

# Canal Winchester

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



## Meeting Minutes - FINAL

February 5, 2018

6:00 PM

### Council Work Session

*Mike Walker - Chair*

*Jill Amos*

*Will Bennett*

*Bob Clark*

*Mike Coolman*

*Bruce Jarvis*

*Patrick Lynch*

- A. **Call To Order** *Walker called the meeting order at 6:01 p.m.*  
B. **Roll Call** *Present 7 –Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker*  
C. **Also In Attendance**

*Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson*

D. **Request for Council Action**

**RES-18-002**

*Public Service*

A Resolution To Authorize The Application Of Motor Vehicle Permissive Tax Funds From The Franklin County Engineer For The Gender Rd. Phase IV Project

*- Request to move to full Council*

*Peoples: as we discussed at the last council meeting this is permissive funds that come from a license tax that Fairfield County holds on our behalf; we are requesting approximately \$200,000 to be used to offset the Gender Road intersection improvements;*

***A motion was made by Coolman, seconded by Amos to move this resolution to full council. The motion carried by the following vote:***

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

**RES-18-003**

*Development*

A Resolution Of Intent To Appropriate A Fee Simple Absolute Interest In 0.463 Acres, More Or Less, Located At West Waterloo Street, For The Public Purpose Of Constructing Roadway Improvements, Which Shall Be Open To The Public, Without Charge ([Ex. A](#), [Ex. B](#))

*- Request to move to full Council*

*Haire: this property is West Waterloo Street; there's a portion of this street in front of Aldi and that adjacent parcel there; we would eventually like to vacate that portion of the property; we started researching that looking at the fees simple title; it is owned by two individuals; both who are deceased so that was a state highway easement when that was State Route 674; when they relocated 674 to Gender Road it automatically came over to the city to maintain that easement; what we would like to do is get the fee simple title to that property; to do that we have to take that through court proceedings since the folks are both deceased; one of them which has been deceased since 1974; so, it has been a very long time; Gene can maybe explain more technical terms if you have any questions; Bennett: once we acquire the fee simple absolute interest what are we trying to achieve once we acquire that; Haire: portions of it will just be for roadway improvements; it will be maintained a right-of-way Lynch: you're basically attaching ownership of it to the road that it's adjacent to, right; Haire: correct;*

***A motion was made by Clark, seconded by Bennett to move this resolution to full council. The motion carried by the following vote:***

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

**ORD-18-004**

Finance

An Ordinance To Authorize The Mayor To Enter Into A Contract For The Prosecution Of Certain Criminal Cases And Certain Civil Division Cases In The Franklin County Municipal Court For The Calendar Year 2018 With The City Of Columbus Attorney's Office ([Ex. A](#))

- Request to move to full Council

*Jackson: this is an annual contract with the city attorney with the City of Columbus; where they represent the City of Canal Winchester and the BMV in certain cases that come before the Franklin County Municipal Court; and they also provide intake services for individuals who either have been charged under a Canal Winchester code or would like to file certain complaints; but essentially this contract, in 2017, we spent \$30.00 on this contract; it is not large contract but it is something we are required to offer as a city; and for cost purposes we've contracted with the city attorney for Columbus; this was we don't have to have someone do these things here;*

***A motion was made by Lynch, seconded by Coolman to move this ordinance to full council. The motion carried by the following vote:***

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

**ORD-18-005**

Finance

An Ordinance To Authorize The Mayor To Enter Into A Contract For Indigent Defense Representation In The Franklin County Municipal Court With The Franklin County Public Defender On Behalf Of The City Of Canal Winchester Mayors Court For The Calendar Year 2018 ([Ex. A](#))

- Request to move to full Council

*Jackson: similar in nature and this is also related to our Mayor's Court; this contract allows for those individuals charged under the Canal Winchester code who cannot afford an attorney be offered on through the public defender program; the City of Canal Winchester is responsible for paying for that public defender; this is not something we do in our Mayor's Court; so if somebody does come to Mayor's Court and says I'd like a public defender, the case automatically gets transferred to Franklin County or Fairfield County depending on where the offense occurred; then the respective county provides that public defender service then we get billed for it; it's sort of a hit or miss contract ; some years it will get used a lot and other years it will not; I will say the cost per case went down in 2018; in 2017 is was \$83.00 per case; it is something we are required to offer as part of having a Mayor's Court in our town; again, this is an annual contract so you will see this every year; Coolman: about how much did we spend last year on that; Jackson: let me see if I can find that for you; I don't know off the top of my head; Coolman: what do you anticipate for this year; Jackson: not a whole lot; it's hard to tell because there are a lot of cases that come through Mayor's Court and get resolved here; and then other years everybody wants representation; it honestly depends on what's going on in town; I will try and find you a number; Lynch: is there any chance of recouping any of that; Jackson: it's probably slim to none; I don't know that we legally can; Lynch: those who have a public defender probably couldn't afford to pay us back anyway; Jackson: they have to prove that they're indigent, that they cannot afford representation; that's why the public defender exists; Bennett: would we expect to see one of these for Fairfield County as well; Jackson: no, very few cases get transferred to*

*Fairfield County; they do provide this service but we don't get charged for it; I would anticipate if that number would ever drastically increase then we would have to do that;*

***A motion was made by Coolman, seconded by Amos to move this ordinance to full council. The motion carried by the following vote:***

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

**ORD-18-006**

*Finance*

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

*- Request to move to full Council*

*Jackson: real quick, back to Mr. Coolman's question, about \$2,200.00 in 2017 for Franklin County public defender; this ordinance is for the Fairfield County Sheriff's department for the housing of prisoners; this is new; we currently have a contract with Franklin County where they house our prisoners for a cost of \$82.00 per day per defendant; that contract has been in place since 1996 and we do use it; well over a year ago, our previous Sargent, Duvall, had worked a deal with that Fairfield County would accept prisoners for crimes committed in Franklin County which they technically don't have to; then about six months ago they put a stop to that and said okay we're only going to take Fairfield County crimes; so when that happened the Mayor and I started discussions about what we can do to house our prisoners in Fairfield County; this is big for our deputies for a number of reasons; it will allow for a lot of efficiency that they do not have right now; when our deputies arrest someone and have to take them to jail, which we don't necessarily like to do since we have to pay for it, but when they do have to take them to Franklin County it's not always a smooth process; we've had issues with prisoners we were supposed to be picking up for court that maybe weren't ready or we've been told incorrect information about them; it's a lot of little small things that will hopefully be eliminated when they are now dealing with their people when it comes to jailing; they know the protocol at their jail; they know everybody who works there; it should be a much, much smoother process; obviously Fairfield County just built a brand new jail so they were in transitions trying to figure out if they would even have bed space for us; that is part of why negotiations took as long as they did; they came back with this agreement; Fairfield County Commissioners have already approved this agreement; ideally we would love to start this tomorrow; where is anybody gets arrested they can take them down to Fairfield County regardless of where that crime was committed; we're very excited about this; it is much cheaper than Franklin County as well; but our agreement with Franklin County will stay in place; so if we for any reason need to take anyone to Franklin County we still have that ability to do so; Clark: Franklin County is \$82.00 and Fairfield is \$65.00 Jackson: that's correct; Amos: if they commit a crime and we take them to Fairfield County jail are they going to Franklin County for the court hearing; Jackson: no, if we take someone to jail it is because they are there on Canal Winchester charges; this can get kind of confusing because they can have a case here in Canal Winchester and they can ask to have it transferred to the respective county, like what we were talking about with the public defender; and if they do that the charges are still Canal Winchester charges but*

*anything that happens moving forward with that case or if a warrant was issued and they were arrested, we the city no longer have control for the most part over what is happening there; Fairfield won't be taking those individuals to court in Franklin County; they will only be bringing them here; now if the individual has charges out of another jurisdiction and they have to transport them because of that, that's completely different; we're just concerned with the people that are coming through our Mayor's Court at this point; Mayor: you've heard in the past about the down time that the deputies have; that's the time that they're busy doing something; their down time is kind of the opposite of what we think; this is going to help their down time considerably; it could take up half a shift to go to Franklin County jail and now you might be looking at maybe two hours; Coolman: and how many officers do they usually use to transport; in Franklin County that could be huge; Clark: do you need this moved; the second and third reading suspended; Jackson: I would greatly appreciate it if we did that; like I said we would love to be able to start this tomorrow; Coolman: I agree; Jackson: I'm not saying that we pick up individuals and throw them into jail everyday but on the off chance that we do it would be nice to have this; Clark: the price agrees with me; 65 versus the 82; Lynch: do we have a budget number to accommodate this; Jackson: yes; Lynch: how much is that: Jackson: this year I want to say it's \$6,000; some of the other issues we've had with Franklin County, say we pick someone up in Canal Winchester for a petty theft or something along those lines; if they get picked up by the City of Columbus the City of Columbus takes them to Franklin County jail on our warrant, we're not always getting called so we don't know that, that individual is sitting in jail and then we're paying for them to sit in jail; so over the past couple of years we would get these surprise bills for somebody who had been in jail for an entire month that we didn't know was there and we're required to pay for it; this will pretty much eliminate that because we have a very good relationship not only with our deputies but with the dispatchers in Fairfield County where they will call us and say so and so got picked what do you want to do with them; do you want to keep them here or do you want to let them go etcetera; this is huge for us in that respect; a couple years ago we spent probably \$7,500 dollars on jailing because of cases like this where we didn't know people were in jail; Lynch: well it sounds like you were able to bring that down quite considerably, even from the \$6,000 if we were able to expedite things quicker; Jackson; we like to keep that number up there because we just don't know what could happen; Lynch: back on the other one I asked before, any chance of getting reimbursed for any of that money; Jackson: no; Lynch: the price of keeping our streets safe; Walker: if the \$6,000 that you have budgeted isn't used is it just rolled over or you'll budget according to what we use this year or will that just be rolled over to next year; Jackson: it won't get rolled over; I'll just find another number; whether it's \$6,000 or it could go down to \$4,000; it just depends on the activity that we have seen;*

***A motion was made by Jarvis, seconded by Clark to move this ordinance to full council. The motion carried by the following vote:***

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

**ORD-18-007***Public Service*

An Ordinance To Authorize The Mayor To Enter Into An Agreement With The Ohio Department Of Natural Resources To Transfer Canal Lands And To Declare An Emergency ([Ex. A](#))

*- Request to move to full Council*

*Peoples: This is property out on Groveport Road between Groveport Road and the bike path from basically Hanner's Park all the way out to Gender Road; this is excess land from the canal; the agreement is with the state to obtain this land; it's free; Jarvis: what are the plans for that property; Peoples: it's going to end up being the bike path but it has to be park and roadway; that's the only thing it can be; a portion of it up towards Gender Road; the Groveport Road right-of-way is going to move north into that property ; it stipulates in the agreement that any time it is not roadway or park land it goes back to the state; it is 3.3 acres; Lynch: I noticed they're in the process of clearing some of this stuff out; are they clearing that right now for the proposed road widening there or are they just trying to clear out some of the scrub trees; Peoples: a little bit of both; it depends on which side of Gender Road you're on; but we're doing both; utility crews are out there right now on the bike path on the east side of Gender Road; and they've been clearing out there; three poles on that major line that's going out through there are going to be moved; there's one right at the intersection of Groveport and Gender that's going to be completely eliminated and they're putting a lot of stuff underground; while they were doing that they got into some of those trees; there's two main transmission/power lines that go through there; Lynch: underground or up top; Peoples: right now they are overhead lines; between that is some growth area; trees have gone down through there; they would like to see some of those moved so they're not falling down over the trees; part of it is them and part of it is us; so we're going out through there and clearing some of that brush down through there; we've got a lot of briars in there; we also went down along the west side of Gender Road which was all us; Lynch: you did a nice job on that; Peoples: thank you; the crews did a lot of work in there; since the bike path is going to be moving a little further away from Groveport Road and it's a little bit less traveled though there; we want to be able to have some site lines into the path itself; we want to do those well on the east side of Gender and along the path areas and put a railing on there since it's kind of elevated; our intent is to get lights down through there to add a little bit of safety to that; Lynch: it would be a nice improvement;*

***A motion was made by Lynch, seconded by Coolman to move this ordinance to full council. The motion carried by the following vote:***

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

**E. Reports**

*Peoples; the only thing I want to highlight from my report is the Gender Road IV project and the Street Program are both going back out to bid this week; I expect to see some bid back at the second March meeting; you'll see some legislation move forward with those projects;*

*Haire: nothing in addition to my written report;*

*Jackson: I just wanted to let council know it had been my intention to do a 2017 financial overview at this meeting but given the public hearing at 6:30 I decided that I would do that at the second meeting; it will be very brief but I didn't forget about it;*

**F. Items for Discussion - None****G. Old/New Business**

*Jackson: since we have a couple minutes I just wanted to follow up on the formatting for the agendas to see if anyone has any feedback; if you like what they look like; if you'd like to continue with it this way; I can get working on it; Walker: I think they're working out real well; Coolman: perfect; Jarvis: I agree, it flows very nice;*

*Jarvis: during our last general meeting we discussed having a focus group comprised of administration and Sargent Cassel as well as three members of council volunteered to participate; Mr. Lynch, Mr. Bennett, and Mr. Clark; I had checked with each of them individually as far as their availability; Mayor Ebert I'm passing this along to you right now because I just had a chance to talk to Mr. Lynch this evening; it looks as though the availability for all three are morning hours to start at 8 am on Monday or Thursdays; there was already a constraint for Tuesdays and Wednesdays and now we have one for Fridays; in addition to that one of the members, Mr. Lynch is going to be out of town from February 15<sup>th</sup> through March 4<sup>th</sup>; I don't know were looking at something beyond that, I know it's going to take time to schedule with everyone; Mayor: I'll get with Sargent Cassel and I'll look at my schedule and I'll get back to you tomorrow at the latest;*

**H. Adjournment at 6:28 p.m.**

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

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