RESERVED FOR THE PURPOSE TO PROVIDE INGRESS/EGRESS FROM THE PUBLIC ROADWAY TO THE REAR ACREAGE OF THE PLATTED RESERVE TO THAT ENTITY RESPONSIBLE FOR THE MAINTAINING SAID RESERVE.

THE EASEMENTS SHOWN HEREON OUTSIDE OF THE PLATTED AREA WITHIN SAID 25.455 ACRE TRACT OF LAND OWNED BY GRAND COMMUNITIES, LLC., AND ARE RESERVED FOR THE PURPOSES STATED IN THE FOREGOING "EASEMENT" PARAGRAPH.

IN WITNESS WHEREOF, GRAND COMMUNITIES, LLC., A KENTUCKY LIMITED LIABILITY COMPANY BY, TODD E. HUSS, PRESIDENT, HAS CAUSED THIS PLAT TO BE EXECUTED BY THIS DULY AUTHORIZED OFFICE.

THIS ____ DAY OF _____, 2020.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

GRAND COMMUNITIES, LLC
A KENTUCKY LIMITED LIABILITY COMPANY
BY: FISCHER DEVELOPMENT COMPANY

BY: _____

TODD E. HUSS
PRESIDENT

COMMONWEALTH OF KENTUCKY
COUNTY OF BOONE:

THIS IS AN ACKNOWLEDGMENT CLAUSE; NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER. THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2020, BY TODD E. HUSS, PRESIDENT OF GRAND COMMUNITIES, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

MY COMMISSION EXPIRES _____

APPROVED THIS ____ DAY OF _____, 2020

PLANNING & ZONING ADMINISTRATOR,
CITY OF CANAL WINCHESTER

APPROVED THIS ____ DAY OF _____, 2020

CHAIRMAN,
PLANNING & ZONING ADMINISTRATOR,
CITY OF CANAL WINCHESTER

APPROVED THIS ____ DAY OF _____, 2020

CITY ENGINEER,
CITY OF CANAL WINCHESTER

THIS ____ DAY OF _____, 2020, BY ORDINANCE NO. _____ RIGHTS-OF-WAY FOR CONNOR COURT, HEREIN DEDICATED TO THE PUBLIC USE ARE HEREBY ACCEPTED AND APPROVED AS SUCH BY THE CITY OF CANAL WINCHESTER, OHIO.

MAYOR, CITY OF CANAL WINCHESTER

CLERK OF COUNCIL,
CITY OF CANAL WINCHESTER

THIS PLAT SHALL NOT BE TRANSFERRED OR RECORDED UNTIL ALL ABOVE REQUIRED SIGNATURES ARE PLACED ON THIS PLAT.

TRANSFERRED THIS ____ DAY OF _____, 2020

AUDITOR, FRANKLIN COUNTY, OHIO

DEPUTY AUDITOR, FRANKLIN COUNTY, OHIO

FILED FOR RECORD THIS ____ DAY OF _____, 2020

RECORDER, FRANKLIN COUNTY, OHIO

AT ____ M.

FEE \$ _____

FILE NO. _____

RECORDED THIS _____, DAY OF _____, 2020

DEPUTY RECORDER, FRANKLIN COUNTY, OHIO

PLAT BOOK _____, PAGES _____

ZONING:

AT THE TIME OF PLATTING, THE PROPERTY BEING PLATTED HEREON IS ZONED: "PLANNED UNIT DISTRICT (PUD)" "LOW DENSITY RESIDENTIAL (R-3)"

SETBACKS:

FRONT YARD SETBACK: 30'
REAR YARD SETBACK: 30'
SIDE YARD SETBACK: 20' TOTAL SIDE YARD SETBACK

BASIS OF BEARINGS:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE EASTERLY LINE OF 13.689 ACRE TRACT AS SHOWN IN INSTRUMENT NUMBER 201612160173734 AS BEING SOUTH 04°28'49" WEST.

SOURCE OF DATA:

THE SOURCES OF RECORDED SURVEY DATA REFERENCED IN THE PLAN AND TEXT OF THIS PLAT ARE RECORDS OF THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

IRON PINS:

WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 5/8" SOLID REBAR, THIRTY INCHES IN LENGTH WITH A YELLOW PLASTIC CAP BEARING THE INITIALS "CEC INC".

PERMANENT MARKERS:

WHERE INDICATED HEREON UNLESS OTHERWISE NOTED ARE TO BE SET AND ARE SOLID IRON PINS, 1" IN DIAMETER, 30" IN LENGTH WITH A 2" DIAMETER ALUMINUM CAP BEARING THE STAMP "PERMANENT MARKER CEC".

CERTIFICATION:

WE DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE ATTACHED PREMISES, PREPARED THE ATTACHED PLAT, AND THAT SAID PLAT IS CORRECT. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DRAFT

MARK ALAN SMITH
PROFESSIONAL LAND SURVEYOR NO. S-8232

DATE _____

NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085
614-540-6633 · 888-598-6808
www.cecinc.com

THE VILLAGES AT WESTCHESTER
CITY OF CANAL WINCHESTER
FRANKLIN COUNTY, OHIO

DATE:	MAY 2020	DRAWN BY:	KAS
DWG SCALE:	N/A	CHECKED BY:	MAS
PROJECT NO.:	162-435	APPROVED BY:	

DRAWING NO.:
PLAT
SHEET 1 OF 2

P:\2016\162-435-Survey\Draw\162435-5701-PLAT-SEC.plt - PL 5/29/2020 2:44 PM



To: Audra DiOrio, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: June 9, 2020
RE: Application FS-20-001

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **June 8, 2020**

Motion by Joe Donahue, seconded by Kevin Serna, to recommend to council approval of FS-20-001; to consider a Final Subdivision Plat for Villages at Westchester Section 9 Part 1; for property located at PID 184-003289. Applicant Grand Communities, Ltd. Owner Grand Communities, Ltd. Voting yes: Joe Donahue, Kevin Serna, Mike Vasko, Bill Christensen & Mark Caulk. **Motion Carried 5-0**

Andrew Moore
Planning and Zoning Administrator

ORDINANCE NO. 20-033

AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR THE GREENGATE RESIDENTIAL DEVELOPMENT

WHEREAS, the final development plan for Greengate Residential Development has been approved with conditions by the Planning and Zoning Commission; and

WHEREAS, per Ordinance No. 52-01, all final development plans of the Pifer property are also to be approved by the Council of the City of Canal Winchester.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the City Council hereby approves the Final Development Plan for Greengate Residential Development which is attached hereto as Exhibit A, subject to and conditioned upon, with the following conditions:

1. The turn lane improvements along Hill Road be constructed with Phase 1 of the development.
2. The applicant is responsible for the proportional share of offsite traffic improvements.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

APPROVED AS TO FORM:

LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

CLERK OF COUNCIL

Application for
Final Development Plan
Greengate Residential Development

City of Canal Winchester, Ohio

January 21, 2020

Applicant: DDC Management
3601 Rigby Rd, Suite 300
Miamisburg, OH 45342
(937) 401-3844
Ryan Reed

Property Owners: Pifer Tract Five Limited Partnership
1519 Bottomwood Dr.
Hebron, KY 41048

Tipani Pifer Hickey
9450 E. State Road 32
Zionsville, IN 46077

Property: Hill Rd, Canal Winchester, Ohio 43110

Approx. Site Total: 46.17± acres

Tax Parcel Numbers: 0420388600
0420388500

Project Engineer/Planner: CESO, Inc.
2800 Corporate Exchange Drive, Suite 160
Columbus, Ohio 43231
(614) 942-3019
Jonathan S. Buchanan, PE

Project Developer: DDC Management
3601 Rigby Rd, Suite 300
Miamisburg, OH 45342
(937) 401-3844
Ryan Reed

Proposed Application: PRD-Planned Residential District development plan and text
detached condominiums (Zoning per Ordinance No. 52-01 passed
9/17/2001)

Project Narrative:

The project site consists of approximately 46.17 acres located on the west side of Hill Road, north of Carriage Place. The site, zoned PRD, is comprised of farm field and woods.

Currently located around the proposed development to the:

- north of the property is Busey Rd
- south of the property is US 33
- east of the property is farm field
- west of the property is Redwood Canal Winchester Subdivision

The proposed development will consist of a detached condominium development (approximately 191 pads).

Utilities/Public Services:

- A. All utilities shall be underground, whenever possible, except for telephone and cable pedestals and electric transformers.
 1. Waterline: Waterline service throughout the development will be public.
 2. Sanitary: Sanitary service throughout the development will be public.
 3. Drainage: A retention pond is being proposed at the southwest corner of the residential development. Maintenance of the retention pond will be the responsibility of the Condominium Association.

Traffic

A. Traffic Impact Study

- 1. A Traffic Impact Study has been conducted and provided with the Final Development Plan. Traffic improvements shall be subject to County and City approval.
- 2. Roadway improvements along Hill Road shall be installed in accordance with the approved Traffic Study recommendations.

Residential Development Standards

The following are Development Standards for the Subdivision, provided however, in the event a standard, provision, or requirement is not provided, the standards, provisions and requirements set forth in the Ordinance 41-01 including any amendments as were in effect as of September 17, 2001.

A. General Standards

Site Acreage:	46.17 Acres
Number of Pads:	191 pads
Typical Pad Size:	30'x 75'
Building Setbacks:	25' (Front) from Right of Way / 10' (Side) Between Buildings / 25' (Rear)

- 1. All proposed roads are public and designed to comply with city standards, unless otherwise noted on the Development Plan.
- 2. On street parking will be allowed on both sides of the street.

B. Building, Setback and Height Restrictions

- 1. Subject to rules the board of directors adopts, the board may authorize the use of Limited Common Elements, as distinguished from the Common Elements and Exclusive Use Areas, for the construction of open, unenclosed patios and decks or similar improvements provided that the improvements are attached to the Unit, maintained and insured by the owner of the Unit to which the Limited Common Area is appurtenant.
 - i. The side boundaries of the Limited Common Area shall generally be as follows:
 - The side boundary line shall be the line that divides the distance between the Unit and the adjacent Unit extending from the front of the primary structure of the Unit to the rear of the primary structure of the Unit.
 - If the side of a Unit is not adjacent to another Unit, then the side

boundary line on that side of the Unit shall be a maximum of five (5') feet.

ii. The rear boundary of the Limited Common Area shall generally be as follows:

- The rear boundary line shall be thirty (30') feet from the rear of the primary structure of the Unit extending from one side boundary of the Unit to the other side boundary of the Unit.

2. No fences other than "invisible fences" for pet containment shall be allowed.
3. Dwelling Units shall be single-family, detached residences. The maximum building height shall not exceed thirty feet (35') in height from top of foundation to ridge of roof line.
4. There shall be no maximum lot coverage requirement.
5. House square footages (which shall be defined as habitable, heated, above-ground living space) shall be not less than twelve hundred (1,200) square feet.

C. Architectural and Design Standards:

1. In accordance with Ordinance 41-01, including any amendments as were in effect as of September 17, 2001, detached condominiums shall incorporate common elements of style, color schemes and materials such that they are architecturally compatible and complimentary.

Elevations shown in Appendix D are sample elevations and not the ONLY building design permitted.

Condominium Association Responsibilities

1. Condominium Association: All residential property owners located within Greengate will be required to join and maintain membership in a forced and funded condominium association (the "Association"), which will be formed prior to any units being sold.
2. Association shall be responsible for lawn maintenance for common areas and exclusive use areas. Lawn maintenance, by the Association, for Limited Common Areas shall be determined by the board of directors on a case by case basis.
3. Reserve areas/common areas and landscaping of those reserve areas are to be maintained by the Association.
4. The homeowner will be responsible for maintenance and repair of own dwelling structure.
5. The Board will be turned over at the expiration of the Development Period. Within ninety

(90) days after the expiration of the Development Period, the President of the Association shall call a special membership meeting (“Development Period Special Meeting”). At the Development Period Special Meeting, all Declarant appointed Directors shall be deemed removed from office, and the Class A Members, including the Declarant if it is then an Owner, shall elect a Director to fill each vacancy on the Board.

Development Period. "Development Period" means the period commencing on the date on which this Declaration is recorded and terminating on the earlier to occur of: (i) within thirty (30) days following the date when one hundred percent (100%) of the Dwelling Units which may be built on the Property or Additional Property have been deeded by either Declarant and/or any Builder to a third party purchaser; or (ii) thirty (30) years from the date of recording of the Declaration.

Landscaping, and/or Screening Commitments

The proposed development shall comply with all landscape regulations set forth in part eleven Chapter 1191 of the codified ordinances of Canal Winchester.

APPENDICES

- A. Final Development Plan Application
- B. Final Development Plan
- C. Traffic Study
- D. Detached Condominium Elevations
- E. Council Ordinance 52-01

To view the appendices, please click [here](#).

June 9, 2020

Jonathan Buchanan
2800 Corporate Exchange Drive, Suite 400
Columbus, OH 43231

Re: Application #FDP-20-002

To Whom it May Concern:

The Planning and Zoning Commission heard your above referenced application at their June 8, 2020 meeting. Following discussion, the Commission passed a motion to approve Final Development Plan application #FDP-20-002 with the following conditions and recommend to City Council for approval:

1. The turn lane improvements along Hill Road be constructed with Phase 1 of the development.
2. The applicant is responsible for the proportional share of offsite traffic improvements.

This application is scheduled for the first reading on the June 15, 2020 Council Agenda.

If you have any questions regarding the above, please give me a call at (614) 837-6742 or e-mail me at amoore@canalwinchesterohio.gov.

Sincerely,

Andrew Moore
Planning and Zoning Administrator

CITY COUNCIL

June 15, 2020

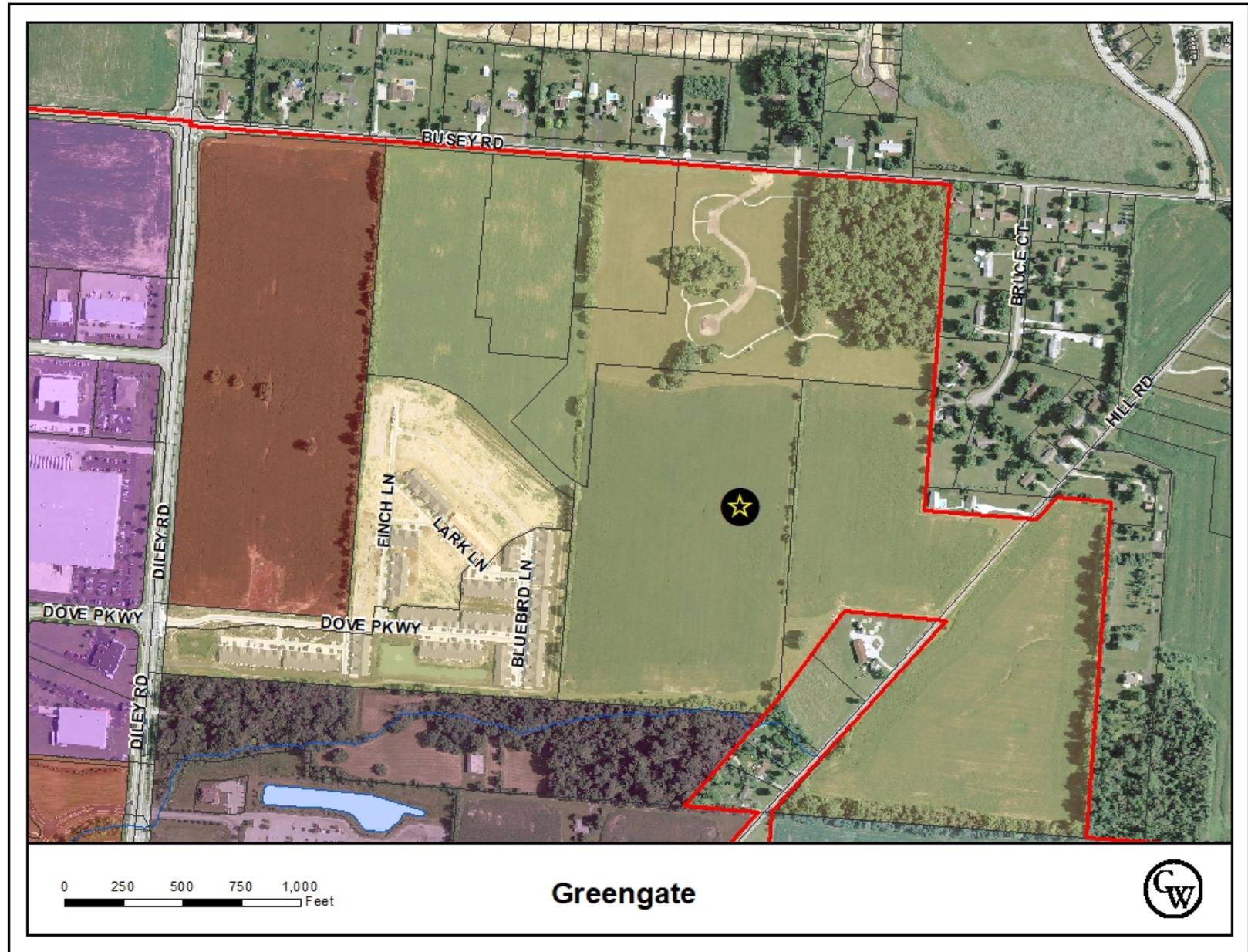
Application #FDP-20-002

Owner: Pifer Tract Five Limited Partnership

Applicant: DDC Management

Location: PID 042-0388600 & 042-0388500

Request: Final Development Plan for a 191 unit detached condominium community.



08-06-01
O-08-01H
Sponsor:

ORDINANCE NO. 52-01

AN ORDINANCE TO ZONE 40.346 +/- ACRES OF PROPERTY OWNED BY RUTH E. PIFER, ET AL., TO PLANNED COMMERCIAL DISTRICT, TO ZONE 87.945 +/- ACRES OF SUCH PROPERTY TO PLANNED INDUSTRIAL DISTRICT, TO ZONE 168.967 +/- ACRES OF SUCH PROPERTY TO PLANNED RESIDENTIAL DISTRICT, TO APPROVE THE PRELIMINARY PLAN AND DEVELOPMENT STANDARDS TEXT FOR SUCH TRACT

WHEREAS, a petition for annexation of 297.258 +/- acres in Violet Township was duly filed by Ruth E. Pifer, et al. and approved for annexation by the Village of Canal Winchester; and

WHEREAS, the applicant wishes to rezone this property into appropriate planned districts;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That, immediately upon annexation, the zoning map of the Village of Canal Winchester, Ohio be and the same is hereby amended as follows:

That the 40.346 +/- acres of such annexed property, owned by Ruth E. Pifer, et al., as fully set forth in the Rezoning Boundary Plan attached hereto as Exhibit "D" and incorporated herein by reference, is zoned Planned Commercial District (PCD).

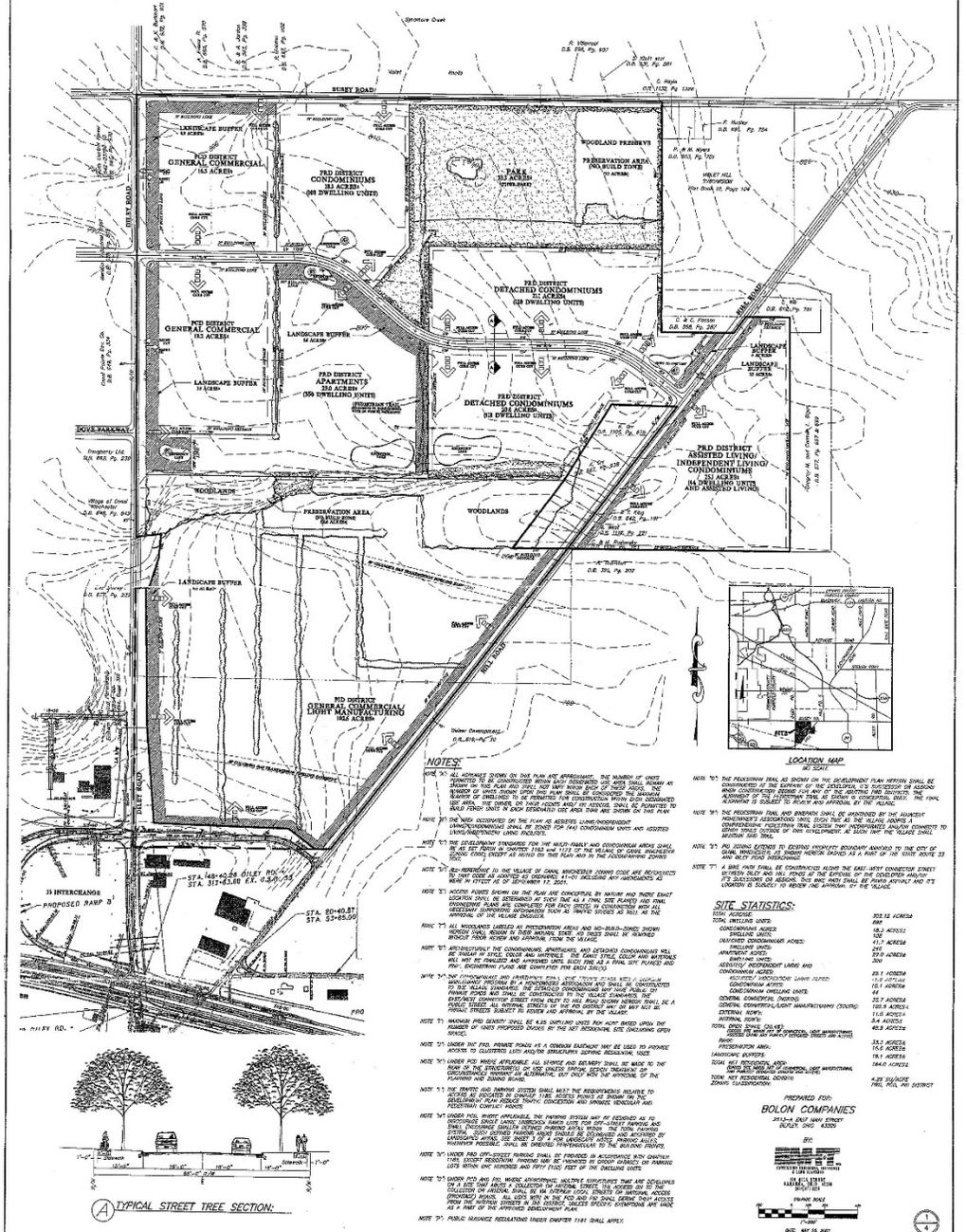
SECTION 2. That, immediately upon annexation, the zoning map of the Village of Canal Winchester, Ohio be and the same is hereby amended as follows:

That the 87.945 +/- acres of such annexed property, owned by Ruth E. Pifer, et al., as fully set forth in the Rezoning Boundary Plan attached hereto as Exhibit "D" and incorporated herein by reference, is zoned Planned Industrial District (PID).

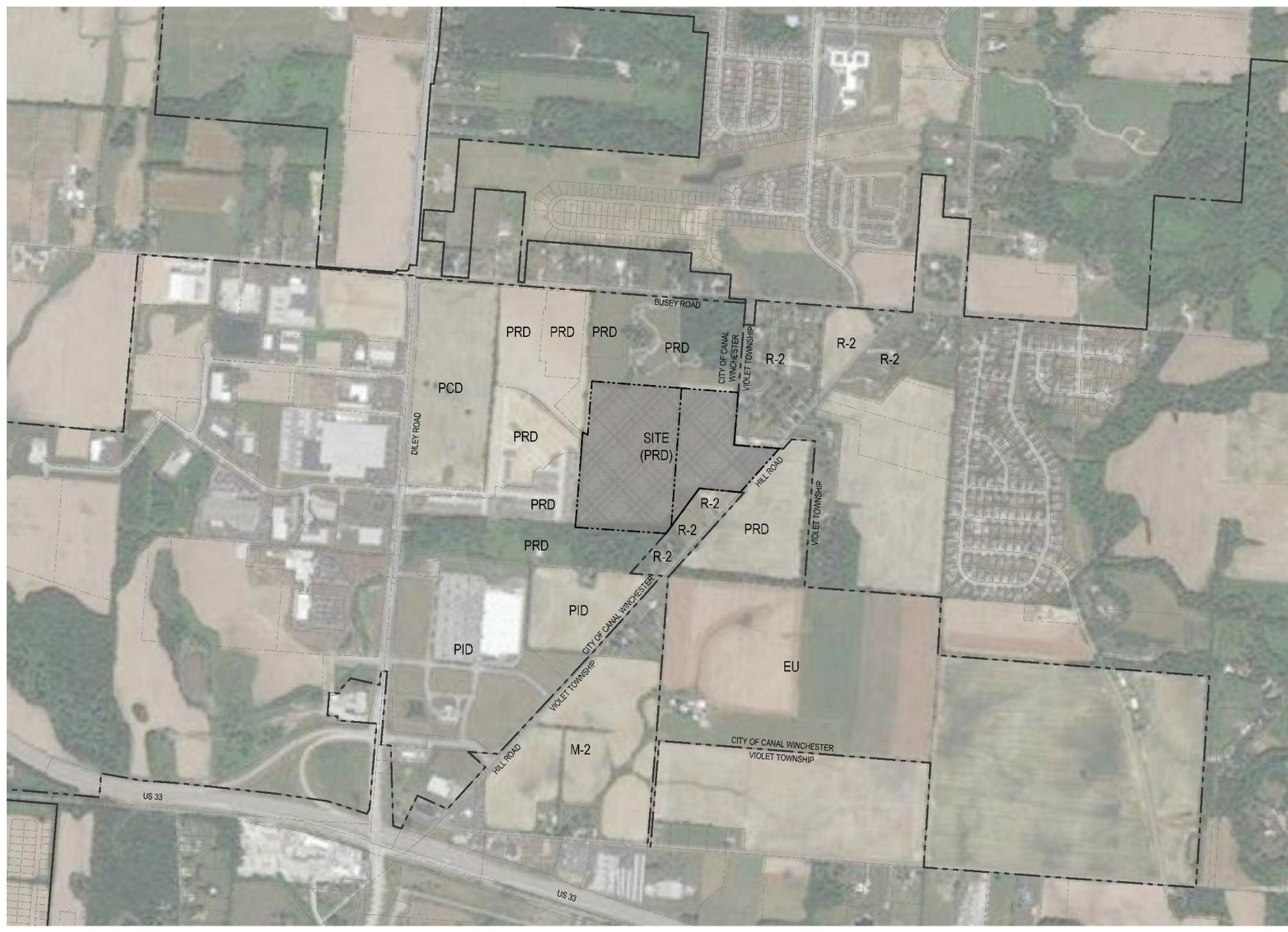
SECTION 3. That, immediately upon annexation, the zoning map of the Village of Canal Winchester, Ohio be and the same is hereby amended as follows:

That the 168.967 +/- acres of such annexed property, owned by Ruth E. Pifer, et al., as fully set forth in the Rezoning Boundary Plan attached hereto as Exhibit "D" and incorporated herein by reference, is zoned Planned Residential District (PRD).

EXHIBIT "A"
DEVELOPMENT PLAN FOR:
DILEY/ HILL ROAD



DATE: 02/17/2020



REVISION DESCRIPTION

NO. DATE

FINAL DEVELOPMENT PLAN

GREENGATE

FAIRFIELD COUNTY, OHIO

CITY OF CANAL WINCHESTER

REGIONAL
CONTEXT MAP

ISSUE:
NOT FOR CONSTRUCTION
DATE:
2/17/2020

JOB NO:	767010
DESIGN:	JES
DRAWN:	CWS
CHECKED:	JEE

SHEET NO.
EXHIBIT 'B'

NO. DATE

FINAL DEVELOPMENT PLAN

GREENGATE

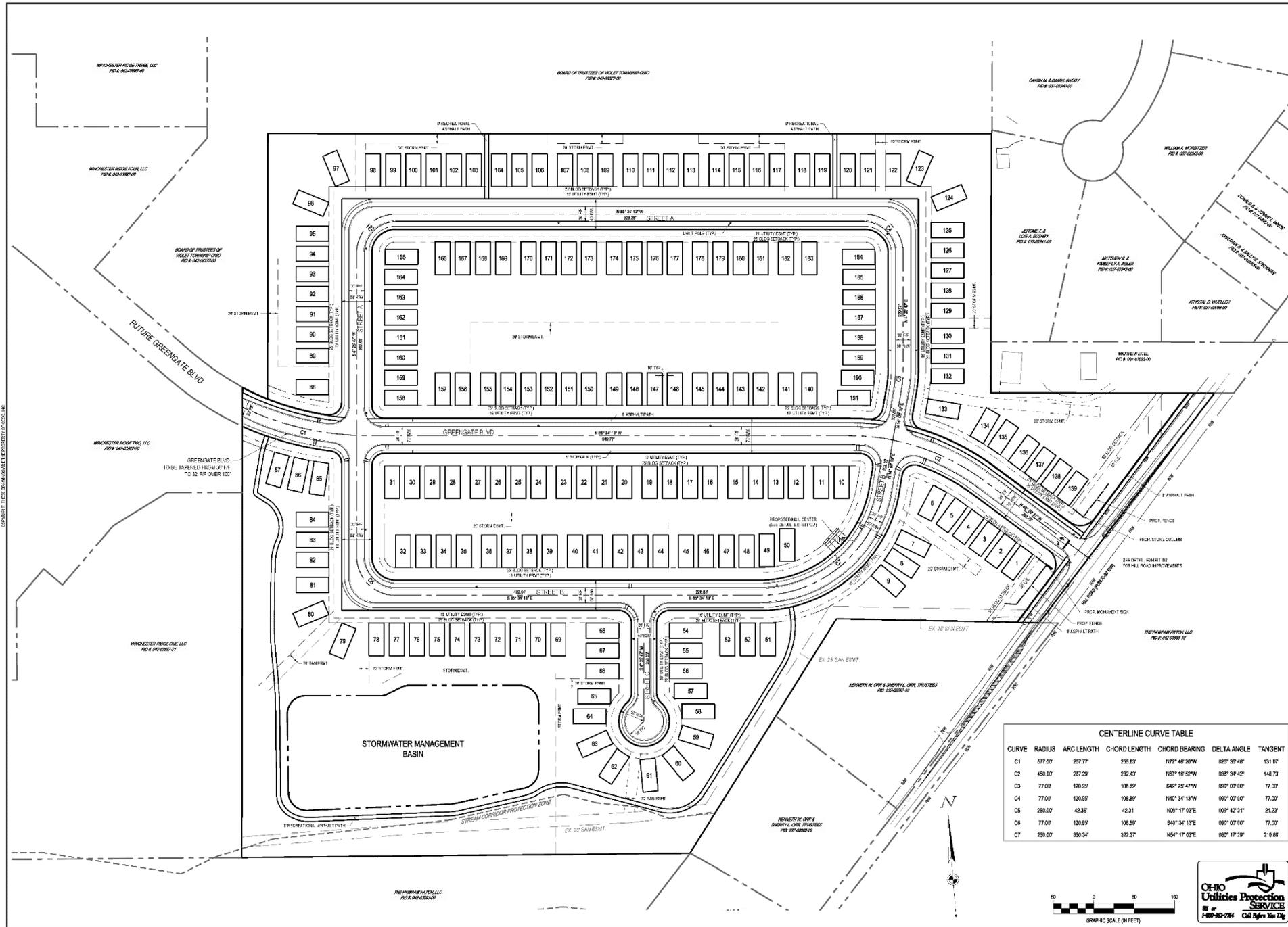
SITE PLAN

ISSUE:
NOT FOR CONSTRUCTION
DATE:
2/17/2020

JOB NO: 767010
DESIGN: JSS
DRAWN: CWS
CHECKED: JEE

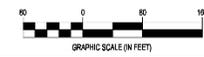
SHEET NO:
EXHIBIT 'D1'

CHAS. WINCHESTER
FAIRFIELD COUNTY, OHIO



CENTERLINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	577.00	257.77	255.83	N72° 46' 20"W	025° 30' 48"	131.07'
C2	450.00	287.29	282.43	N87° 18' 52"W	038° 34' 42"	148.73'
C3	77.00	120.89	108.69	S48° 22' 43"W	080° 00' 00"	77.00'
C4	77.00	120.89	108.69	N40° 34' 13"W	090° 00' 00"	77.00'
C5	250.00	42.38	42.31	N09° 17' 03"E	009° 42' 31"	21.23'
C6	77.00	120.89	108.69	S40° 34' 13"E	080° 00' 00"	77.00'
C7	250.00	350.34	322.27	N54° 17' 03"E	080° 17' 29"	219.80'



NO. DATE

FINAL DEVELOPMENT PLAN

GREENGATE

PARCEL D COUNTY, OHIO

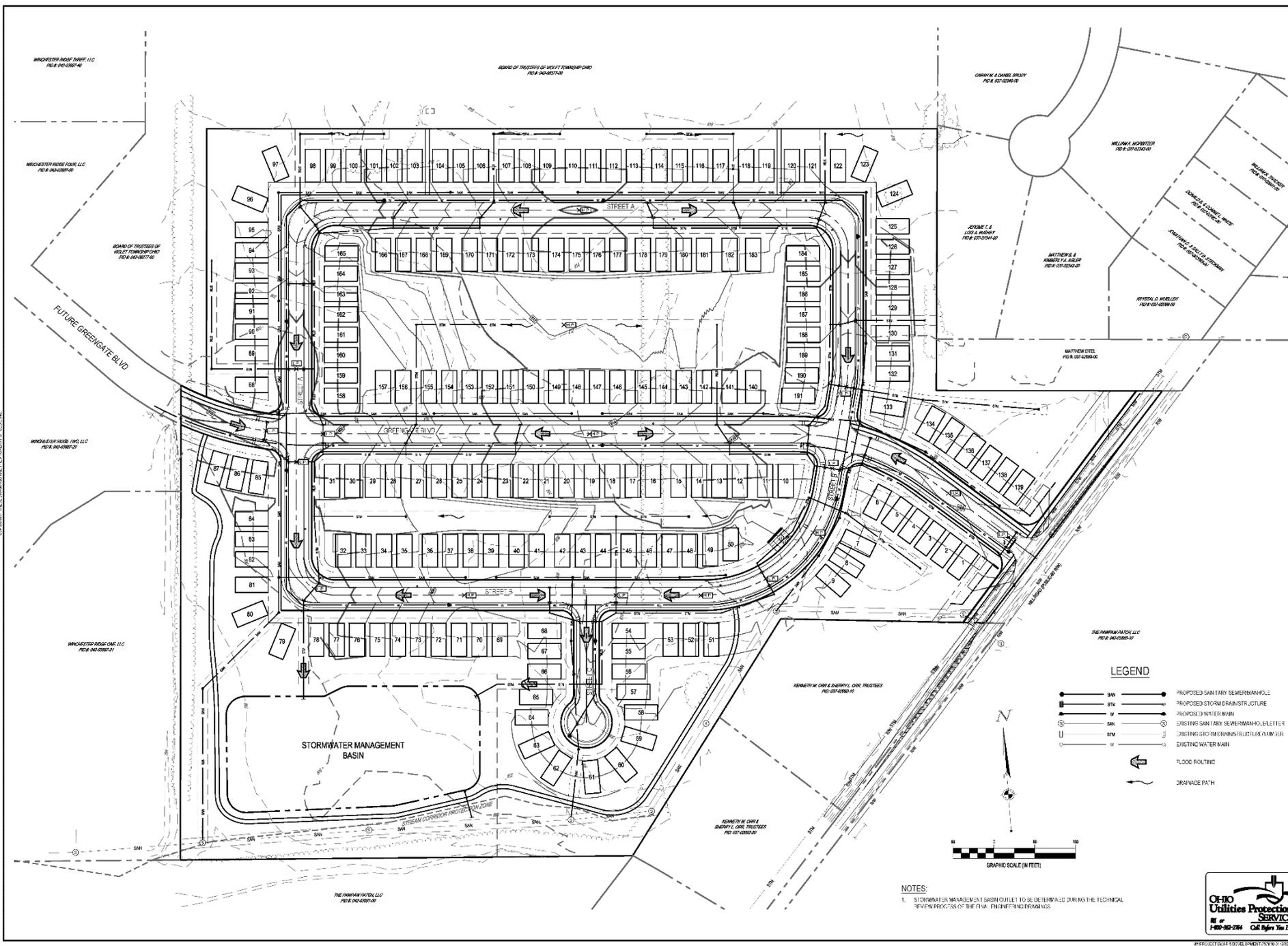
CHARLES WINCHESTER

GRADING & UTILITY PLAN

ISSUE:
NOT FOR CONSTRUCTION
DATE:
2/17/2020

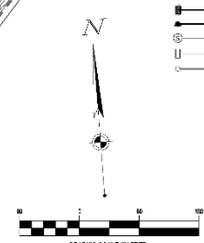
JOB NO: 75/010
DESIGN: JES
DRAWN: CWS
CHECKED: JEE

SHEET NO:
EXHIBIT 'F'



LEGEND

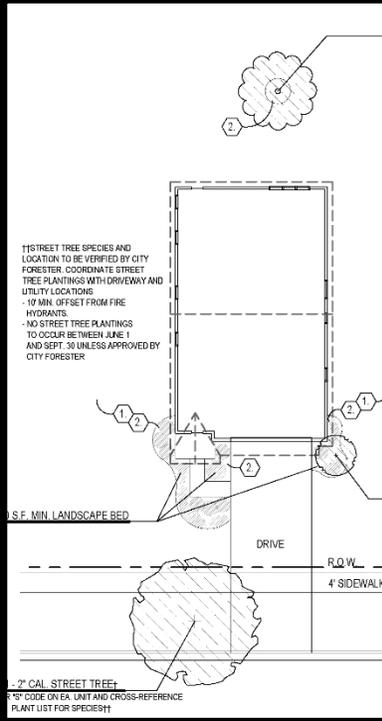
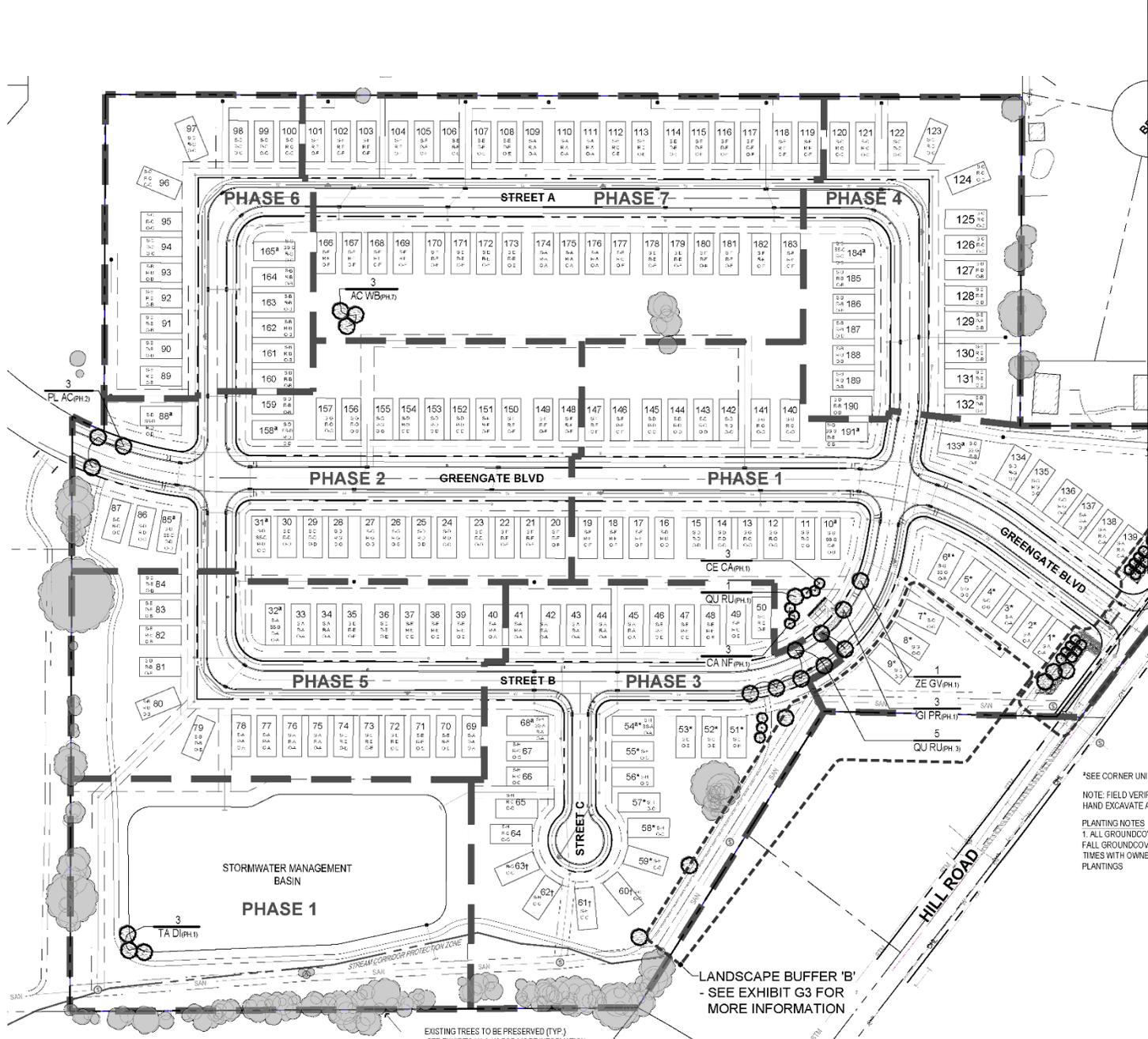
- SAN — PROPOSED SANITARY SEWERMANHOLE
- STM — PROPOSED STORM DRAIN STRUCTURE
- W — PROPOSED WATER MAIN
- S — EXISTING SANITARY SEWERMANHOLE LETTER
- STM — EXISTING STORM DRAIN STRUCTURE NUMBER
- W — EXISTING WATER MAIN
- ↻ FLOOD ROLTRIC
- DRAINAGE PATH



NOTES:
1. STORMWATER MANAGEMENT BASIN OUTLET TO BE DETERMINED DURING THE TECHNICAL REVIEW PROCESS OF THE FINAL ENGINEERING DRAWINGS.



SITE LANDSCAPE PLAN



2" CAL. SHADE TREE¹ OR 6" HT. EVERGREEN TREE²
SEE SITE PLAN FOR "R" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

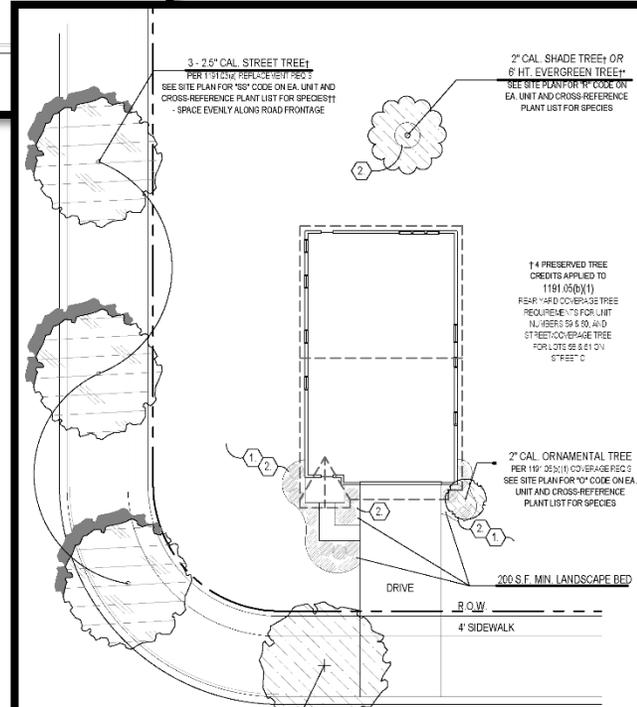
14 PRESERVED TREE CREDITS APPLIED TO 1191.05(D)(1)
REAR YARD COVERAGE TREE REQUIREMENTS FOR UNIT NUMBERS 98-99 AND 100
STREET C

*REAR YARD 1191.05(D)(1) COVERAGE TREE FOR UNIT NUMBERS 123-124, 48-49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

1) STREET TREE SPECIES AND LOCATION TO BE VERIFIED BY CITY FORESTER. COORDINATE STREET TREE PLANTINGS WITH DRIVEWAY AND UTILITY LOCATIONS
10' MIN. OFFSET FROM FIRE HYDRANTS.
NO STREET TREE PLANTINGS TO OCCUR BETWEEN JUNE 1 AND SEPT. 30 UNLESS APPROVED BY CITY FORESTER

2) 2" CAL. STREET TREE
SEE SITE PLAN FOR "S" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

3) 2" CAL. ORNAMENTAL TREE
PER 1191.05(D)(1) COVERAGE REQ. 3
SEE SITE PLAN FOR "O" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES



3-2" CAL. STREET TREE¹
PER 1191.05(D)(1) COVERAGE REQ. 3
SEE SITE PLAN FOR "S" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

2" CAL. SHADE TREE¹ OR 6" HT. EVERGREEN TREE²
SEE SITE PLAN FOR "R" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

14 PRESERVED TREE CREDITS APPLIED TO 1191.05(D)(1)
REAR YARD COVERAGE TREE REQUIREMENTS FOR UNIT NUMBERS 59-60, 48-D STREET COVERAGE TREE FOR LOTS 57 & 60 ON STREET C

2" CAL. ORNAMENTAL TREE
PER 1191.05(D)(1) COVERAGE REQ. 3
SEE SITE PLAN FOR "O" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

1) STREET TREE SPECIES AND LOCATION TO BE VERIFIED BY CITY FORESTER. COORDINATE STREET TREE PLANTINGS WITH DRIVEWAY AND UTILITY LOCATIONS
10' MIN. OFFSET FROM FIRE HYDRANTS.
NO STREET TREE PLANTINGS TO OCCUR BETWEEN JUNE 1 AND SEPT. 30 UNLESS APPROVED BY CITY FORESTER

2) 2" CAL. STREET TREE
SEE SITE PLAN FOR "S" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

3) 2" CAL. ORNAMENTAL TREE
PER 1191.05(D)(1) COVERAGE REQ. 3
SEE SITE PLAN FOR "O" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

EXISTING TREES TO BE PRESERVED (TYP)
SEE EXHIBITS H1 & H2 FOR MORE INFORMATION

LANDSCAPE BUFFER 'B'
- SEE EXHIBIT G3 FOR MORE INFORMATION

*SEE CORNER UNIT TYPICAL LANDSCAPE PLAN FOR ADDITIONAL TREE REQUIREMENT
NOTE: FIELD VERIFY LOCATION AND DEPTHS OF ALL UTILITIES. HAND EXCAVATE ALL PLANTING PITS.

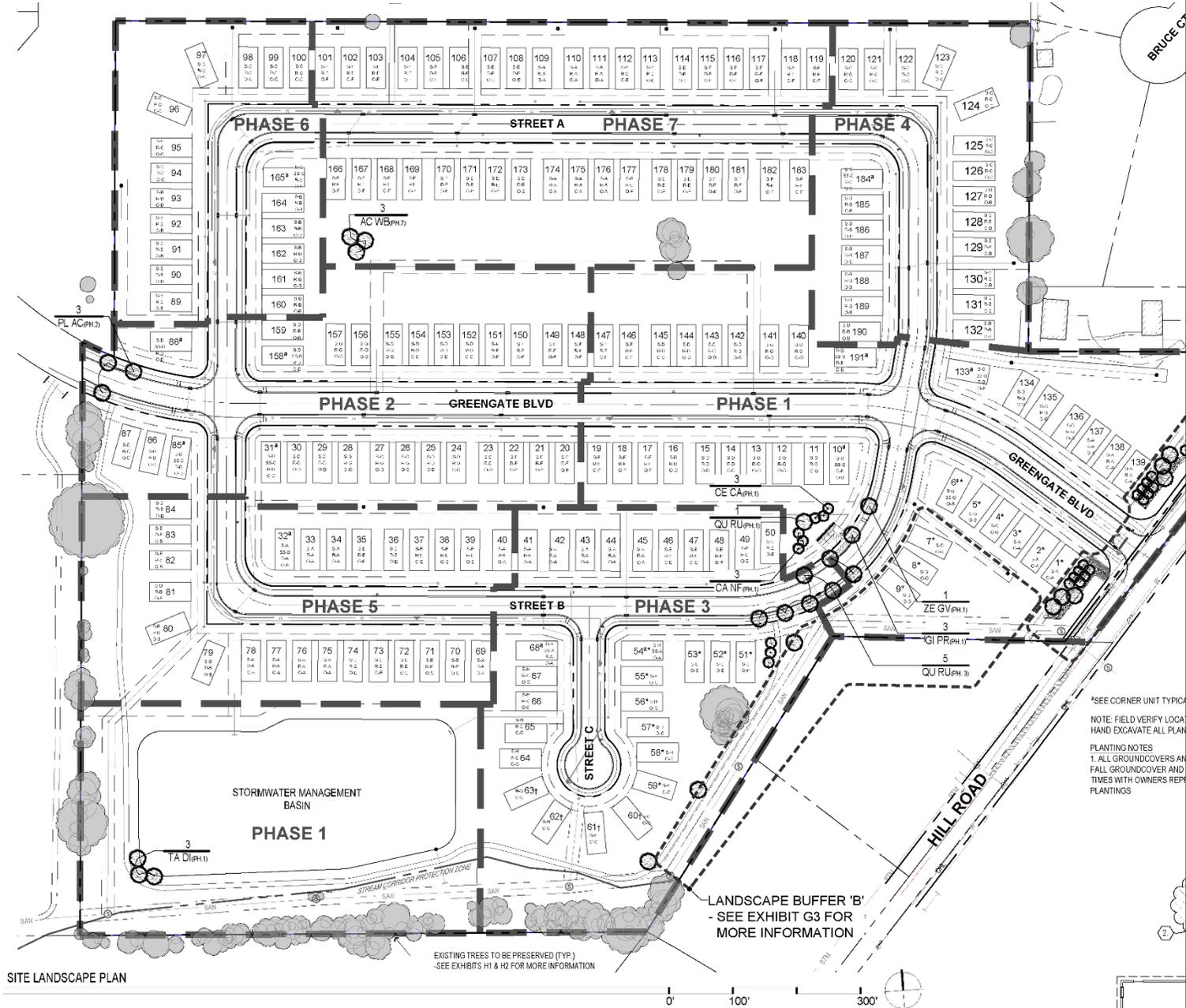
PLANTING NOTES
1. ALL GROUNDCOVERS AND PERENNIALS TO BE PLANTED DURING THE SPRING PLANTING WINDOW
FALL GROUNDCOVER AND PERENNIAL PLANTINGS WILL NOT BE ACCEPTED. COORDINATE PLANTING TIMES WITH OWNERS REPRESENTATIVE TO INCREASE SUCCESS OF GROUNDCOVER AND PERENNIAL PLANTINGS

2" CAL. SHADE TREE¹ OR 6" HT. EVERGREEN TREE²
SEE SITE PLAN FOR "R" CODE ON EA UNIT AND CROSS-REFERENCE PLANT LIST FOR SPECIES

14 PRESERVED TREE CREDITS APPLIED TO 1191.05(D)(1)
REAR YARD COVERAGE TREE REQUIREMENTS FOR UNIT NUMBERS 59-60, 48-D

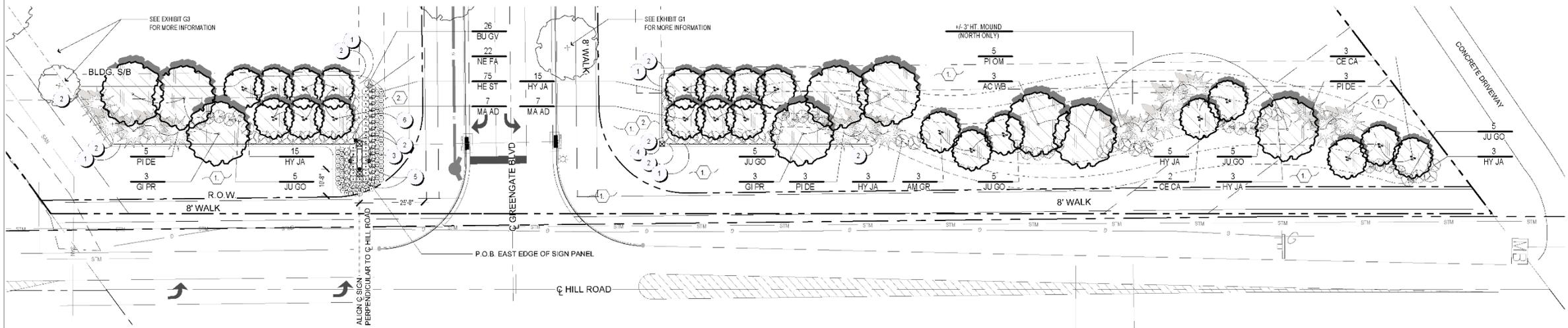


NEIGHBORING UNIT TYPICAL LANDSCAPE PLAN



PLANT LIST (Contractor is responsible for all plant material shown on plan)

QTY.	CODE	UNIT TYP. CODE	BOT. NAME/COMMON NAME	SIZE	COND.	SPACING	NOTES
STREET TREES							
3	AC WB		Acer saccharum 'Wright Brothers' Wright Brothers Sugar Maple	2.5" CAL.	B&B	AS SHOWN	REPLACEMENT TREE
32	CE XM	A	Celtis x Magnifica Magnifica Hackberry	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
36	GI PR	B	Ginkgo biloba 'Princeton Sentry' Princeton Sentry Ginkgo	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
22	LI RO	C	Liquidambar styraciflua 'Rotundiloba' Rotundiloba Sweetgum	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
35	PL AC	D	Platanus acerifolia 'Morton Circle' Exclamation™ London PlanTree	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
36	QU RU	E	Quercus rubra Red Oak	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
31	UL AC	F	Ulmus x 'Morton' Accolade Elm	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
36	ZE GV	G	Zelkova serrata 'Village Green' Village Green Zelkova	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
13	SY RE	H	Syringa reticulata 'Ivory Silk' Ivory Silk Tree Lilac	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
REAR YARD TREES - DECIDUOUS OPTION							
30	CA NF	A	Carpinus caroliniana 'JFS-KW6' Native Flame® American Hornbeam	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'A' AND EVERGREEN 'A' + 3.0" N. @ 11" CAL. FOR REPLACEMENT TREES
26	CH VI	B	Chionanthus virginicus White Fringetree	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'B' AND EVERGREEN 'B'
22	CL KE	C	Cladrastis kentuckea American Yellowwood	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'C' AND EVERGREEN 'C'
20	CO KO	D	Cornus kousa Kousa Dogwood	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'D' AND EVERGREEN 'D'
27	OS VI	E	Ostrya virginiana 'Autumn Treasure' Autumn Treasure Hophornbeam	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'E' AND EVERGREEN 'E'
31	PR SU	F	Prunus subhirtella 'Autumnalis' Autumnalis Higan Cherry	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'F' AND EVERGREEN 'F'
16	TA DI	G	Taxodium distichum Baldcypress	2" CAL.	B&B	AS SHOWN	QUANTITY IS MAX. SUM OF DECIDUOUS 'G' AND EVERGREEN 'G' + 3.0" N. @ 2" CAL. FOR REPLACEMENT TREES
REAR YARD TREES - EVERGREEN OPTION							
27	AB CO	A	Abies Concolor White Fir	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'A' AND EVERGREEN 'A'
26	IL OP	B	Ilex opaca 'West Virginia' West Virginia American Holly	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'B' AND EVERGREEN 'B'
22	JU VA	C	Juniperus virginiana 'Taylor' Taylor Eastern Red Cedar	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'C' AND EVERGREEN 'C'
20	PI DE	D	Picea glauca 'Densata' Black Hills Spruce	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'D' AND EVERGREEN 'D'
27	PI OM	E	Picea omorika Serbian Spruce	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'E' AND EVERGREEN 'E'
31	PI ST	F	Pinus strobus White Pine	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'F' AND EVERGREEN 'F'
15	TH PL	G	Thuja plicata 'Green Giant' Green Giant Arborvitae	5' HT.	B&B	PER PLAN	QUANTITY IS MAX. SUM OF DECIDUOUS 'G' AND EVERGREEN 'G'
ORNAMENTAL TREES							
28	AC GR	A	Acer griseum Paperbark Maple	2" CAL.	B&B	AS SHOWN	
27	AM RB	B	Amelanchier canadensis 'Glen Fom' Rainbow Pillar Serviceberry	2" CAL.	B&B	AS SHOWN	
29	AE PA	C	Aesculus pavia Red Buckeye	2" CAL.	B&B	AS SHOWN	
23	CE CA	D	Cercis canadensis Eastern Redbud	2" CAL.	B&B	AS SHOWN	2.5" CAL. IF USED FOR REPLACEMENT TREE
30	MA AD	E	Malus 'Adirondack' Adirondack Crabapple	2" CAL.	B&B	AS SHOWN	
31	MA VA	F	Magnolia virginiana Sweetbay Magnolia	2" CAL.	B&B	AS SHOWN	
20	VI PR	G	Viburnum prunifolium Blackhaw Viburnum	2" CAL.	B&B	AS SHOWN	



MAIN ENTRY ENLARGEMENT LANDSCAPE PLAN

CODED LAYOUT & MATERIALS NOTES

KEY	ITEM	REFERENCE	NOTES
1	2-RAIL FENCE	A EX. G2	SEE DETAIL A, THIS SHEET
2	6x6 END POST	A EX. G2	SEE DETAIL A, THIS SHEET.
3	DEVELOPMENT ID SIGN	B EX. G2	MATCH STONE VENEER TO BUILDING ELEVATIONS. SEE DETAIL B, THIS SHEET.
4	STONE COLUMN	C EX. G2	MATCH STONE VENEER TO BUILDING ELEVATIONS. SEE DETAIL C, THIS SHEET.
5	SIGN UPLIGHT	E EX. G4	FX LUMINAIRE UPLIGHT PB-3LED-BZ OR OWNER APPROVED. SEE DETAIL E, EXHIBIT G4.
6	LV TRANSFORMER	F EX. G4	FX LUMINAIRE LX TRANSFORMER 150W - PAINTABLE GREY FINISH WITH PHOTOCELL. PROVIDE GFCI OUTLET AND SLEEVING FOR LV WIRING PER CURRENT NEC CODE. SEE DETAIL F, EXHIBIT G4.

CODED LANDSCAPE NOTES

- 1 TURF AREA - SOD OR SEED PER OWNER DIRECTION
- 2 LANDSCAPE BED - PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE IN ALL DIRECTIONS. HAND SPADE EDGE.

PLANT LABEL KEY: $\frac{1}{XXXX} \left(\frac{QUANTITY}{CODE} \right)$

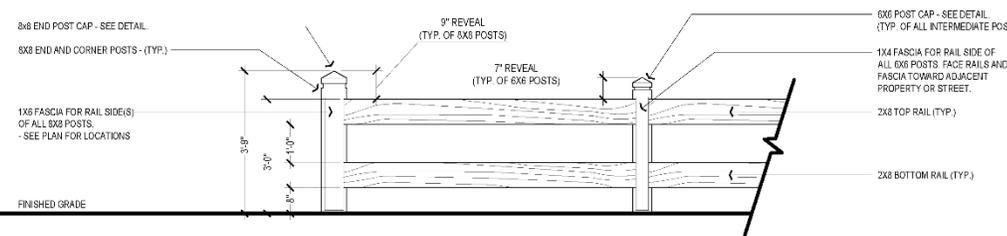
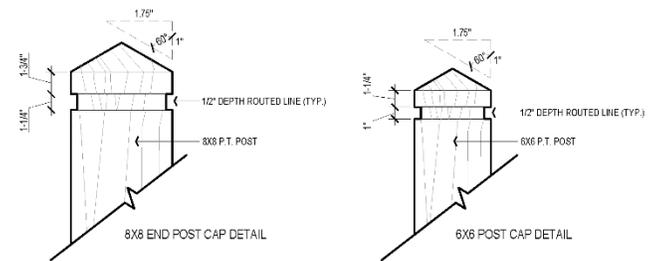
PLANT LIST (Contractor is responsible for all plant material shown on plan)

QTY.	CODE	BOT NAME/COMMON NAME	SIZE	COND.	SPACING	NOTES
DECIDUOUS SHADE TREES / STREET TREES						
3	AC WB	Acer saccharum 'Nighi Brothers' Wright Brothers Sugar Maple	2.5' CAL.	B&B	PER PLAN	REPLACEMENT TREE
6	GI PR	Ginkgo biloba 'Princeton Sentry' Princeton Sentry Ginkgo	2.5' CAL.	B&B	PER PLAN	REPLACEMENT TREE
SMALL ORNAMENTAL TREES						
3	AM GR	Amelanchier xGrandiflora 'Katumo Brilliance' Autumn Brilliance Senkowsky	2.5' CAL.	B&B	PER PLAN	REPLACEMENT TREE
5	CE CA	Cercis canadensis Eastern Redbud	2.5' CAL.	B&B	PER PLAN	REPLACEMENT TREE
14	MA AD	Malus 'Adirondack' Adirondack Crabapple	2.5' CAL.	B&B	Plant @ 12' O.C.	REPLACEMENT TREE
EVERGREEN TREES						
11	PI DE	Picea glauca 'Densata' Black Hills Spruce	9' HT.	B&B	Per Plan	
5	PI OM	Picea omorika Serbian Spruce	9' HT.	B&B	Per Plan	
EVERGREEN SHRUBS						
26	BU GV	Buxus xGreen Velvet Green Velvet Boxwood	24" HT.	B&B	Plant @ 30" O.C.	
25	JU GO	Juniperus virginiana 'Grey Owl' Grey Owl Juniper	24" HT.	B&B	Plant @ 34" O.C.	
FLOWERING / DECIDUOUS SHRUBS						
44	HY JA	Hydrangea paniculata 'Janet Little' Little Hydrangea	36" HT.	#5 Cont.	PER PLAN	
GRASSES, PERENNIALS, GROUNDCOVERS, & VINES						
75	HE ST	Hemerocallis 'Stella d'Or' Stella d'Or Daylily	-	#1 Cont.	Plant @ 15" O.C.	
22	NE FA	Nepeta xclassica 'Walker's Low' Walker's Low Catmint	-	#3 Cont.	Plant @ 32" O.C.	

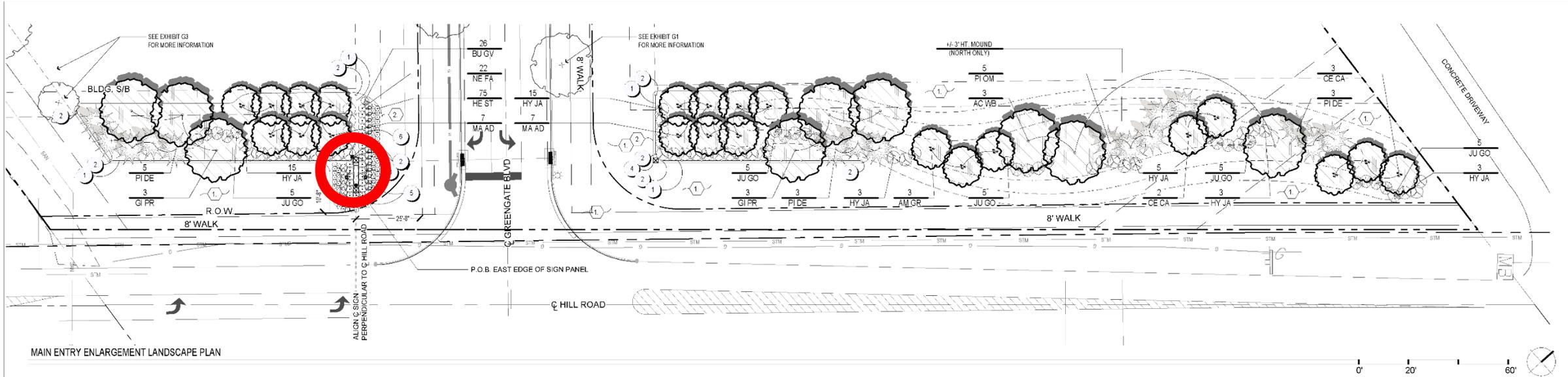
NOTE: FIELD VERIFY LOCATION AND DEPTHS OF ALL UTILITIES. HAND EXCAVATE ALL PLANTING PITS.

PLANTING NOTES
 1 ALL GROUNDCOVERS AND PERENNIALS TO BE PLANTED DURING THE SPRING PLANTING WINDOW.
 FALL GROUNDCOVER AND PERENNIAL PLANTINGS WILL NOT BE ACCEPTED. COORDINATE PLANTING TIMES WITH OWNERS REPRESENTATIVE TO INCREASE SUCCESS OF GROUNDCOVER AND PERENNIAL PLANTINGS

NOTES:
 POSTS SHALL BE SOUND, STRAIGHT AND FREE FROM KNOTS, SPLITS, AND SHAKES, AND PEELD THEIR ENTIRE LENGTH. BOTH ENDS SHALL BE DOUBLE TRIMMED AND SAWED SQUARE.
 FENCE BOARDS: BOARDS SHALL BE 1" X 8" X 16' POPLAR, PRESSURE TREATED. THE BOARDS SHALL BE SOUND, STRAIGHT AND FREE OF KNOTS AND SHAKES.
 PAINT: SATIN WHITE
 FASTENERS: NAILS-10D PLAIN SHANK BOX GALVANIZED

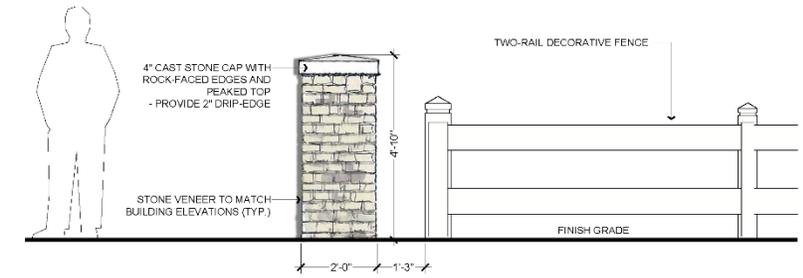
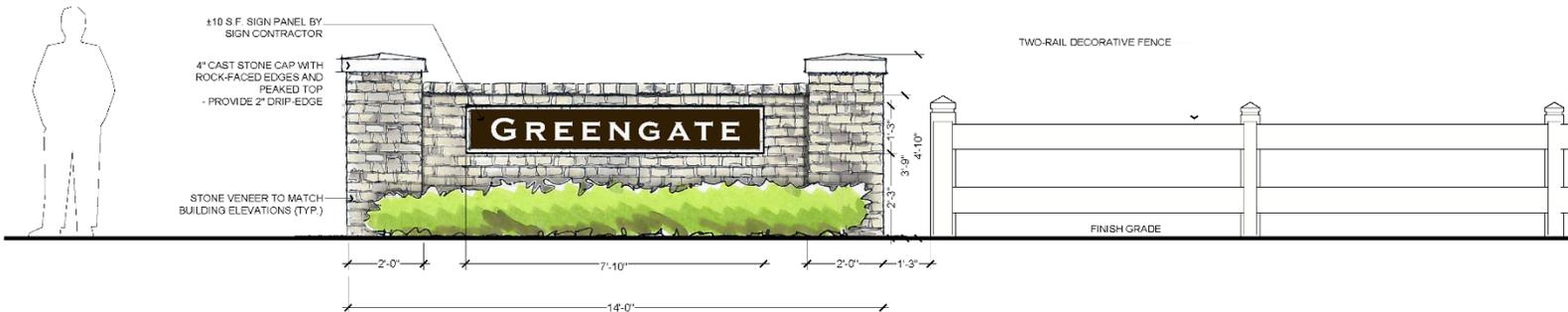


A DECORATIVE 2- RAIL FENCE
 SCALE: 1/2" = 1'-0"



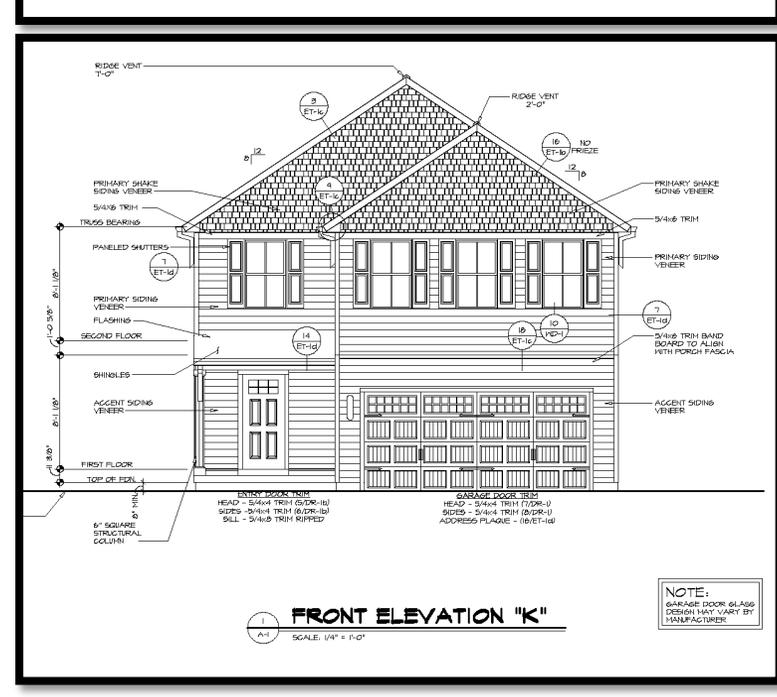
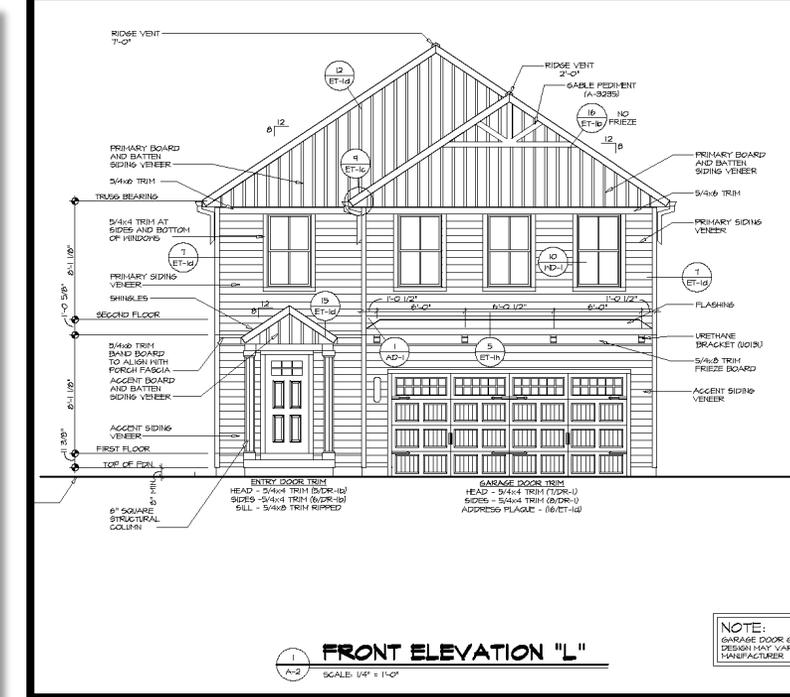
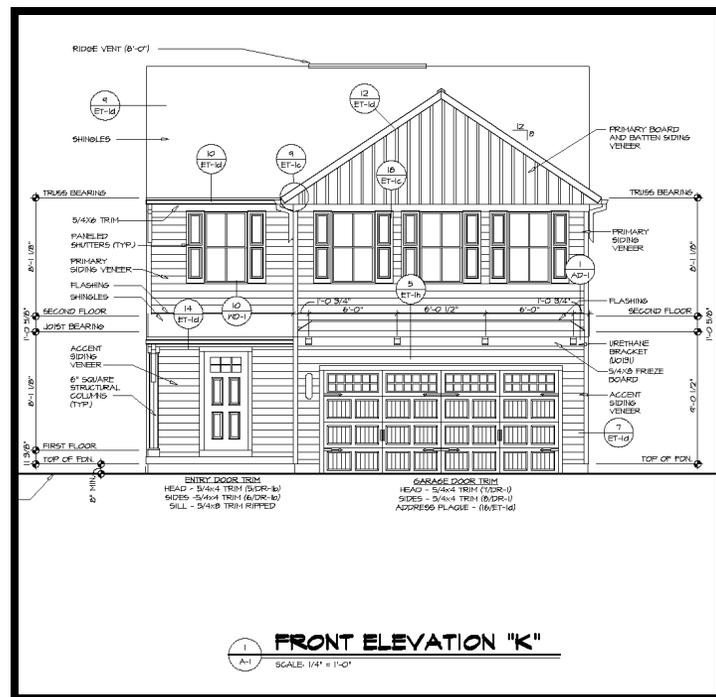
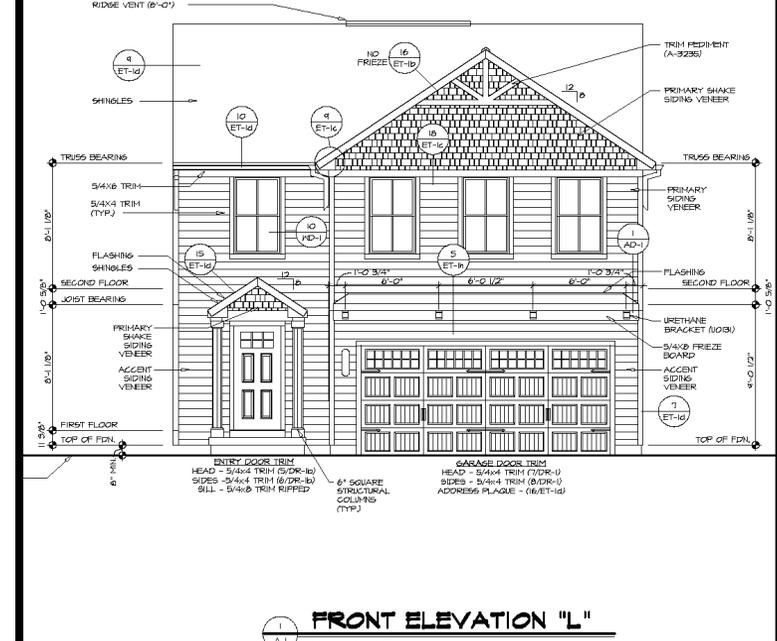
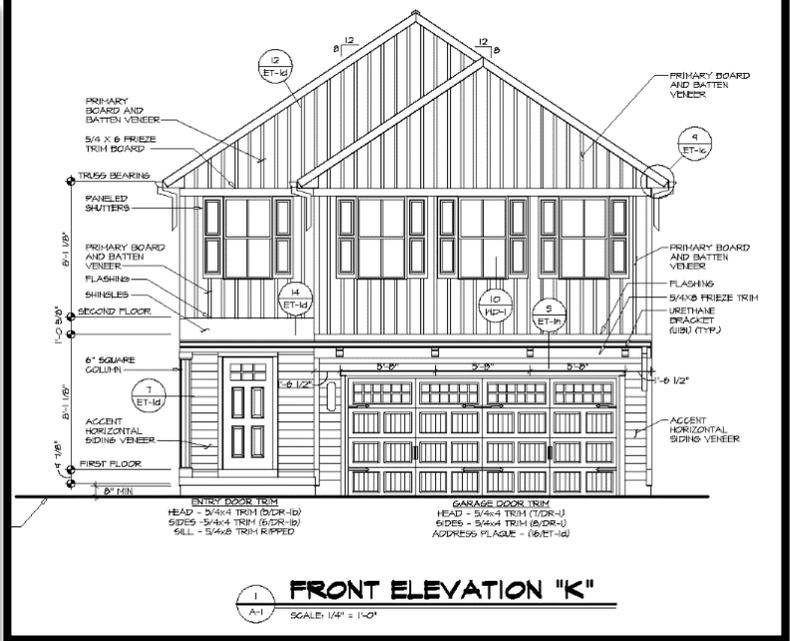
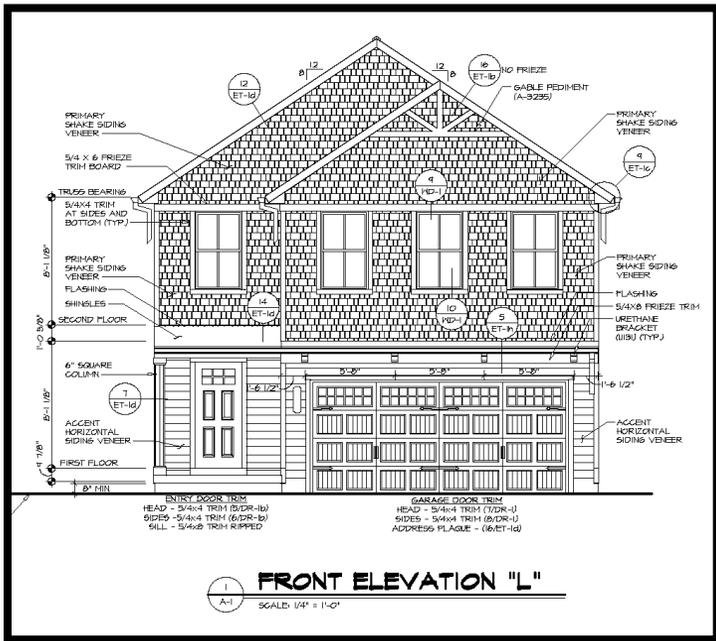
NOTES
 FINAL COPY, FONT, AND COLOR BY OWNER
 ALL EXPOSED LUMBER OR MASONRY JOINTS TO BE SEALED WITH COLOR-MATCHED OR PAINTABLE SILICONE
 FINAL CONSTRUCTION DETAIL BY SIGN CONTRACTOR

NOTES
 ALL EXPOSED LUMBER OR MASONRY JOINTS TO BE SEALED WITH COLOR-MATCHED OR PAINTABLE SILICONE



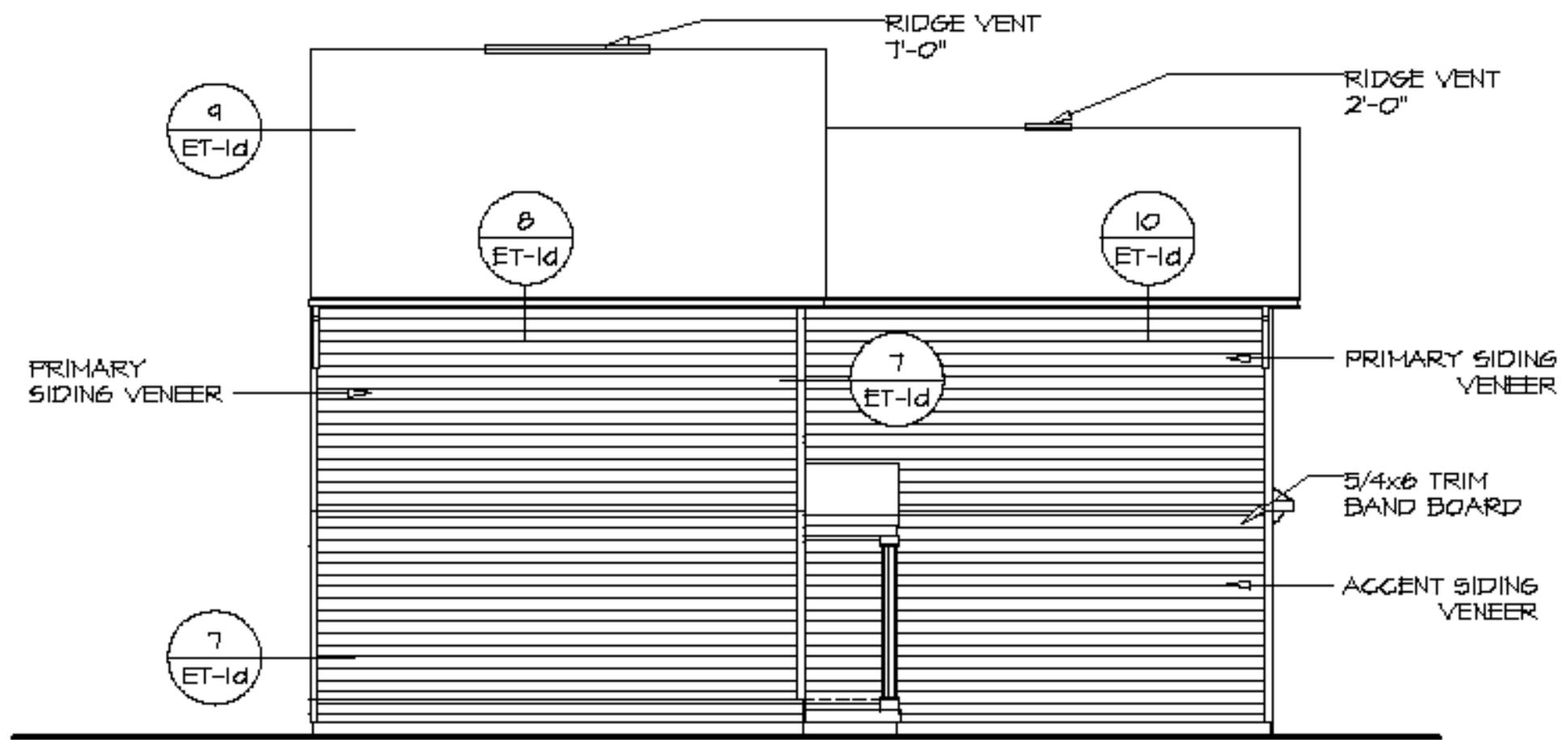
B DEVELOPMENT IDENTIFICATION SIGN (DOUBLE-SIDED)
 SCALE: 1/2" = 1'-0"

C STONE COLUMN
 SCALE: 1/2" = 1'-0"



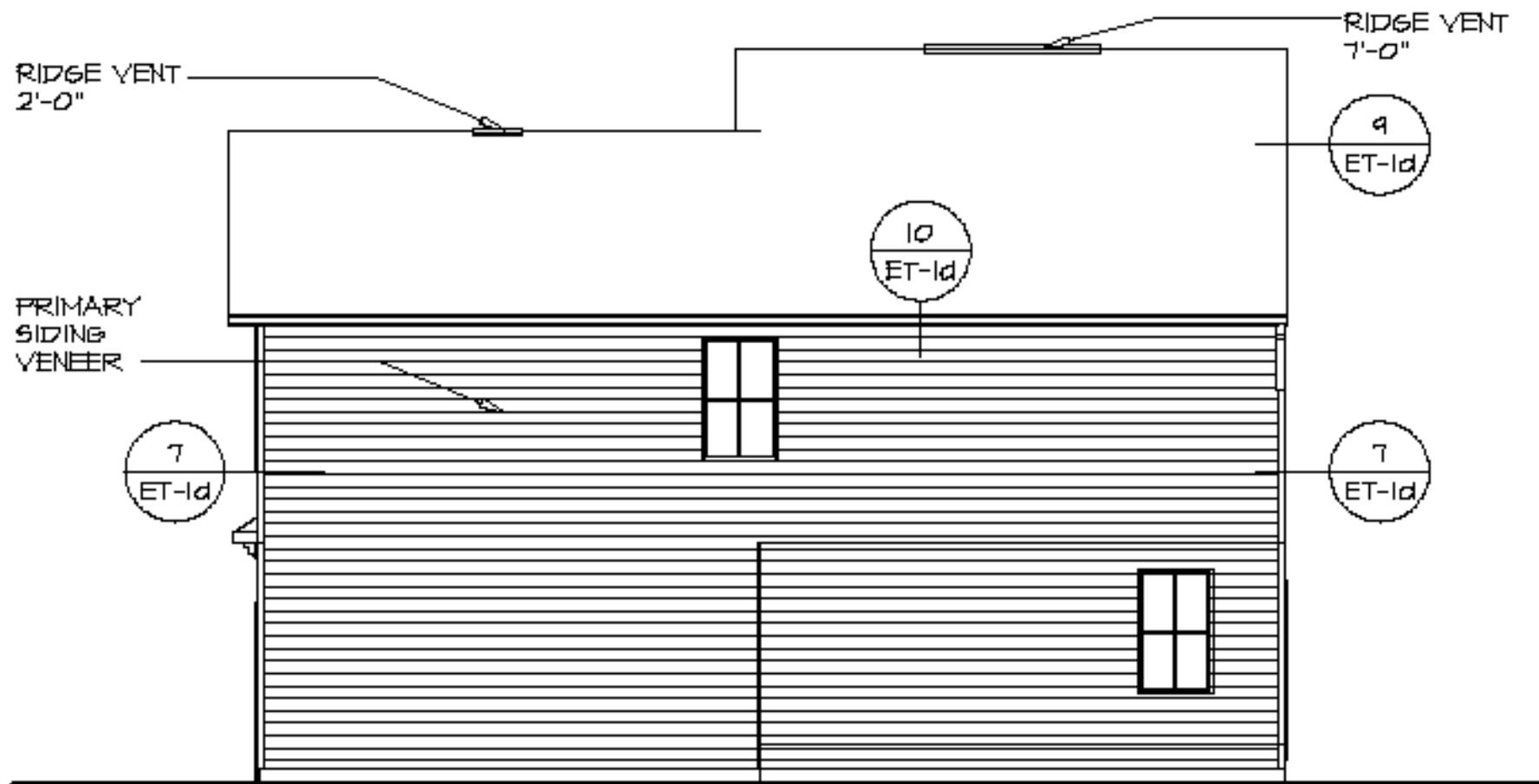
NOTE:
GARAGE DOOR GLASS
DESIGN MAY VARY BY
MANUFACTURER

NOTE:
GARAGE DOOR GLASS
DESIGN MAY VARY BY
MANUFACTURER



2
LEFT ELEVATION

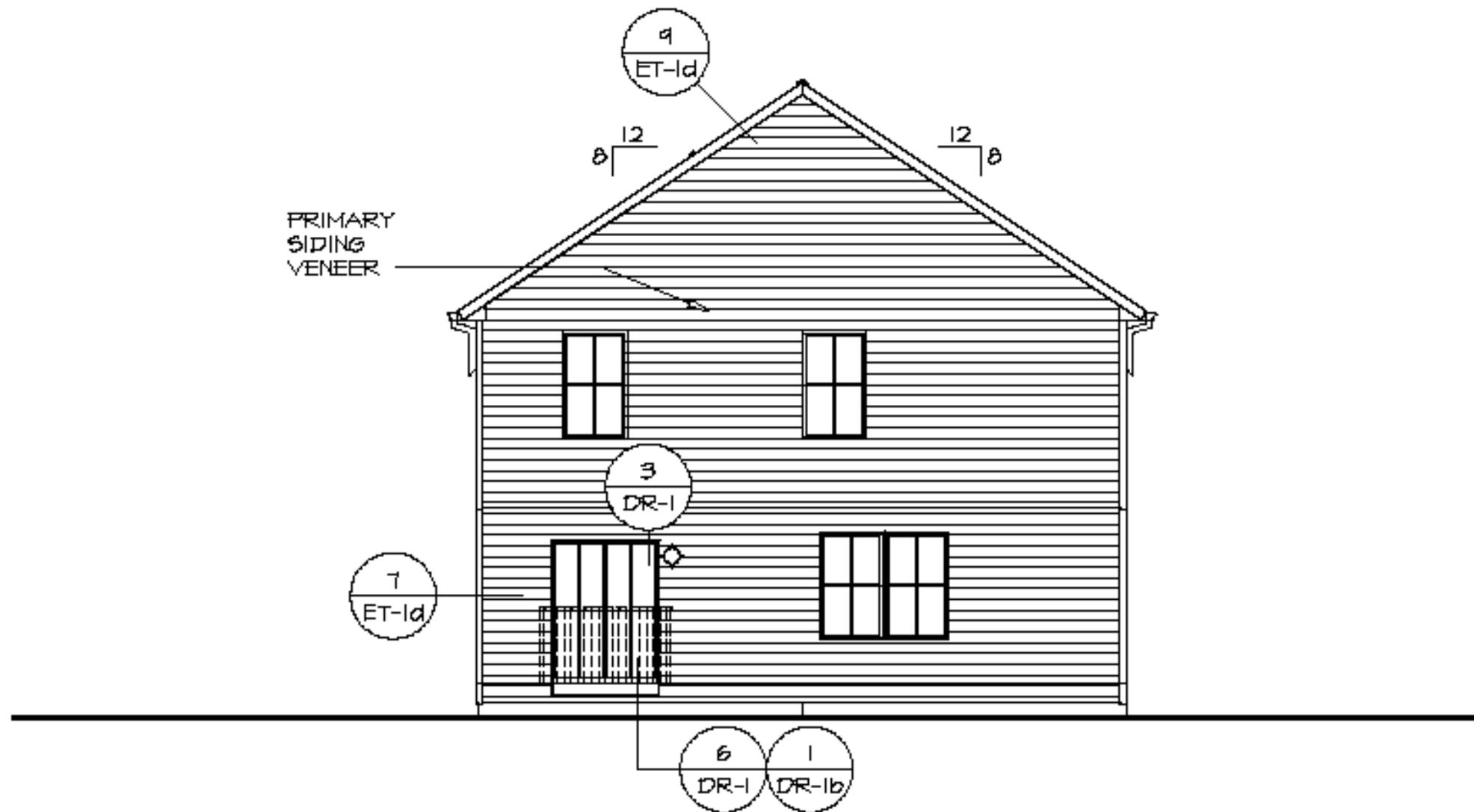
A-2
SCALE: 1/8" = 1'-0"



4
A-2

RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

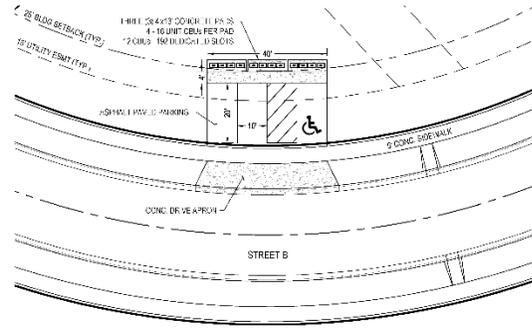


PRIMARY
SIDING
VENEER

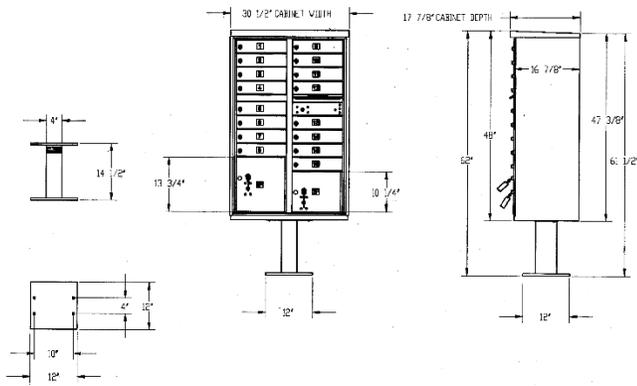
3
A-2

REAR ELEVATION

SCALE: 1/8" = 1'-0"

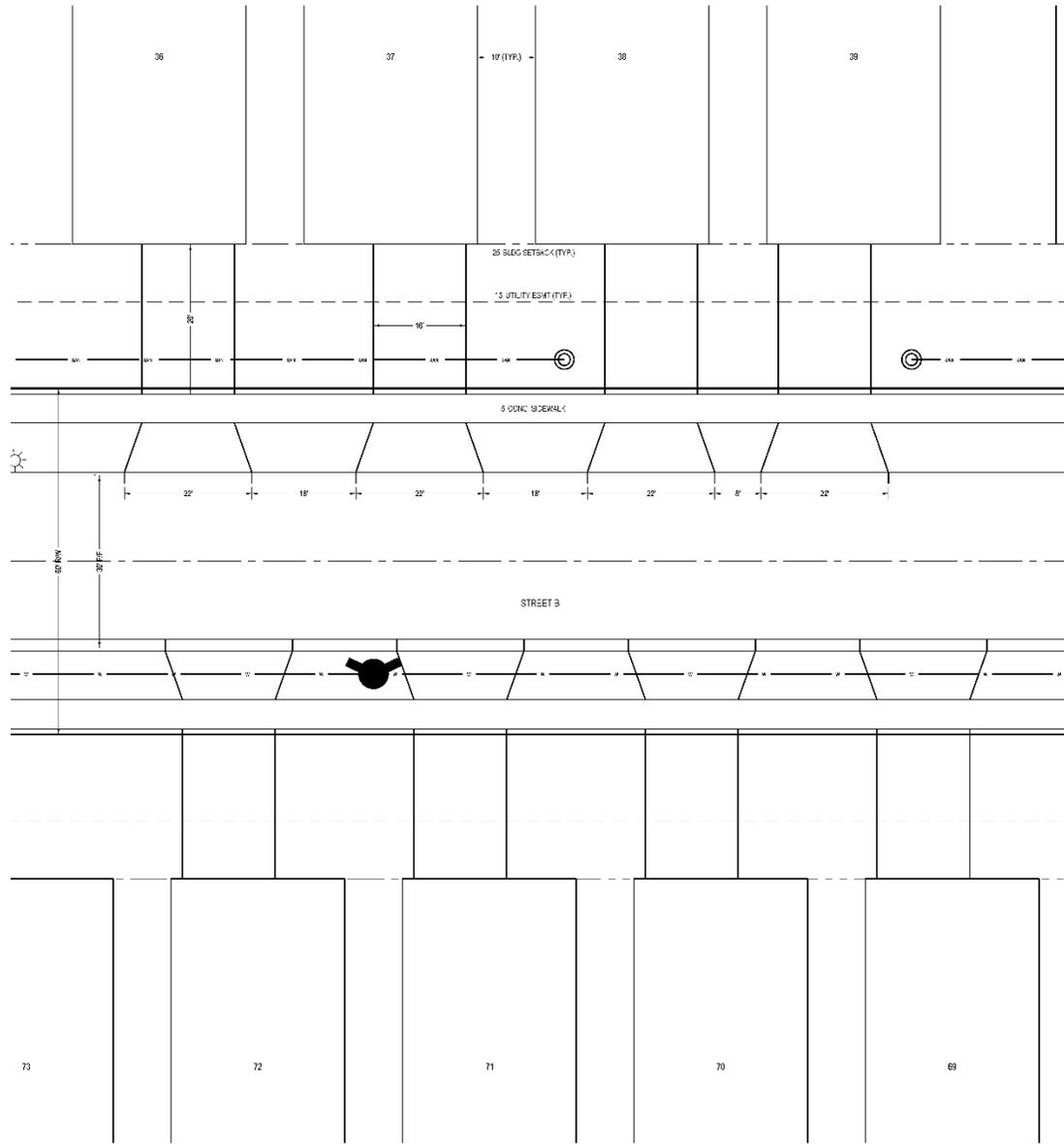


MAIL CENTER
OFF-STREET PARKING DETAIL
SCALE: 1" = 20'



16 UNIT - CLUSTER BOX UNIT (CBU)
SCALE: 1" = 8'

NOTE: CBU IS TO BE FABRICATED TO MATCH OTHER APPROVED UNITS WITH THE CITY OF CANAL WINCHESTER.



ON-STREET PARKING DETAIL
SCALE: 1" = 10'

NOTE: RESIDENTIAL DRIVEWAY TO BE SET BACK FROM 4'-0\"/>



REVISION DESCRIPTION

NO. DATE

FINAL DEVELOPMENT PLAN

GREENGATE

FAIRFELD COUNTY, OHIO

CANAL WINCHESTER

SITE PLAN
ENLARGEMENTS

ISSUE
NOT FOR CONSTRUCTION
DATE:
2/17/2020

JOB NO.: 757010
DESIGN: JSB
DRAWN: CWS
CHECKED: JEE

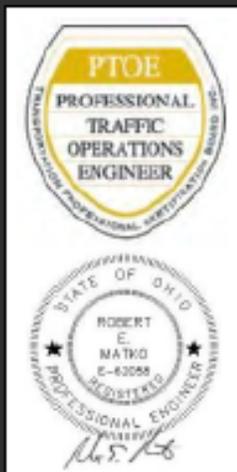
SHEET NO.
EXHIBIT 'D2'

3/20/2020 10:23 AM C:\PROJECTS\GREENGATE\ENLARGEMENTS.DWG



TRAFFIC IMPACT STUDY

Greengate Residential Development
City of Canal Winchester
Fairfield County, Ohio
March 5th, 2020
Revised: May 8th, 2020



Traffic Study Results



2022/2023/2024 and 2034 Build Traffic Scenario – Represents traffic conditions during the weekday AM and PM Peak Hours of the adjacent roadway network that would exist during year 2022/2023/2024 and 2034, with the proposed Greengate Development phases constructed and fully operational.

Traffic counts were conducted by Gewalt Hamilton Associates, Inc. on Thursday, December 12th, 2019 between the hours of 6:00 – 9:00 AM and 3:00 – 6:00 PM for a total of 6 hours at the following intersections:

- Hill Road & Busey Road (Stop Controlled).

Traffic counts were conducted by Gewalt Hamilton Associates, Inc. on Thursday, December 12th, 2019 between the hours of 6:00 – 6:00 PM for a total of 12 hours at the following intersections:

- Hill Road & Kings Crossing (Stop Controlled).

After discussion with the City of Canal Winchester, additional traffic counts were conducted by Gewalt Hamilton Associates, Inc. on Thursday, January 9th, 2020 between the hours of 6:00 – 6:00 PM for a total of 12 hours at the following intersections:

- Diley Road & Howe Industrial Parkway (Stop Controlled).

The weekday peak hours of the Traffic Impact Study roadway network were determined to occur between the hours



1. Executive Summary

1.1. Summary

Note: This report was revised on May 8th, 2020 to address comments received from the City of Canal Winchester on March 27th, 2020 and comments received from Fairfield County on March 20th, 2020.

This report is submitted on behalf of Cap 5 Development in connection with its application to the City of Canal Winchester, Ohio (OH) for Site Plan approval. The Traffic Impact Study (TIS) conducted by CESO, Inc. addresses the traffic related impacts associated with the proposed Greengate Residential Development; referred to herein as “Greengate Development.” The proposed Greengate Development is to be located on the west side of Hill Road, south of Busey Road, within the City of Canal Winchester, Fairfield County, OH. The full buildout of the Greengate Development is projected to have 191 lots over seven (7) phases. Greengate Development’s application requests approval of the following access points:

- Full access driveway connection to Hill Road (referred to as “Greengate Boulevard”), approximately 0.4 miles south (center-line-to-center-line) of Busey Road.
- A future extension of Greengate Boulevard that will connect to Diley Road at the intersection with Howe Industrial Parkway.

The Site Plan application also requests approval to conduct work within the right-of-way for construction of the Site driveway along with the recommended roadway improvements. Hill Road is under jurisdiction of Fairfield County. Busey Road, Kings Crossing, and Diley Road are under jurisdiction of the City of Canal Winchester.

This report presents the methodologies, analyses, and results of the Traffic Impact Study (TIS) for traffic generated by the proposed Greengate Development. The purpose of the TIS was to identify the traffic related impacts, if any, during typical weekday AM and PM Peak Hours of the adjacent street traffic corresponding with the weekday hours of operation for the proposed Greengate Development. The study parameters of this report were generated based upon a recent concept plan, and a memorandum of understanding dated January 20, 2020 between CESO and the City of Canal Winchester outlining the TIS scope of service (See Appendix A).

As requested in the 1-20-20 MOU, the following traffic scenarios were evaluated. The term “Build” represents the first day of full use of the Greengate Development.

Existing Traffic Scenario – Represents current (year 2019) traffic conditions during the weekday AM and PM Peak Hours of the adjacent roadway network. The Existing Traffic Scenario served as a baseline for comparison of the traffic impacts in relation to the proposed Greengate Development.

2022/2023 and 2024 No-Build Traffic Scenario – Represents traffic conditions during the weekday AM and PM Peak Hours of the adjacent roadway network that would exist during year 2022/2023 and 2024, without the proposed Greengate Development.

2034 No-Build Traffic Scenario – Represents traffic conditions during the weekday AM and PM Peak Hours of the adjacent roadway network that would exist during year 2034, with the existing residential and proposed commercial development traffic. This scenario does NOT include the proposed Greengate Development.



- According to ODOT Chart 401-5b, a NB left-turn lane **is warranted** at the intersection of Hill Road and Busey Road starting in the 2022 No-Build Scenario. In addition, an EB left-turn lane **is warranted** at the intersection of Hill Road and Greengate Boulevard during the PM Peak Hour starting in the 2023 Build Scenario. According to capacity analysis results, a SB left-turn lane **is warranted** at the intersection of Hill Road and Kings Crossing starting in the 2034 No-Build Scenario. Table 8 shows the SBLR movement operating at a LOS “F” – 61.8 during the 2034 No-Build PM Peak Hour, which warrants a left-turn lane on Kings Crossing.

- Note: Although a NB left-turn lane is warranted at the Hill Road and Busey Road intersection, Fairfield County has no plans to install the improvement. Therefore, the turn lane was not shown in the analysis and is not recommended.

- According to capacity analysis results, a SB right-turn lane **is warranted** at the intersection of Hill Road and Kings Crossing starting in the 2034 No-Build Scenario. Table 8 shows the SBLR movement operating at a LOS “F” – 61.8 during the 2034 No-Build PM Peak Hour, which warrants a right-turn lane on Kings Crossing.

CESO conducted queue length analyses for the study network and reached the following conclusions:

- The proposed SBL turn lane at the Hill Road and Kings Crossing intersection does not meet the ODOT required storage length due to physical constraints at the intersection.

- The NBL turn lane at the Diley Road and Howe Industrial Parkway/Greengate Boulevard intersection does not meet the ODOT required storage length. Due to the minimal left-turning volume, the turn lane length was limited to the existing or proposed storage length.



Transportation Engineers’ (ITE) Trip Generation Manual, 10th Edition, the Greengate Development is estimated in seven phases as follows:

- 2022 Opening Year:
• 2023 Opening Year:
• 2024 Opening Year:
• 2025 Opening Year:
• 2026 Opening Year:

Following trips are proposed:

- 2022 Opening Year:
• 2023 Opening Year:
• 2024 Opening Year:
• 2025 Opening Year:
• 2026 Opening Year:

At the intersection of Hill Road and Greengate Boulevard, the proposed extension of Greengate Boulevard to intersect existing residential developments and a proposed future commercial development. The proposed extension of Greengate Boulevard/Howe Industrial Parkway is anticipated for the future growth at the Diley Road and Greengate Boulevard/Howe Industrial Parkway intersection. The following trips are proposed:

- (304,920 SF Shopping Center):
• per day (6,416 in/6,416 out), 287 AM trips (178 in/109 out), 1,240 PM trips (604 in/636 out)
- Residential (100 Multifamily Low-Rise Dwelling Units):
• 716 trips per day (358 in/358 out), 48 AM trips (11 in/37 out), 59 PM trips (37 in/22 out)

Trips for the proposed Greengate Development are anticipated to approach and depart the Site via the directional distribution percentages shown on Figure 9.A-9.B (see pg. 27-28). Trips for the proposed Future Development are anticipated to approach and depart the Site via the directional distribution percentages shown on Figure 9.C-9.D (see pg. 29-30).

Highway Capacity Software (HCS) Version 7 methodology was used to analyze the current level of service at the key study intersections.

Under the 2022/2023/2024/2034 Build Traffic Scenario, all movements operate at level of service (LOS) “D” or better condition with the exception of the EBLR movement at the Hill Road and Busey Road intersection, which operates at LOS “E” – 36.6 during the 2034 Build PM Peak Hour. In addition, all intersections have an overall LOS “C” or better condition.

CESO conducted turn lane analyses for the study network and reached the following conclusions:

- Left-turn and right-turn lane analyses were completed using the turn lane warrant charts from the ODOT Location & Design Manual – Volume 1 (July 2019). Based on a discussion with the City of Canal Winchester and Fairfield County, a 45 mph design speed was used for the Hill Road, therefore, the high-speed turn lane warrant charts were used.

Volume **is satisfied** at the intersection of Hill Road & Kings Crossing under existing and proposed traffic scenarios.

Volume **is satisfied** at the intersection of Hill Road & Kings Crossing under 2034 Build Traffic Scenario and **is satisfied** at the intersection of Diley Road & Howe Industrial Parkway under 2034 No-Build and Build Traffic Scenarios.

Volume **is satisfied** at the intersection of Hill Road and Kings Crossing under existing and proposed traffic scenarios. Volume **is satisfied** at the intersection of Diley Road & Howe Industrial Parkway under existing and proposed traffic scenarios.

For the proposed Greengate Development, CESO recommends that a signal be installed at both of the study intersections.

For the proposed Greengate Development, the percentages are presented in the following table:

- Construct full access roadway connection to Hill Road, which will be named “Greengate Boulevard”. Provide one outbound left-turn lane, one outbound right-turn lane, and one inbound lane. The outbound left-turn lane shall provide 50 feet of storage plus a 50-foot taper. Control Greengate Boulevard with one stop sign.
- Construct EB to NB left-turn lane to provide 125 feet of storage plus a 50-foot taper.

2034 No-Build Traffic Scenario (Responsibility – Others):

Hill Road & Kings Crossing:

- Construct SB to EB left-turn lane to provide 250 feet of storage plus a 50-foot taper.

Diley Road & Howe Industrial Parkway/Greengate Boulevard:

Note: CESO recommends re-evaluating the need for a signal at this intersection once further development occurs along Diley Road. For the purpose of mitigating the poor levels of service in the analysis, a traffic signal and roadway improvements are recommended.

- Construct extension of Greengate Boulevard to connect with Diley Road. Provide one outbound left-turn lane, one outbound thru-right turn lane, and one inbound lane. Construct a WB to SB left-turn lane to provide 175 feet of storage plus a 50-foot taper.
- Extend NB to WB left-turn lane to provide 195 feet of storage plus a 50-foot taper.
- Construct SB to EB left-turn lane to provide 450 feet of storage plus a 50-foot taper.
- Construct 3-phase traffic signal with a 100 second cycle length.

2034 Build Traffic Scenario, All Phases Constructed (Responsibility – Cap 5 Development):

- No further improvements are required.



Residential Development
Site

res 16.A-16.C (pg. 60-62) of the report.

Other:

10 second cycle length.

2034 No-Build Traffic Scenario (Responsibility – Others):



Fairfield County Engineer

3026 W. Fair Ave.

Lancaster, OH 43130

Main: (740) 652-2300

Fax: (740) 687-7055

March 20, 2020

To: Lucas Haire
Development Director
City of Canal Winchester

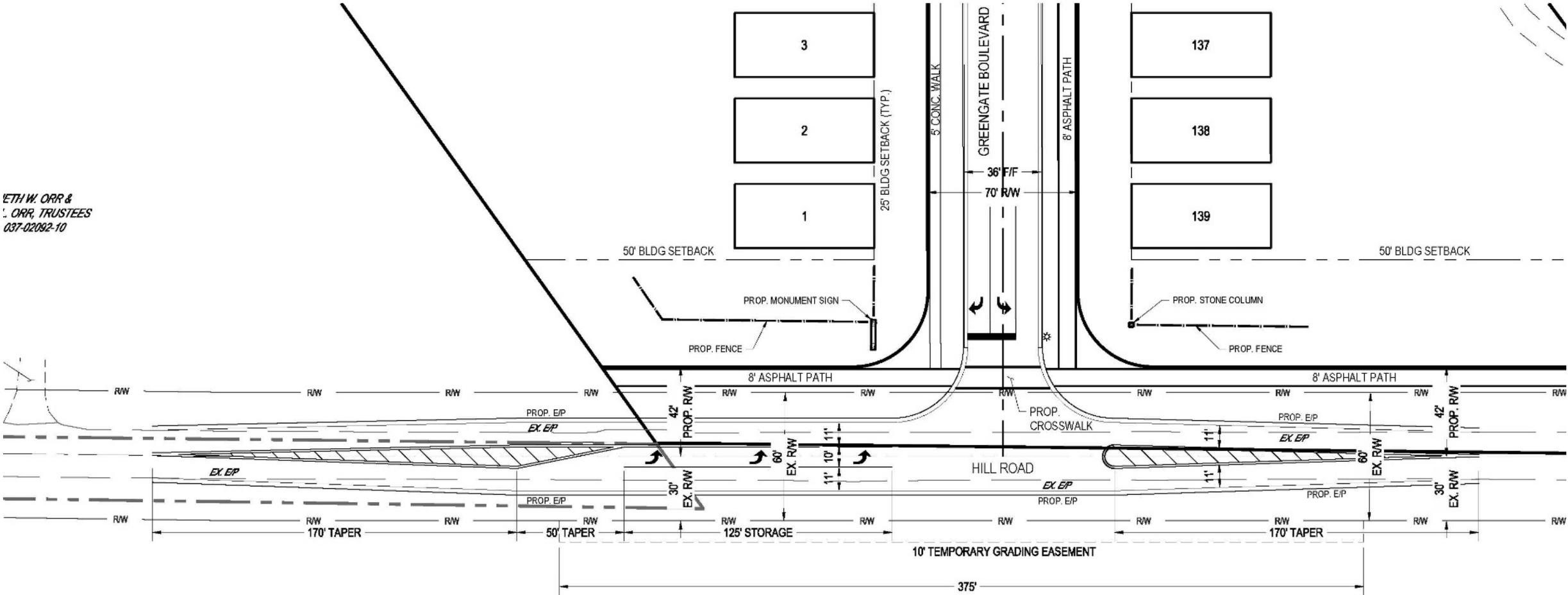
From: Eric McCrady, P.E., Deputy Engineer
Fairfield County Engineer's Office

Subject: Greengate Traffic Impact Study – Canal Winchester

We offer the following comments for the Traffic Impact Study dated January 21, 2020:

1. We were not part of the development of the Memorandum of Understanding, and therefore, our Standards for Level of Service and acceptable levels of degradation have not been reviewed and applied to the results. There are intersections, Kings Crossing, that reduce by 2 levels of service in 2034, which is not acceptable.
2. The Study does not include a 2034 analysis without the "improvements by others" so there is not a way to see the impact of the development on the unimproved roadway system.
3. The study shows 3 phases, one year apart. We will require the improvements that are needed as part of the 2024 to be built on opening day, since the 3 consecutive years are so close together.

ETH W. ORR &
J. ORR, TRUSTEES
037-02082-10



THE PAWPAW PATCH, LLC
PID #: 042-03885-10

HILL ROAD IMPROVEMENTS
SCALE: 1" = 40'





Fairfield County Engineer

3026 W. Fair Ave.

Lancaster, OH 43130

Main: (740) 652-2300

Fax: (740) 687-7055

May 27, 2020

City of Canal Winchester
36 S. High Street
Canal Winchester, OH 43110

ATTN: Andrew Moore, Planning & Zoning Administrator

Dear Mr. Moore:

CESO, Inc. has submitted preliminary design development drawings for the Hill Road widening to add a north bound left turn lane. They will need to prepare full construction documents in order to attain a final approval. Our office has reviewed the design development plans and agree that the proposed road changes can be achieved.

The final road widening, turn lane, ditch and other adjustments will remain within the existing right-of-way. We will require that the developer attain a temporary grading easement along the east side of Hill Road in order to make a smooth grade transition between the road right-of-way and adjacent parcel.



Recommendation

Planning and Zoning Commission recommends the applicant's request for the Final Development Plan be approved and recommended to City Council with the following conditions:

1. The turn lane improvements along Hill Road be constructed with Phase 1 of the development.
2. The applicant is responsible for the proportional share of offsite traffic improvements.

CANAL
WINCHESTER



Established 1828

ORDINANCE NO. 20-034

**AN ORDINANCE TO REPEAL SECTION 333.03.1 OF THE CODIFIED
ORDINANCES OF THE CITY OF CANAL WINCHESTER**

WHEREAS, Section 351.14(c) in part provides authorization to the Director of Public Service to issue rules and regulations of traffic control devices and signs; and,

WHEREAS, in order to eliminate due duplicity of City Code sections governing sign regulations, it is the recommendation of the Director of Public Service that Section 333.03.1 be repealed; and,

WHEREAS, Council hereby finds and determines that it is in the best interest of the City of Canal Winchester to repeal Section 333.03.1 of the codified ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That Section 333.03.1 is hereby repealed.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council

03-15-04
0-03-04F
Sponsor: Mr. Deeds

ORDINANCE NO. 45-04

TO ESTABLISH THE PRIMA FACIE LAWFUL SPEED LIMIT ON WEST WATERLOO STREET/WINCHESTER BLVD. FROM CHESTERVILLE DRIVE TO GENDER ROAD AT 35 MILES PER HOUR.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CANAL WINCHESTER, OHIO:

SECTION 1. That Section 333.03.1 is hereby enacted to read as follows:

Section 333.03.1 PRIMA FACIE SPEED ON WATERLOO STREET/WINCHESTER BLVD. FROM CHESTERVILLE DRIVE TO GENDER ROAD.

It is prima-facie lawful, for the operator of a motor vehicle to operate the same at a speed not exceeding 35 miles per hour on Waterloo Street/Winchester Blvd from Chesterville Drive to Gender Road.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED July 6, 2004

ATTEST Hanna K. Ober
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

[Signature]
MAYOR

DATE APPROVED 7-6-04

APPROVED AS TO FORM:
[Signature]
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Hanna K. Ober
CLERK-TREASURER

Mayor's Report



Michael Ebert, Mayor

July 6, 2020

Municipal Complex:

Progress is being made as best we can with the COVID meeting restrictions. We will be meeting this week to select interior design options and colors.

Protest:

A protest of BLM is planned for July 11th at 11:00am. The peaceful protest will begin at Walmart, walk Waterloo into town and go the Stradley green space where they will have a speaker or two. They expect to be done between 1:00 and 1:30 pm.



COUNCIL UPDATE

July 1, 2020

Department of Public Service
Matthew C. Peoples, Director

Project Status:

Solid Waste Contract: The RFP was sent to four prospective bidders (Waste Management, Local Waste Services, Republic Services, and Rumpke) and we held a pre-proposal meeting on 6-25. Once proposals are received on July 10 we will review and have a recommendation to Council at the August 5th meeting to request authorizing legislation.

McGill Park: We continue to work with OHM on the design for both the McGill Phase I and Trail Connector projects and are expecting to be complete in late summer.

Westchester Park: The electric service installation is complete but are awaiting a few punch list items to be completed.

WRF Generator Project: OEPA notified us we have been awarded the \$50,000 grant for the generator replacement project. We are working with Bird & Bull to finalize a few remaining design issues. The expected schedule is to go out to bid in early July and request Council authorization at the 8-3 meeting.

Northpointe Utilities Extension: Contractor has begun installation of the forcemain and waterline.

2020 Street CIP: Contractor is proceeding with project with the pool parking lot expansion being one of the last major items remaining..

Gender Road Paving: Project is being finalized..

Gender Rd. Phase V: OPWC has notified us that, due to the corona virus shutdowns, the agreements for the grant/loan are on hold until the state works out a Capital Bill. EMH&T has begun design work for the project and will reevaluate going to bid based on our OPWC agreement status.

Gender Rd. Phase VI: We are working with EMH&T on a design concept for a Gender Rd. Phase VI project that will include pedestrian connection across the Gender Rd. overpass as well as additional lanes for Gender Rd. Our plan would be to utilize ODOT Safety Funding as well as OPWC funding. We have had project discussions with ODOT and they indicated they are in support.

Additionally, the ODOT discussions were regarding their future plans for US Rt. 33. They are working on studies for the area to address capacity and congestion issues that could include additional lanes on 33 and the Bixby and Gender interchanges.

Gender Rd. Signal Synchronization Project: The synchronization plan has been completed and reviewed and we expect to implement the new timing plan by the end of the month.

Transportation Thoroughfare Plan: MORPC is working on their data collection and analysis portion of the process. EMH&T's portion will work off of the MORPC data and will continue through the spring. Timeline is extended due to most technical staff working remotely.

Trail Lighting: We spoke to South Central Power on the quote for this project and they expect to have something for us soon.

DRAFT

**BEFORE THE CITY COUNCIL
OF THE CITY OF CANAL WINCHESTER**

In re Appeal of Notice of Violation by James
and Courtney Elliott for Permission to Keep
a Swine at 392 Sarwil Drive South.

This is before the City Council on the Applicant's appeal of the Planning and Zoning Commission's determination upholding the Planning and Zoning Administrator's Notice of Violation to the Applicant that housing a swine at their Property is a violation of Canal Winchester Planning and Zoning Code § 1181.06(a). The Property, located at 392 Sarwil Drive South, is zoned R-3 (Low Density Residential). As such, swine are not permitted to be kept on the property. The Council makes the following findings of fact and conclusions of law as required by Canal Winchester City Code.

I. FINDINGS OF FACT

1. On March 9, 2020, the Canal Winchester Planning and Zoning Administrator issued Applicants James and Courtney Elliott a 30-day notice that housing a swine on their property was a violation of C.W.C.O. § 1181.06(a).

2. Applicant's Property is located at 392 Sarwil Drive South, Franklin County, Canal Winchester, Ohio, Parcel Number 184-001127-00, and consists of approximately 0.3 acres. The property is zoned R-3 (Low Density Residential).

3. Under the Canal Winchester City Code, swine are generally prohibited in the City but only permitted to be kept on property zoned Exceptional Use (EU) where other agriculture and agriculture farm animals are permitted.

4. The Planning and Zoning Administrator informed the Applicants that if they disagreed with his determination they could appeal to the Planning and Zoning Commission. Accordingly, the Applicants filed an appeal under C.W.C.O § 1105.08(a).

5. Applicants filed a timely appeal claiming that the swine in question should be permitted because it qualifies as an emotional support animal necessary to help Ms. Elliott with depression and anxiety. The appeal included a letter from her general physician, Dr. David Lynch, which explained that Ms. Elliott was under his care for anxiety, depression, and an intolerance to multiple medications and that her Juliana pig was “medically necessary to help mitigate the symptoms” she experiences as a result of these issues.

6. The Commission also received a letter and pictures from Ms. Kathryn Santore, a neighbor of the Applicants, describing and depicting multiple issues with the swine in question including digging under the fence between properties, the smell of waste, and other conditions related to housing the swine.

7. On May 11, 2020, the Planning and Zoning Commission heard the Applicant’s appeal of the Planning and Zoning Administrator’s Notice of Violation. The Applicants did not attend the appeal although it was determined that they received proper notice. The Planning and Zoning Commission reviewed the materials submitted with the appeal, heard testimony from neighbors of the Applicant, and voted to uphold the Notice of Violation.

8. The Commission memorialized its decision on the appeal in a Findings of Fact and Conclusions of Law as required by the City Code.

9. The Applicants timely exercised their right to appeal the Planning and Zoning Commission’s decision to City Council.

10. City Council held a public hearing and review the decision of the Planning and

Zoning Commission on June 15, 2020. Council reviewed all documents submitted by the Planning and Zoning Administrator, Planning and Zoning Commission, and the Applicants relevant to the appeal that the Applicants were entitled to house their swine because it was an emotional support animal. The Applicants did not appear to present any additional information for Council consideration.

II. CONCLUSIONS OF LAW

1. Any person aggrieved by a decision of the Planning and Zoning Administrator has the right to file an appeal with the City Planning and Zoning Commission under C.W.C.O. § 1105.08(a).

2. If a person disagrees with the decision of the City Planning and Zoning Commission, that person has the right to file an appeal with City Council.

3. The Planning and Zoning Administrator issued a Notice of Violation for keeping a swine on property located at 392 Sarwil Drive South, which is not permitted under C.W.C.O § 1181.06(a) and the homeowners appealed claiming that the pig was an emotional support animal.

4. C.W.C.O. § 505.13(b) prohibits the keeping of certain animals within the City of Canal Winchester, except as otherwise provided within the City Code, including swine, or animals of the *suidae* family.

5. So-called “miniature pigs” including Juliana pigs, like the one at issue in this appeal, fall within the *suidae* family and are therefore prohibited in the City except in certain zoning districts.

6. The City has established a list of animals that are not permitted within certain residential zoning districts and that list includes swine.

7. The Federal Fair Housing Act requires a city to make reasonable accommodations to an applicant with a disability unless doing so would require a fundamental alteration in the nature of the zoning ordinance or would place an undue financial or administrative burden on the city.

8. Here, the Planning and Zoning Commission reviewed all of the documents submitted by the Applicant and neighbors of the Applicant. It determined that the Canal Winchester Ordinances clearly prohibited these animals and that those wishing to seek accommodations from the City must make a request prior to violating such Code provisions.

9. Further, the potential administrative burden placed on the Planning and Zoning Administrator to visit the Property to ensure that all other City code provisions regarding property maintenance, temporary shelters, and damage to neighboring properties would be substantial.

10. City Council reviewed all relevant documents including those submitted by the Applicant and determined that housing such a swine is a clear violation of the C.W.C.O. § 505.13(b).

11. The Applicant failed to sustain the burden of proof required to show that the swine was an emotional support animal that should be afforded protection under the Federal Fair Housing Act in light of the administrative burden placed on the City and the lack of a letter supporting such an application from a registered mental health physician.

12. Therefore, the Canal Winchester City Council upholds the decision of the Planning and Zoning Commission denying the Appeal of the Planning and Zoning Administrator's Notice of Violation that the Applicant is not permitted to house a swine at 392 Sarwil Drive South, Canal Winchester, Ohio.

DATE

AS TO THE APPEAL OF THE PLANNING AND ZONING COMMISSION'S DECISION UPHOLDING THE NOTICE OF VIOLATION ISSUED BY THE PLANNING AND ZONING ADMINISTRATOR:

JILL AMOS

Concur

Dissent

Abstain

WILL BENNETT

Concur

Dissent

Abstain

BOB CLARK

Concur

Dissent

Abstain

MIKE COOLMAN

Concur

Dissent

Abstain

PATRICK LYNCH

Concur

Dissent

Abstain

CHUCK MILLIKEN

Concur

Dissent

Abstain

MIKE WALKER

Concur Dissent Abstain

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