# Canal Winchester

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

# Revised Meeting Agenda

**May 4, 2020**

**6:00 PM**

## Work Session

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

**A. Call To Order**

**B. Roll Call**

**C. Also In Attendance**

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

**D. Request for Council Action**

**ORD 20-021**
*Development*

An Ordinance to Amend Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Rezoning an Approximately 1.279 Acre Portion of the Existing Tract of Land from General Commercial (GC) to Planned Commercial District (PCD), Owned by Winchester Office Park, LLC., Located at 6355 Winchester Blvd. (PID 184-003366) and Declaring an Emergency (**Ordinance, Exhibit A Site Plan, Exhibit B Development Plan, Exhibit C P&Z Letter, Exhibit D**)

*- Request to move to full Council*

**ORD 20-022**
*Finance*

An Ordinance Authorizing the Issuance of Not to Exceed Nine Hundred Fifty Thousand Dollars ($950,000) of Notes in Anticipation of the Issuance of Bonds for the Purpose of Acquiring Approximately 110.244 Acres of Land and Interests in Land at the Corner of Bixby and Rager Roads and All Necessary Appurtenances and Improvements Thereto; and Reimbursing the City for Any Moneys Advanced for Such Purposes; and Declaring an Emergency (**Ordinance**)

*- Request to move to full Council*

**ORD 20-023**
*Construction Services*

An Ordinance to Authorize the Mayor to Enter Into a Contract with American Boring, Inc. for the Construction of the Bixby Rd. Waterline and Sanitary Utility Extension Project and Declaring an Emergency (**Ordinance, Exhibit A**)

*- Request to move to full Council*

**ORD 20-024**
*Construction Services*

An Ordinance Authorizing Execution of the 45 East Waterloo Street Municipal Complex Renovation Preliminary Services Agreement with Lehman Daman Construction Services, Inc. and Declaring an Emergency (**Ordinance**)

*- Request to move to full Council*

**ORD 20-025**
*Finance*

An Ordinance to Amend the 2020 Appropriation Ordinance #19-069, Amendment #2 (**Ordinance, Exhibit A**)

*- Request to move to full Council*

**E. Reports**

*Matt Peoples -*

*Lucas Haire -*

*Amanda Jackson -*

**F. Items for Discussion**

| | |
|---|---|
| **20-101** | Waste Management |
| **20-102** | Bed Tax Grant Discussion (**Bender 5K Update**) |

**G. Old/New Business**

**H. Adjournment**

**ORDINANCE NO. 20-021**

**AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCEHSTER, REZONING AN APPROXIMATELY 1.279 ACRE PORTION OF THE EXISTING TRACT OF LAND FROM GENERAL COMMERCIAL (GC) TO PLANNED COMMERCIAL DISTRICT (PCD), OWNED BY WINCHESTER OFFICE PARK, LLC., LOCATED AT 6355 WINCHESTER BLVD (PID 184-003366) AND DECLARING AN EMERGENCY**

WHEREAS, the rezoning of the area hereinafter described has been proposed to the Council of the City of Canal Winchester; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester; and

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester with a recommendation for approval of the rezoning;

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

SECTION 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is part thereof, be and hereby is amended as follows:

That approximately 1.279 acres, located at 6355 Winchester Blvd, PID 184-003366, owned by Winchester Office Park, LLC., as fully set forth in the description attached hereto as Exhibit "A" and incorporated herein by reference, is rezoned from General Commercial (GC) to Planned Commercial District (PCD).

SECTION 2. That the City Council hereby approves the Development Standards text for such 1.279 acres, which are attached hereto as Exhibits "B" and incorporated herein by reference.

SECTION 3. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

SECTION 4. That this ordinance hereby is declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare and specifically for the reasons set forth in the preamble hereto; wherefore, this ordinance shall take effect and be in force from and after its passage.

DATE PASSED:_____

_____
PRESIDENT OF COUNCIL

ATTEST:_____
CLERK OF COUNCIL

_____
MAYOR

_____
DATE APPROVED

APPROVED AS TO FORM:

_____
LEGAL COUNSEL

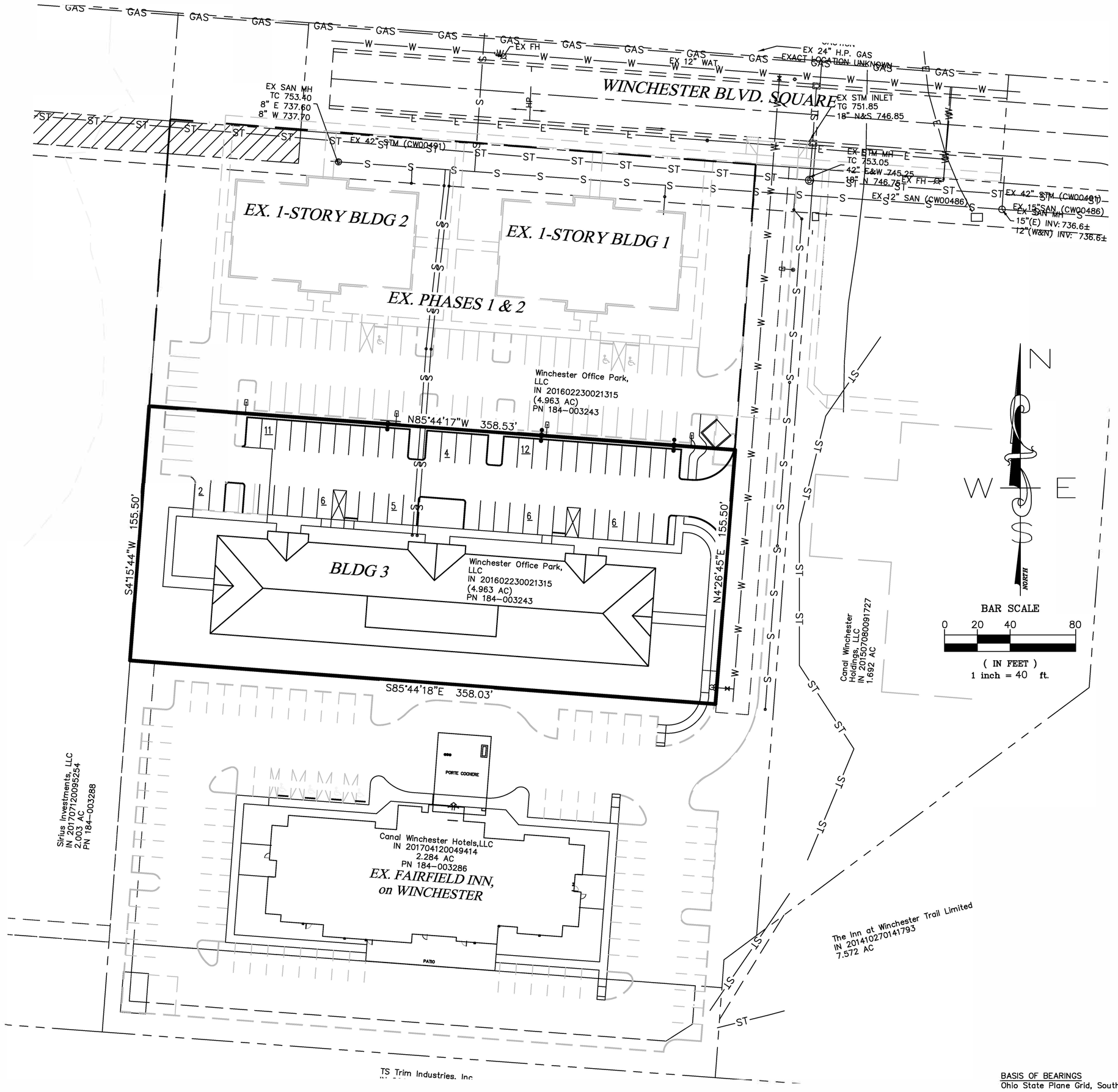
I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester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

_____
Clerk of Council

# EXHIBIT 'A' SITE PLAN

## CANAL WINCHESTER BUILDING 3

REZONE NEW BUILDING TO PLANNED COMMERCIAL DISTRICT (PCD)




LEGEND

Area to be Rezoned

BASIS OF BEARINGS
Ohio State Plane Grid, South Zone, NAD83(2011)

WILLIS ENGINEERING & SURVEYING
12512 West Bank Dr.
Millersport, OH 43046
740-739-4030

# EXHIBIT 'B'

## DEVELOPMENT PLAN TEXT

## FOR

## 20 ACRE PARCEL OF PROPERTY

## OWNED BY

## WINCHESTER INVESTMENT COMPANY

## CANAL WINCHESTER, OHIO


OWNER:
WINCHESTER INVESTMENT COMPANY
c/o ROBERT S. WOOD
299 NORTH TRINE STREET
CANAL WINCHESTER, OH 43110
PHONE: (614) 837-2797

ENGINEER:
EMH&T, INC.
c/o DAVE TYNDALL
170 MILL STREET
GAHANNA, OH 43230
PHONE: (614) 471-5150

MAY 8, 1995

# DEVELOPMENT PLAN TEXT

**Introduction:**

The property owners, Winchester Investment Company, have requested the rezoning of approximately twenty (20) acres to PCD (Planned Commercial District). The twenty acre parcel is part of a larger parcel that is presently zoned LM (Limited Manufacturing).

**Location:**

The parcel is located on the West side of Gender Road North of the Ohio and Indiana Railroad and South of Winchester Boulevard, now under construction.

**Permitted Uses:**

All of the uses permitted in the Neighborhood Commercial District (NC), General Commercial District (GC) and Suburban Office and Institution District (SO) of zoning ordinance 48 - 90 adopted 6/18/90 as amended through 1/6/93, except the following: Commercial Kennels, Secondhand Stores, Churches, Reupholstery and Furniture Repair, Automobile Parking and Dance Halls, Residential.

**Survey Maps:**

A survey map was included with the original application filed with the Village on 1/6/95.

**Storm Water Drainage:**

Refer to Exhibit "A" attached. The preliminary engineering plan shows the general intent and feasibility of the proposed project. The property owners and Village Administration including the Village Engineer, have agreed to a phased development, so far as storm drainage is concerned as follows: Two and one half lots on the North side of the project will drain into the storm sewer on the South side of Winchester Boulevard. Two of the remaining five remaining lots fronting Gender Road and North of the proposed new street can be developed with temporary drainage directly into Tussing Bachman ditch, via storm drainage lines that would terminate at the last manhole in the Southwest corner of the development. The owners agree to commence the construction of a permanent storm retention basin and have it ready for use, before completion of any other building projects in the development; other than the ones listed above, but in any case, complete the permanent storm retention basin no later than 9/1/96.

**Soil Types:**

Refer to Exhibit "B" attached.

**Easements:**

There presently exists a thirty (30) foot easement for roadway purposes, West of the Center line of Gender Road and running the entire width of the frontage. The property owners agree to the granting of an additional thirty (30) foot easement for the future widening of Gender Road. The property owners are agreeable to and would prefer to handle the transaction by transfer of ownership by deed rather than easements.

**Sub - Areas (cont.):**
intent of the property owners to develop the property by sub-areas as shown on Exhibit "C".

The division of the property into sub-areas also addresses the concern expressed by Village Administration, that the uses permitted on the Northern portion of the property be compatible with Winchester Square Shopping Center.

**Landscaping:**
The proposed final development plan will comply with the Village of Canal Winchester Zoning Ordinance 48 - 90 as amended on 1/6/93 for the individual lot and parking lot landscaping and screening requirements. The landscaping along the Gender Road frontage will be similar in character (number, size and location) to the landscaping at Winchester Square Shopping Center that fronts on Gender Road.

**Utilities:**
Final design of the utilities (sanitary, storm, water and street lighting) will be completed with the submission of the engineering plans for the development and approval from the Village Engineer. Individual lots will be designed in phases based on the current market demands and will be approved on a lot by lot basis. All dumpsters will be enclosed as required by the Village of Canal Winchester Zoning ordinance 48 - 90 amended 1/6/93. The street lighting for the dedicated streets will be the same as those approved for the South side of Winchester Boulevard.

**Exterior Building Standards:**

(A) Walls - All exterior walls of buildings are to be hard surface masonry, such as face brick, split faced block, fluted block and scored block, except stucco, drivit and like materials may be used as accents, providing total square footage of accent material does not exceed twenty percent (20%) of gross exterior building wall square footage.

(B) Roof - All roofs are to be of dimensional shingles, standing seam metal, slate or simulated slate except flat roofs will be approved - if roof top equipment is properly screened on the front and both sides.

(C) Miscellaneous - All trim, materials such as fascias, coping and soffits will be of prefinished material.

**Signage:**
See Exhibit "D" attached.

**Development Schedule:**
The project development will be constructed in three (3) phases covering eighteen (18) months each. The first and second phases will consist of approximately three (3) lots each. Phase Three will consist of the remaining eight (8) lots. The property owners however, reserves the right to develop the entire project or any number of phases at one time.

**Preparation of Development Plan:**

The development plan and engineering have been prepared by Dave Tyndall of EMH&T, Inc., of 170 Mill Street, Gahanna, Ohio 43230. Phone: (614) 471-5150.

**Development Standards:**

It is the intent of the property owners that the development on the tract will be of high quality and conform to all the standards established for the uses permitted within a Planned Commercial District (PCD) of zoning ordinance 48 - 90, adopted 6/18/90 and amended through 1/6/93.

**Building:**

The uses set forth in the final development plan have no maximum lot coverage or size, however, they must provide for adequate yard space as follows.

(A) Front Yard set back shall be the average of the existing adjacent commercial structures on the same side of the street facing thereon unless said distance is greater than fifty (50) feet. If the distance is greater than fifty (50) feet, the maximum set back shall be fifty (50) feet.

(B) Side Yard set back shall be a minimum of twenty (20) feet including those areas needed for open services and/or loading areas.

(C) Rear Yard set back shall be a minimum of twenty five (25) feet.

Buildings shall not exceed the height of forty (40) feet and/or three (3) stories. Refer to Exhibit "A" for examples of proposed location of said uses and lot sizes.

**Parking:**

The proposed final development plan will comply with the Village of Canal Winchester Zoning Ordinance 48 - 90 as amended on 1/6/93, Section 80.55 Off-Street Parking And Loading for the required number of spaces and parking lot layout standards. However, two vehicular access points will be allowable per lot even if those access points may or may not comply with the access point spacing requirements as stated in 80.55.05 Access Drive (b) spacing (1). A detailed parking lot layout will be submitted to the Village for each individual lot at the time of their individual site plan approval.

**Traffic Study:**

A fairly complete traffic study was made by the Village Traffic Engineer prior to the concept plan hearing. Rather than duplicate what has already been completed, the property owners agree, subject to the approval of estimates in advance, to reimburse the Village for expenditures they might incur in developing any additional traffic information that is needed relating to this rezoning and development.

**Sub - Areas:**

Refer to Exhibit "C" attached. This sub-area map was developed in response to the concern expressed about the excess traffic that might be encountered during peak hours if too many high intensity traffic generating businesses were allowed to develop near the new proposed intersection with Gender Road. It will be the

**Economic Impact:**

The property has been zoned either Limited Manufacturing (LM) or a similar zoning for over thirty one (31) years. The property has been available for purchase during that entire time period without a single sale being completed. The development of the Winchester Square Shopping Center to the immediate North has brought about numerous inquiries in regards to the availability of the frontage on Gender Road for Commercial use, because of the limited number of outlots available on the shopping center property.

In view of the facts stated above, it is the belief of the property owners that the rezoning of the twenty (20) acre parcel to a Planned Commercial District (PCD), would allow for a much more rapid development of the land. This would be of benefit to both the Village of Canal Winchester and the Canal Winchester Local School District in the way of increased real estate and personal property taxes, as well as income tax revenues.

In addition to a more rapid development, the investment per acre for commercial businesses is greater than for industrial development, although the income tax revenues from wages would not be as positive, however, that revenue stream would come on line quicker with commercial development.

To: Audra DiOrio, CMC, Clerk of Council

From: Andrew Moore, Planning and Zoning Administrator

Date: February 11, 2020

RE: Application ZM-20-001

# RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **February 10, 2020**

**Motion** by Brad Richey, seconded by Kevin Serna, to recommend to council approval of ZM-20-001; to consider the rezoning of 1.27 acres of real property at PID 184-003366 from General Commercial (GC) to Planned Commercial District (PCD); for property located at 6355 Winchester Blvd (Parcel ID 184-003366). Deno Duros applicant and Owner.
Voting yes: Brad Richey, Joe Donahue, Kevin Serna, Bill Christensen & Mark Caulk.
**Motion Carried 5-0**

_____

Andrew Moore
Planning and Zoning Administrator

**Zoning Amendment #ZM-20-001**
**Winchester Office Park**

Owner: Winchester Office Park, LLC

Applicant: Deno Duros

Property Location: PID 184-003366

Existing Zoning: GC (General Commercial)

Proposed Zoning: PCD (Planned Commercial District)

Proposed Use: 16,500 square feet office building

Location
The subject property consists of 2.68 acres zoned GC (General Commercial) and PDC (Planned Commercial District) located south of Winchester Blvd. To the north consists of Winchester Office Park phases 1 and 2. Property to the east is a 1.69-acre parcel with Primrose Daycare zoned PCD (Planned Commercial District). Property to the south consists of the development site for Fairfield Inn on 2.28 acres zoned GC. Property to the west is 13 acres of undeveloped land zoned GC.

Request
The applicant is requesting to rezone a 1.279 acre portion of the existing parcel from GC (General Commercial) to PCD (Planned Commercial District). The area to be rezoned is the rear portion of the parcel with dimensions of 155.5 feet by 358.53 feet. The parcel would be incorporated into the adjacent 9.225-acre PCD district which is subject to Ordinance 112-96 and the associated Winchester Investment Company development text.

Criteria for (Zoning Amendment) Review
All rezoning activities must be consistent with the adopted comprehensive plan. The following factors shall also be considered:

(a) Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area, including but not limited to the comprehensive plan.

The proposed zoning district of Planned Commercial District is appropriate for the professional nature of the Winchester Office Park. Permitted uses with the existing Winchester Investment Company development text permit all uses permitted in the NC, GC, and SO zoning districts, which are appropriate for the professional nature of the surrounding commercial, office, and hotel uses.

(b) Relationship of the proposed amendment to access and traffic flow and utility services including sanitary sewer, water, and storm drainage, as outlined in the transportation thoroughfare plan, comprehensive plan and/or other adopted plans for the area.

Amending the site from GC to PCD will have no impact on site utilities or traffic. The site can be developed at the same intensity within either zoning district. There are adequate public utilities available to the site and the property owner designed Winchester Office Park to accommodate an office building of this size. The office building proposed for the site will share a private access drive from Winchester Blvd.

and will share parking with the existing office buildings within the Winchester Office Park.

(c) Relationship of the proposed amendment to the public health, safety, convenience, comfort, prosperity and general welfare, including impact on infrastructure and municipal services.

The amendment from GC to PCD of this 1.279 acres will have no negative impacts for public health, safety, convenience, comfort, prosperity and general welfare.

(d) Relationship of the proposed use to the adequacy of available services and to general expansion plans and planned capital improvements.

The proposed rezoning of this 1.279 acres will have no additional impacts on the adequacy of available services. The site as GC site would be entitled to the same size and intensity of use. The only change is in permitted uses within the office building.

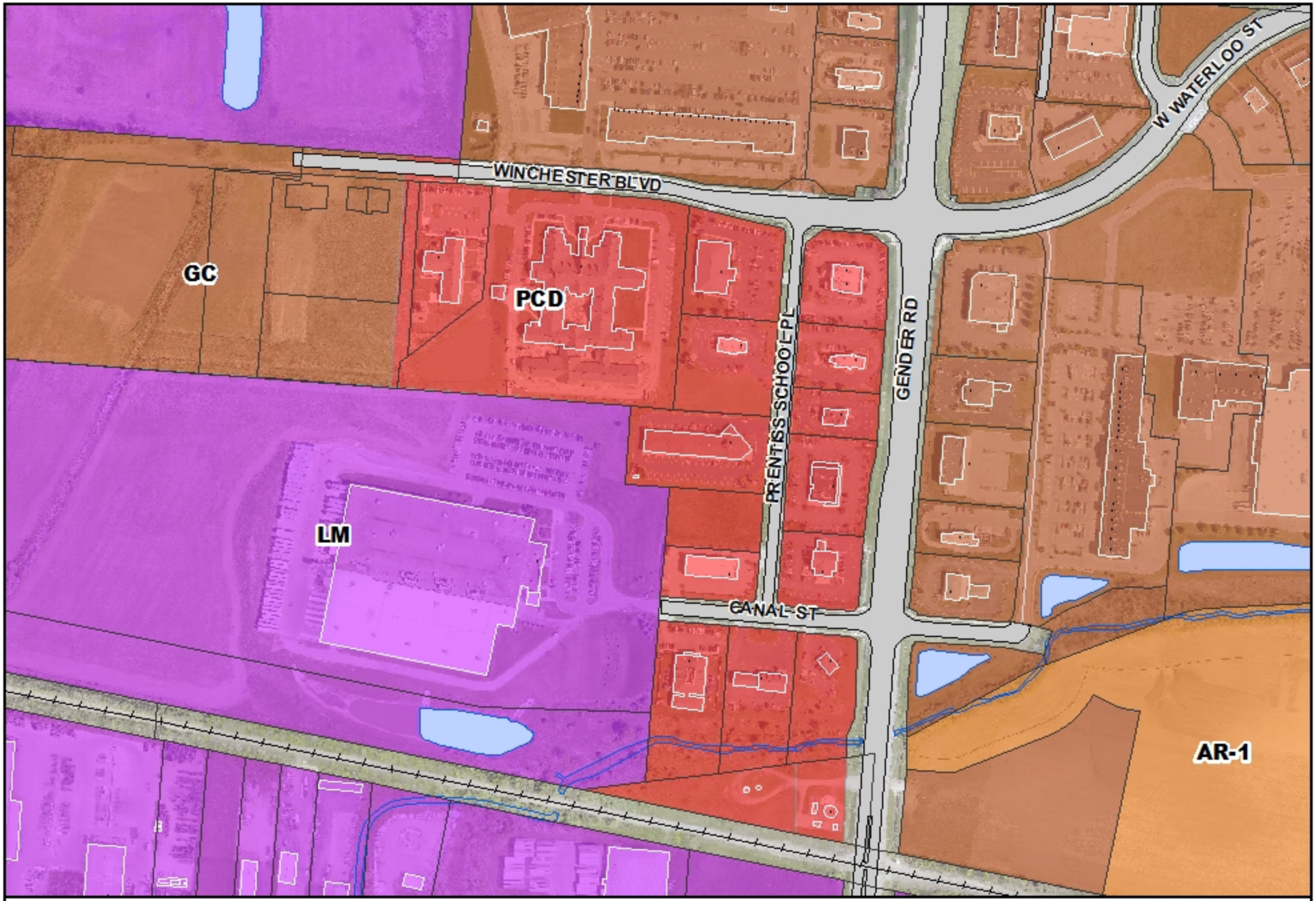
## Analysis

The existing Winchester Investment Company development text is attached. The proposed rezoning of the 1.279 acres would be subject to the zoning standards set forth in the Winchester Investment Company development text as set by Ordinance 112-96 adopted on October 7,1997.

Rezoning the site to PCD will allow uses the are currently permitted in the SO (Suburban Office District). The proposed 16,500 square feet office building has a potential tenant The Learning Spectrum, a school for children with autism and related special needs. Schools are a permitted use in the SO district, but not within the existing GC district. Rezoning to the PCD district with the associated and adjacent Winchester Investment Company text will allow for the proposed tenant to operate within the proposed 16,500 square feet building while allowing for maximum flexibility long term for future tenancy of the space for office and professional uses to match the adjacent Winchester Office Park.

## Staff Recommendation

Staff is recommending that Planning and Zoning Commission recommend approval of the proposed rezoning of 1.279-acre parcel from GC (General Commercial) to PCD (Planned Commercial District) with the development text adopted by Ordinance 112-96.



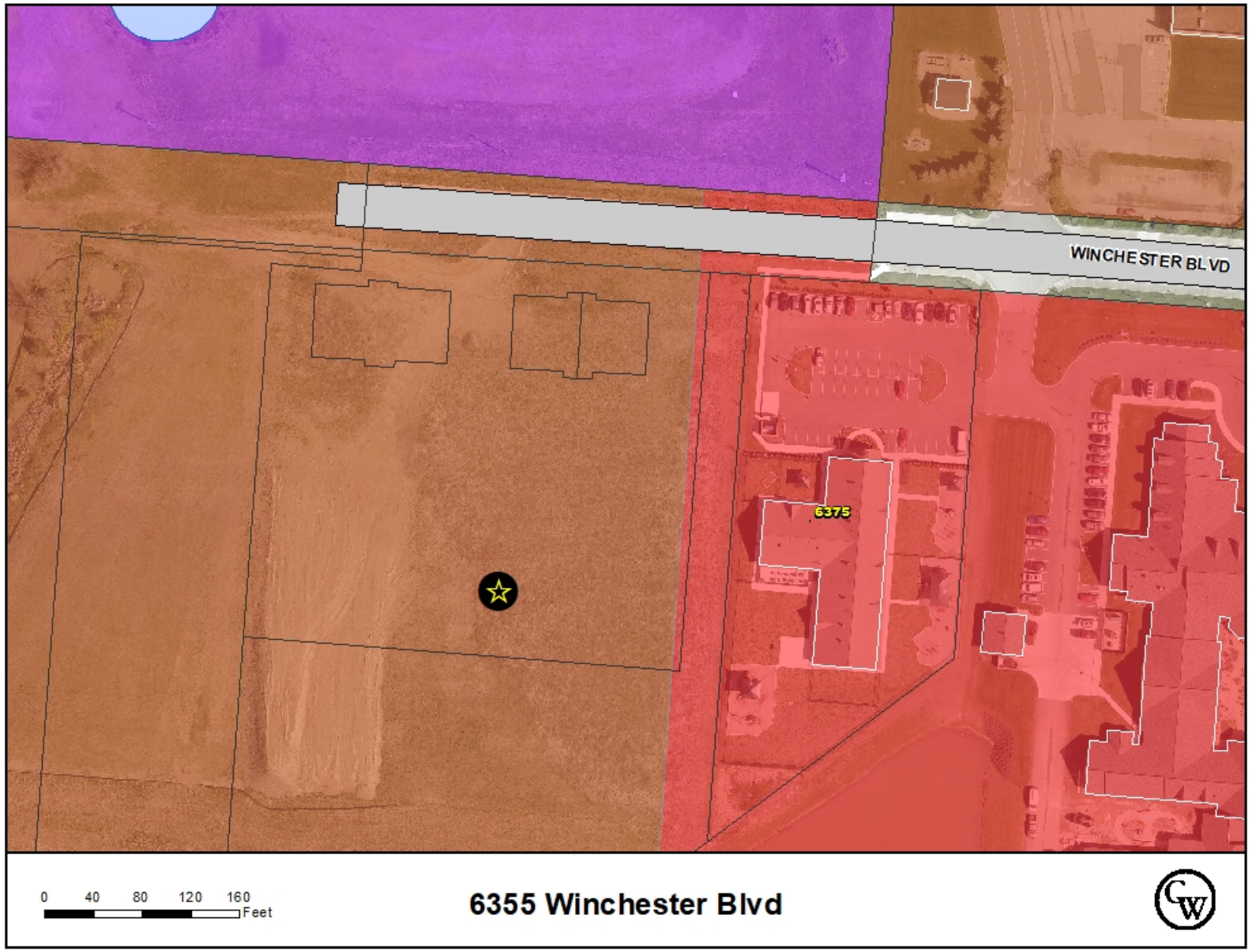

# Winchester Investment Corp. PCD

# Application #ZM-20-001

**Owner:** Winchester Office Park LLC
**Applicant:** Deno Duros

**Location:** PID 184-003366 (1.27 acres within the Winchester Office Park)

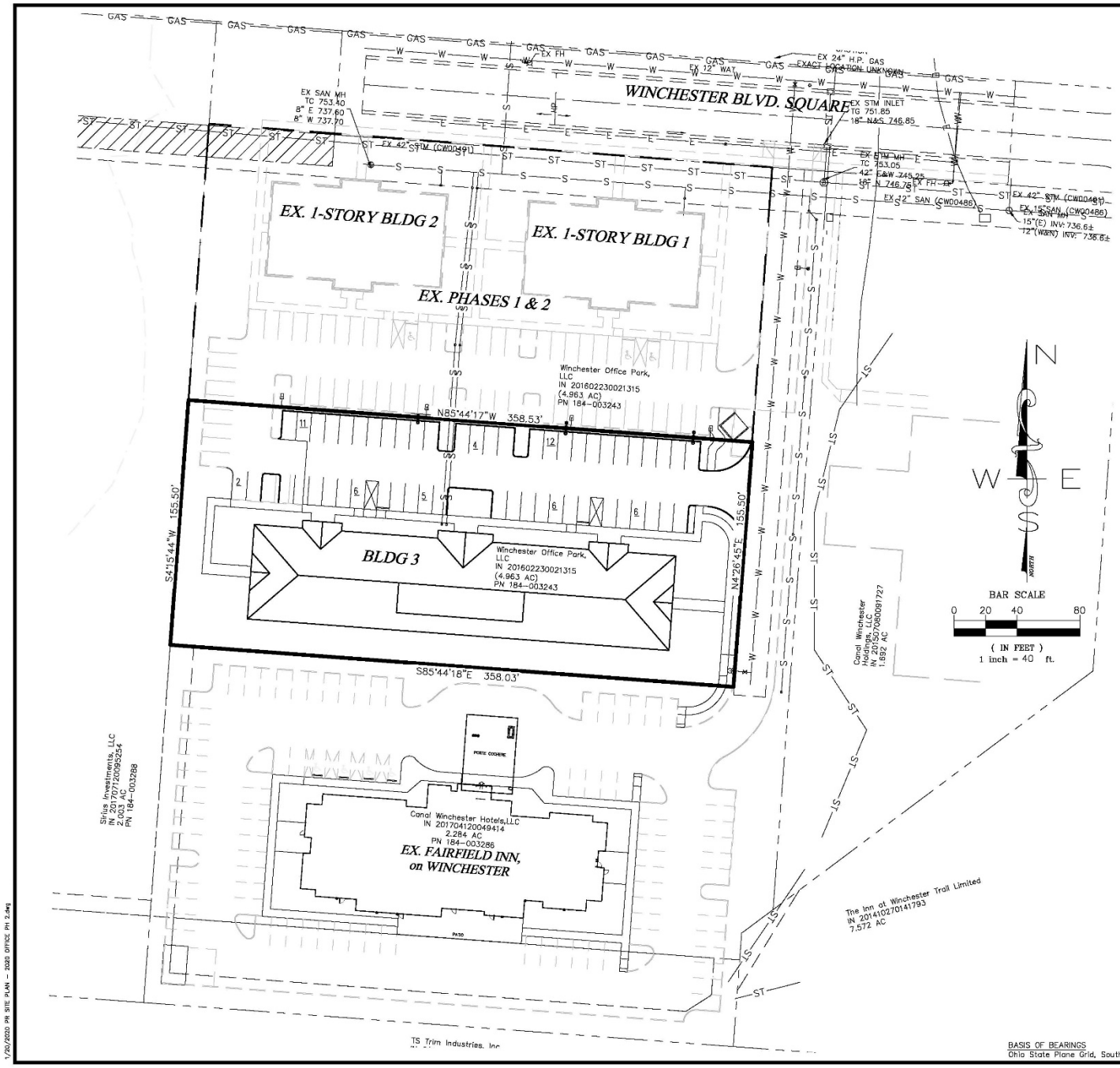
**Request:** Rezone a portion of the property from General Commercial to Planned Commercial District



# SITE PLAN

## CANAL WINCHESTER BUILDING 3

REZONE NEW BUILDING TO _____



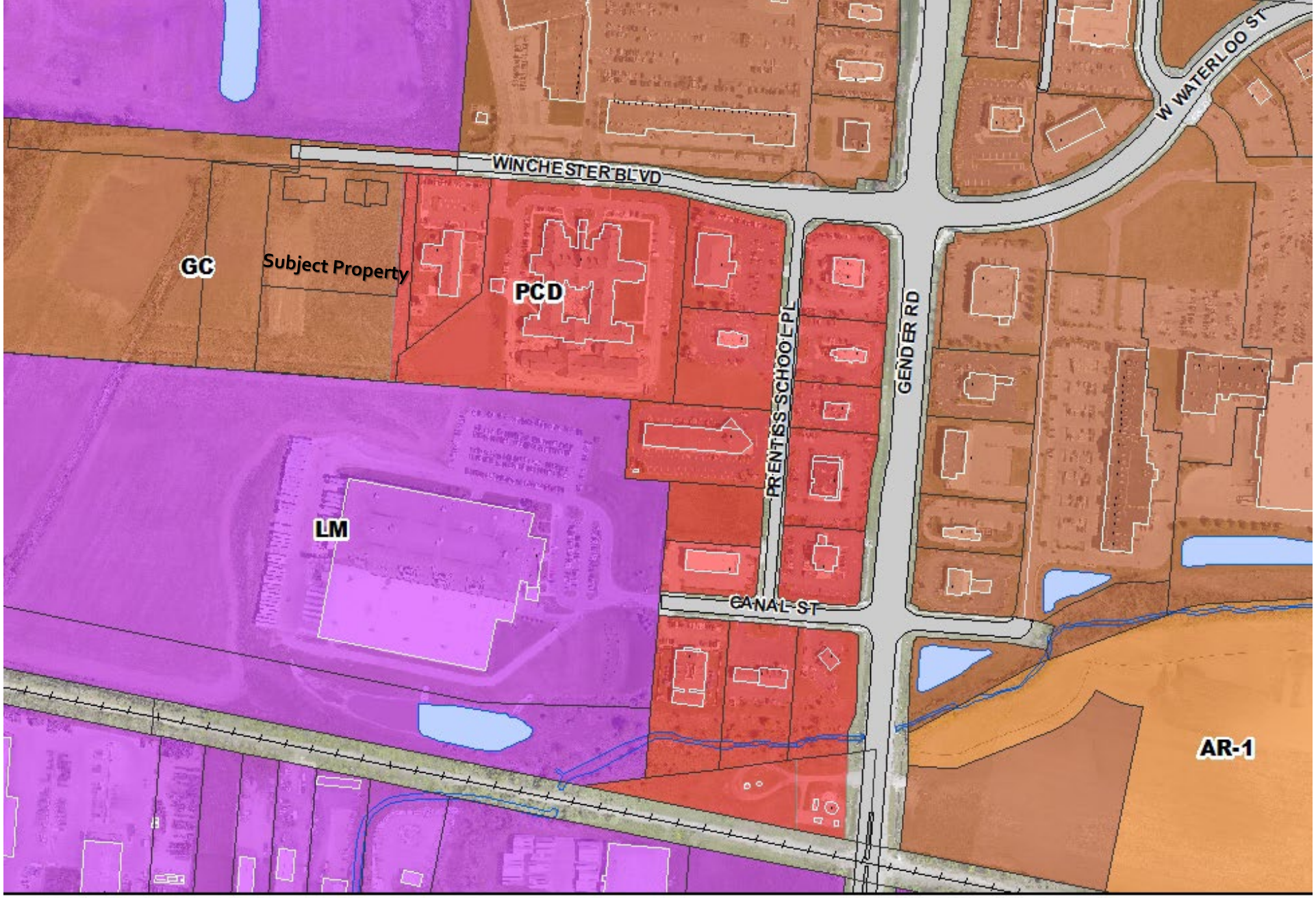

LEGEND

Area to be Rezoned

BASIS OF BEARINGS
Ohio State Plane Grid, South Zone, NAD83(2011)

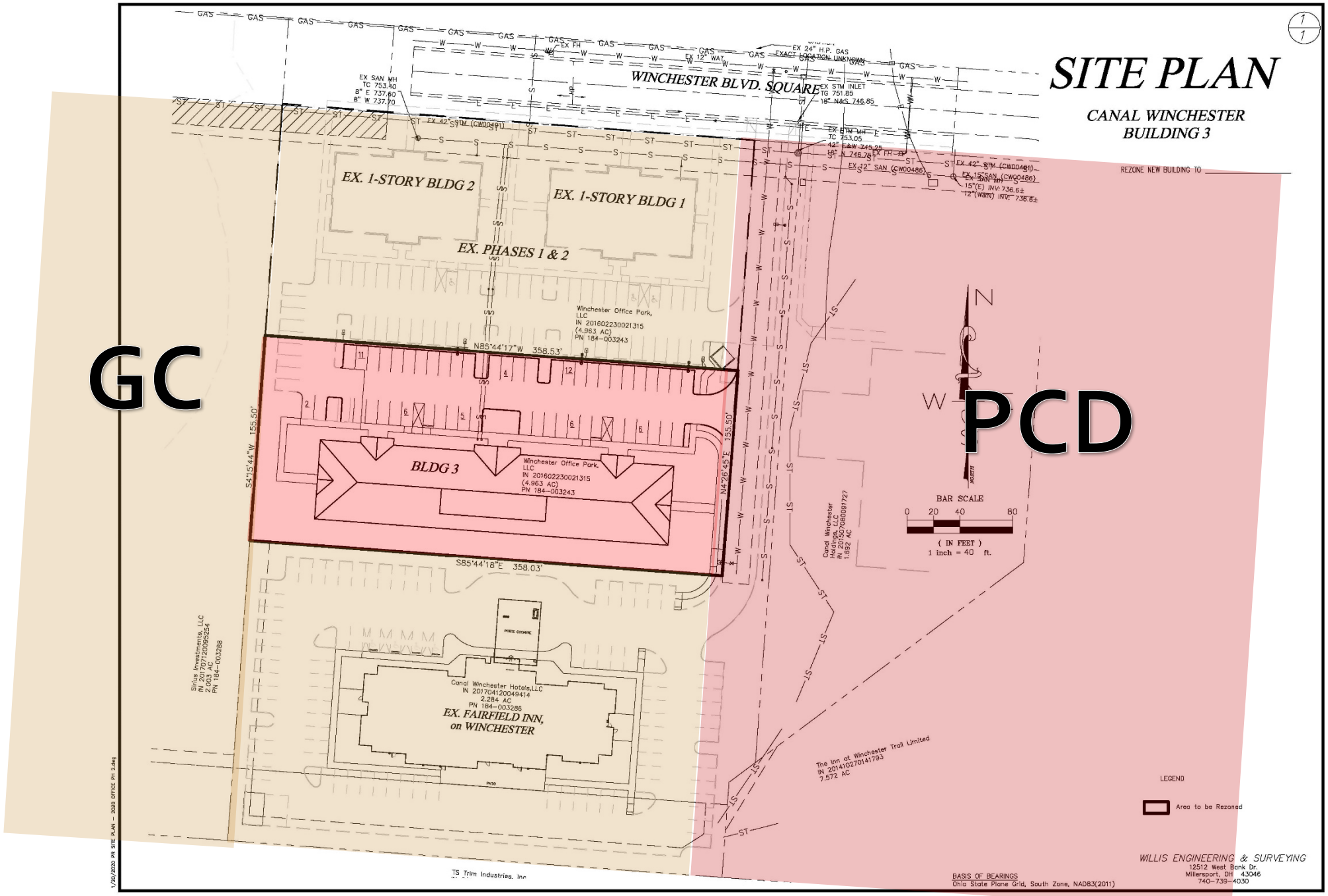
WILLIS ENGINEERING & SURVEYING
12512 West Bank Dr.
Millersport, OH 43046
740-739-4030

1/20/2020 PR SITE PLAN - 2020 OFFICE PH 2.dwg




0 170 340 510 680 Feet

**Winchester Investment Corp. PCD**

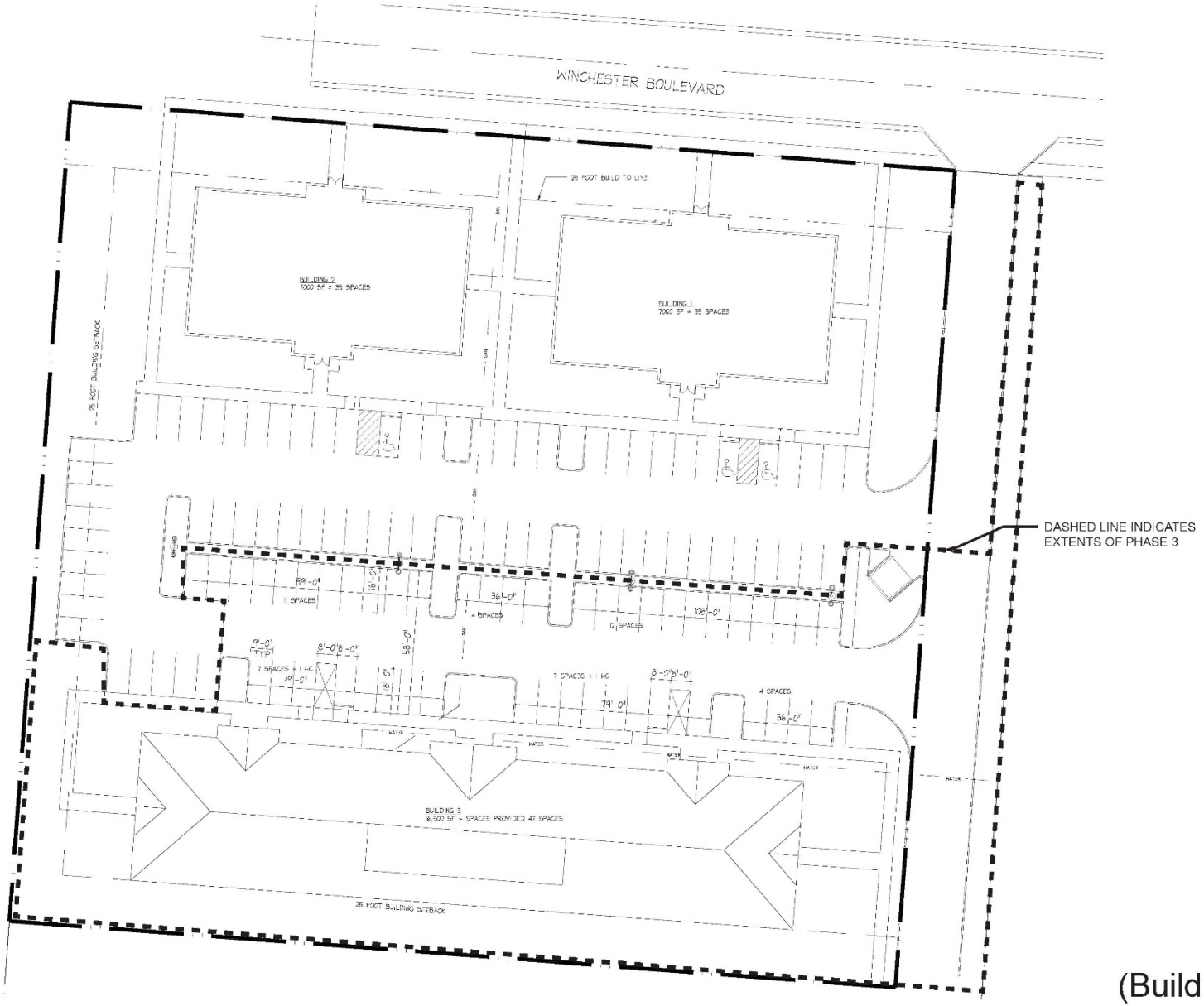

SITE PLAN
CANAL WINCHESTER
BUILDING 3
WINCHESTER BLVD. SQUARE
EX. 1-STORY BLDG 2
EX. 1-STORY BLDG 1
EX. PHASES 1 & 2
BLDG 3
EX. FAIRFIELD INN, on WINCHESTER
Winchester Office Park, LLC
IN 201602230021315
(4.963 AC)
PN 184-003243
N85°44'17"W 358.53'
S85°44'18"E 358.03'
S4°15'44"W 155.50'
N4°26'45"E 155.50'
Canal Winchester Hotels, LLC
IN 201704120049414
2.284 AC
PN 184-003286
Sirius Investments, LLC
IN 201707120095254
2.433 AC
PN 184-003288
Canal Winchester Holdings, LLC
IN 201507080091727
1.892 AC
The Inn at Winchester Trail Limited
IN 201410270141793
7.572 AC
TS Trim Industries, Inc
REZONE NEW BUILDING TO
GC
PCD
N
W
BAR SCALE
0 20 40 80
( IN FEET )
1 inch = 40 ft.
LEGEND
Area to be Rezoned
BASIS OF BEARINGS
Ohio State Plane Grid, South Zone, NAD83(2011)
WILLIS ENGINEERING & SURVEYING
12512 West Bank Dr.
Millersport, OH 43046
740-739-4030
1/20/2020 PR SITE PLAN - 2020 OFFICE PH 2.dwg

The applicant is requesting to rezone a 1.279 acre portion of the existing parcel from GC (General Commercial) to PCD (Planned Commercial District).

- The area to be rezoned is the rear portion of the parcel with dimensions of 155.5 feet by 358.53 feet.
- The parcel would be incorporated into the adjacent 9.225-acre PCD district which is subject to Ordinance 112-96 and the associated Winchester Investment Company development text.

Rezoning the site to PCD will allow uses the are currently permitted in the SO (Suburban Office District). The proposed 16,500 square feet office building has a potential tenant The Learning Spectrum, a school for children with autism and related special needs. Schools are a permitted use in the SO district, but not within the existing GC district. Rezoning to the PCD district with the associated and adjacent Winchester Investment Company text will allow for the proposed tenant to operate within the proposed 16,500 square feet building while allowing for maximum flexibility long term for future tenancy of the space for office and professional uses to match the adjacent Winchester Office Park.

Bogenrife
Architecture LLC




(Building 3, Phase 3)

# WINCHESTER OFFICE PARK

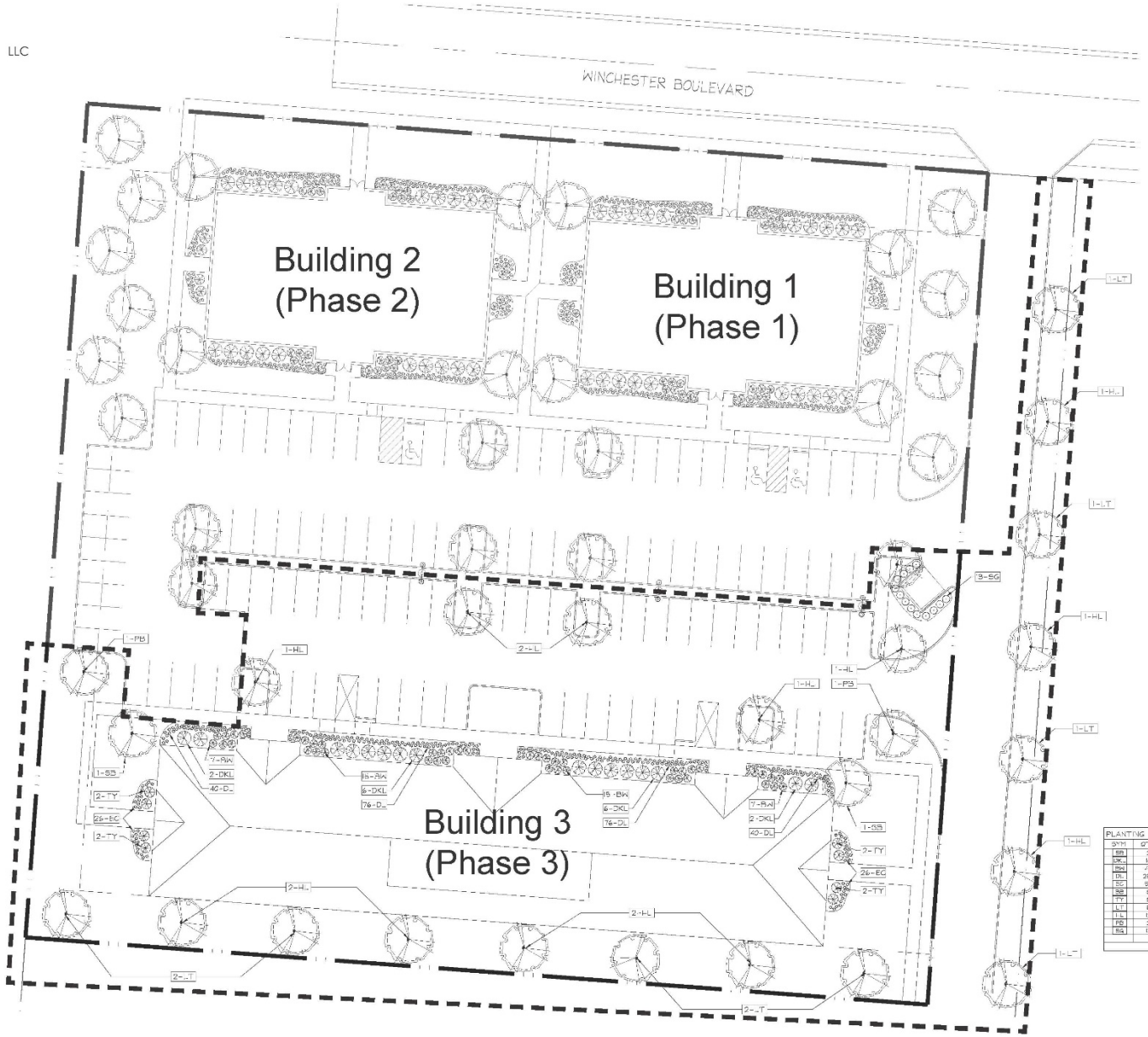
WINCHESTER BOULEVARD
CANAL WINCHESTER, OHIO 43110
20 January 2020

## AS100

ARCHITECTURAL SITE PLAN

Site Plan
Scale 1"=20'-0"

Bogenrife
Architecture LLC



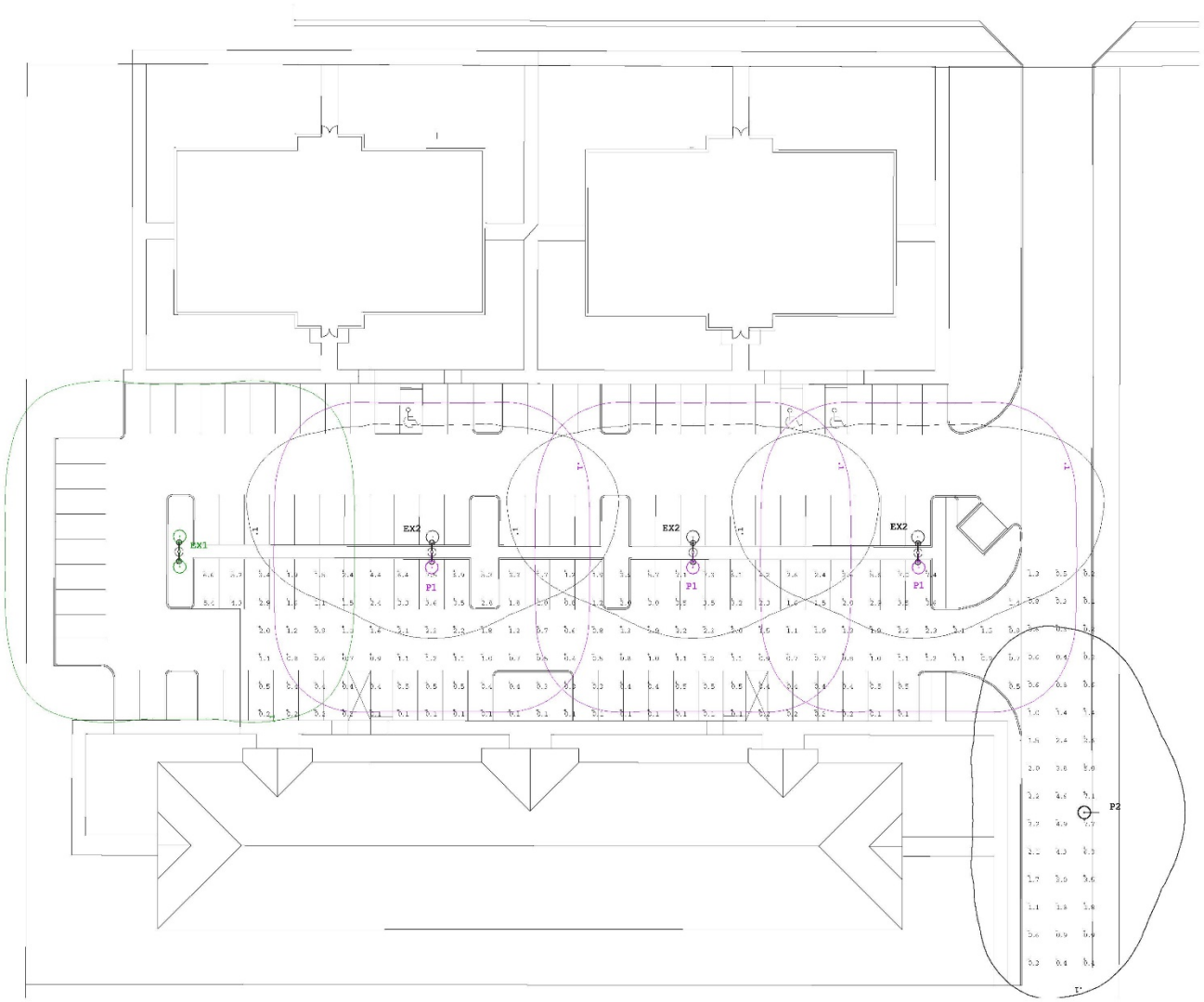

| PLANTING MATERIAL SCHEDULE | | | | | |
|---|---|---|---|---|---|
| SYM | QTY. | COMMON NAME | SCIENTIFIC NAME | SIZE | COND |
| SB | 2 | BERY/CEBERRY | Amelanchier x grandiflora 'Autumn Brilliance' | 2" CAL. | B & B |
| DK | 16 | DWARF KOREAN LILAC | Syringa meyeri 'Palibin' | 5 GALLON | POTTED |
| BW | 77 | BOXWOOD | Buxus 'Green Gem' | 3 GALLON | POTTED |
| DL | 292 | DAYLILY | Hemerocallis x 'Stella de Oro' | 1 GALLON | POTTED |
| EC | 82 | EVERGREEN GROUNDCOVER | Vinca minor | FLAT | FLAT |
| SB | 9 | BARBERRY | Berberis thunbergii 'Crimson Pygmy' | 5 GALLON | POTTED |
| TY | 5 | TAXUS, YEW | Taxus x media 'Densiformis' | 5 GALLON | POTTED |
| LT | 8 | LINDEN | Tilia | 2" CAL. | B & B |
| HL | 17 | THORNLESS HONEY LOCUST | Gleditsia triacanthos var. inermis 'skyline' | 2" CAL. | B & B |
| PB | 2 | PAPER BIRCH | Betula papyrifera | 2" CAL. | B & B |
| SG | 19 | SAUGRASS | Cladium marisciodes | 2 GALLON | POTTED |

(Building 3, Phase 3)
# WINCHESTER OFFICE PARK
WINCHESTER BOULEVARD
CANAL WINCHESTER, OHIO 43110
20 January 2020

L100
LANDSCAPE PLAN

Landscape Plan
Scale 1"=20'-0"

Bogenrife
Architecture LLC



DECORATIVE PARKING LOT LIGHT
ANP LIGHTING
BELLA VISTA
BVB09-H
ARCHITECTURAL BRONZE

| Luminaire Schedule | | | | | | | |
|---|---|---|---|---|---|---|---|
| Symbol | Qty | Label | Arrangement | Total Lamp Lumens | LLF | Description | Filename |
| | 3 | P1 | SINGLE | N.A. | 0.850 | ANP BVA01-P117LD4NT540K at 16' AFG | BVA01-P117LD4NT540K.IES |
| | 1 | P2 | SINGLE | N.A. | 0.850 | ANP BVA01-P117LD4NT340K at 16' AFG | BVA01-P117LD4NT340K.IES |
| | 1 | EX1 | BACK-BACK | N.A. | 0.850 | Existing ANP Fixture at 16' AFG | BVA01-P117LD4NT540K.IES |
| | 3 | EX2 | SINGLE | N.A. | 0.850 | Existing ANP Fixture at 16' AFG | BVA01-P117LD4NT340K.IES |

| Calculation Summary | | | | | | | |
|---|---|---|---|---|---|---|---|
| Label | CalcType | Units | Avg | Max | Min | Avg/Min | Max/Min |
| Driveway | Illuminance | Fc | 1.92 | 7.7 | 0.1 | 19.20 | 77.00 |
| Parking | Illuminance | Fc | 1.73 | 7.5 | 0.1 | 17.30 | 75.00 |

(Building 3, Phase 3)
# WINCHESTER OFFICE PARK
WINCHESTER BOULEVARD
CANAL WINCHESTER, OHIO 43110
20 January 2020

E100
PHOTOMETRICS

Photometric Plan
Scale 1"=20'-0"

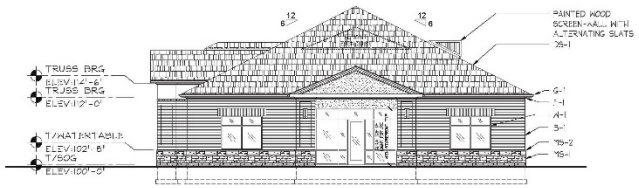
Bogenrife
Architecture LLC

| 1193.03. C BUILDING DESIGN (MATERIAL PERCENTAGES) | | | | | | | |
|---|---|---|---|---|---|---|---|
| ELEVATION | AREA (ENTIRE WALL) | GLAZING | BALANCE | "NATURAL MATERIALS" | "NEW MATERIALS" | % "NATURAL MATERIALS" | % "NEW MATERIALS" |
| NORTH | 3782 | 1148 | 2634 | 2157 | 477 | 82% | 18% |
| SOUTH | 3305 | 675 | 2630 | 2630 | 0 | 100% | 0% |
| EAST | 812 | 240 | 572 | 471 | 101 | 82% | 18% |
| WEST | 812 | 240 | 572 | 471 | 101 | 82% | 18% |

| NORTH ELEVATION % GLAZING BETWEEN 2 AND 10 FEET | | |
|---|---|---|
| AREA OF ENTIRE WALL | GLAZING | PRECENTAGE GLAZING |
| 2412 | 1022 | 42% |

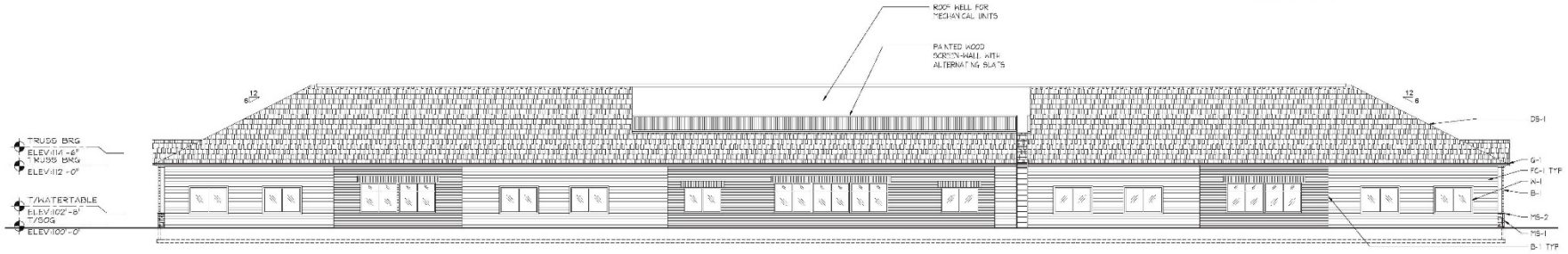
EXTERIOR FINISH SCHEDULE

| FINISH | MATERIAL | MANUFACTURER | COLOR | FINISH |
|---|---|---|---|---|
| DS-1 | DIMENSIONAL SHINGLES | TAMKO | WEATHERED WOOD | |
| B-1 | BRICK<br>-<br>- | TRIANGLE BRICK | OXFORD | |
| E-1 | EIFS<br>- | | PRIMED<br>PAINT PT-1 | |
| FT-1 | FIBER CEMENT TRIM | JAMES HARDI | PAINT PT-1 | - |
| FC-1 | FIBER CEMENT SIDING 7" LAP SIDING | JAMES HARDI | PRIMED<br>PAINT PT-1 | |
| MS-1 | MANUFACTURED STONE VENEER | DUTCH QUALITY STONE | GREAT LAKES LIMESTONE | - |
| MS-2 | MANUFACTURED STONE VENEER - ACCESSORY | DUTCH QUALITY | WATERTABLE PROFILE | - |
| PT-1 | PAINT | SHERWIN WILLIAMS | SW 7675 "SEALSKIN" | MATCH EXISTING BUILDINGS |

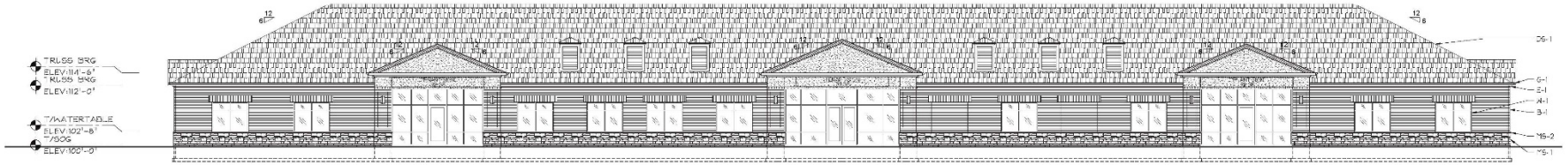



C A200 EAST & WEST ELEVATION
SCALE: 3/32"=1'-0"

DECORATIVE WALL SCONCE
TERON LIGHTING
ALLEGRO W
TEXTURED BRONZE



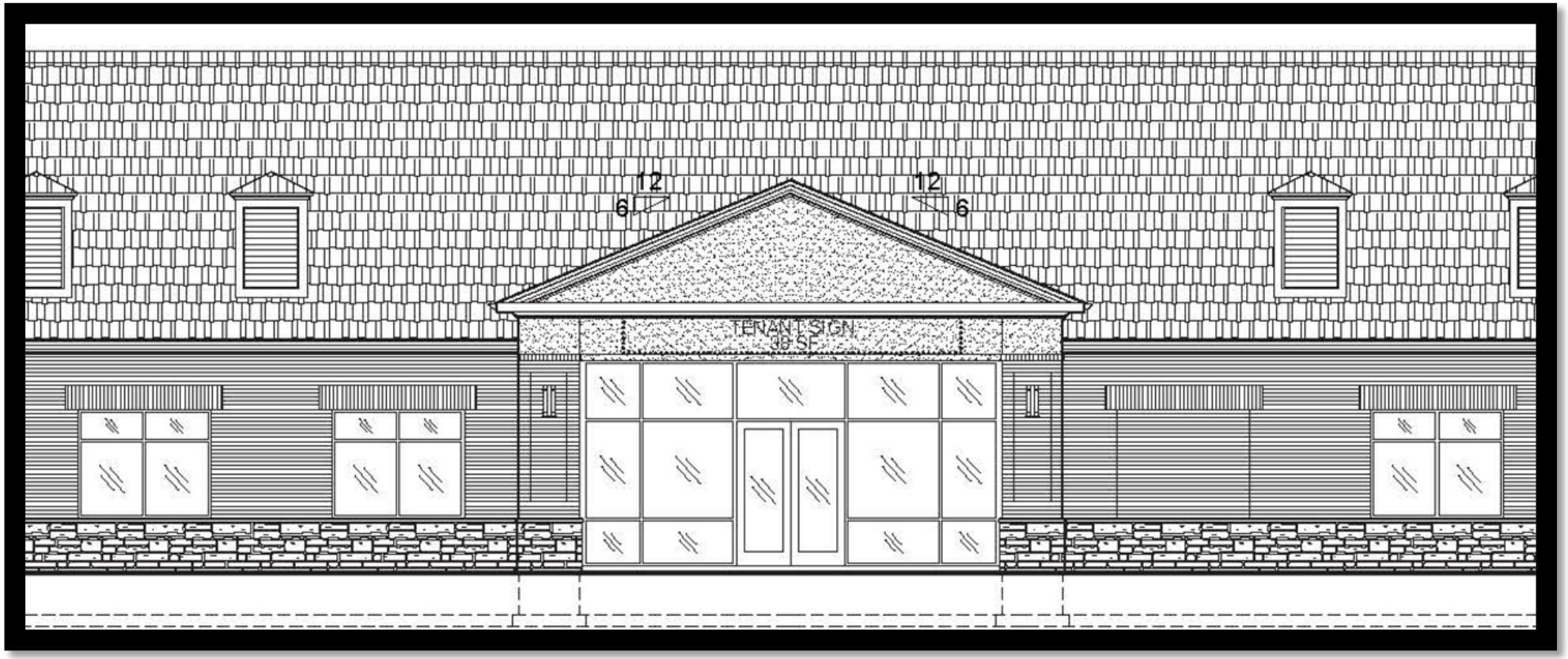

B A200 SOUTH ELEVATION
SCALE: 3/32"=1'-0"




A A200 NORTH ELEVATION
SCALE: 3/32"=1'-0"

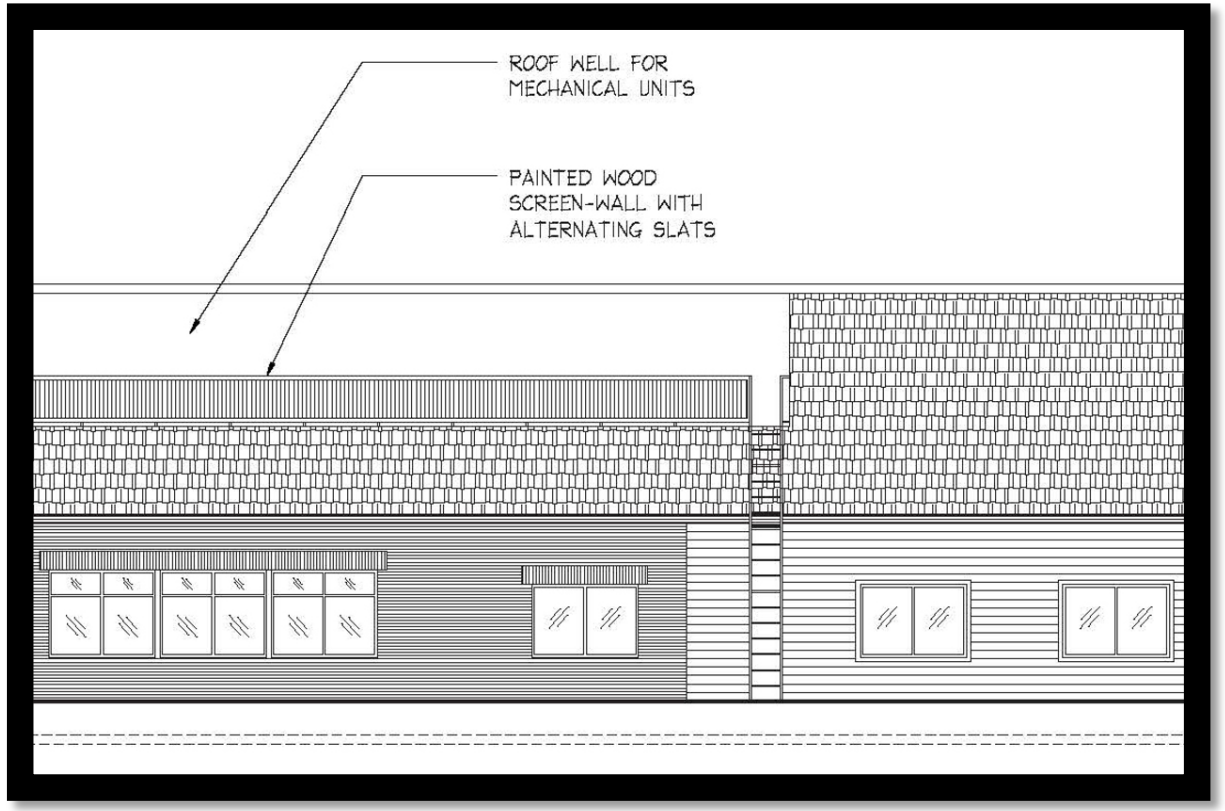
(Building 3, Phase 3)
# WINCHESTER OFFICE PARK
WINCHESTER BOULEVARD
CANAL WINCHESTER, OHIO 43110
20 January 2020

## A200
EXTERIOR ELEVATIONS

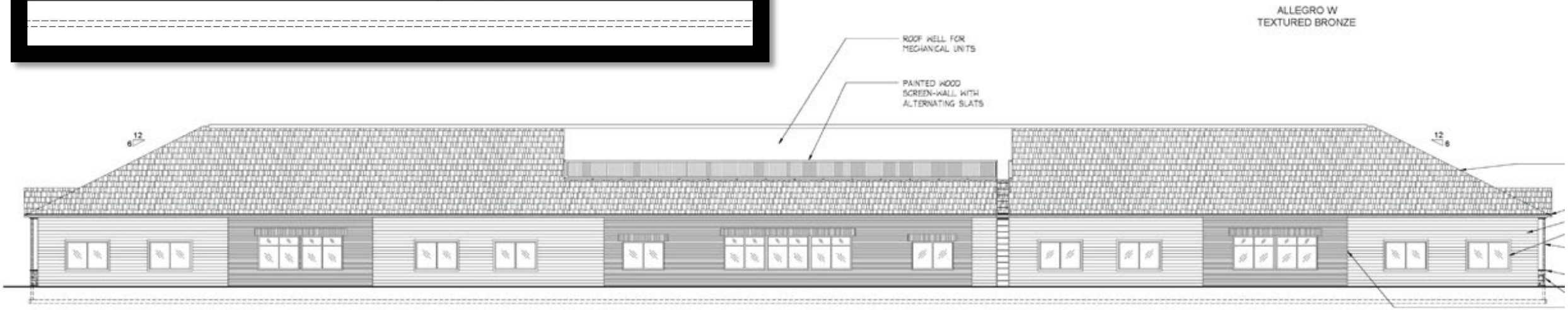



Zoom In

A NORTH ELEVATION
A200
SCALE: 3/32"=1'-0"

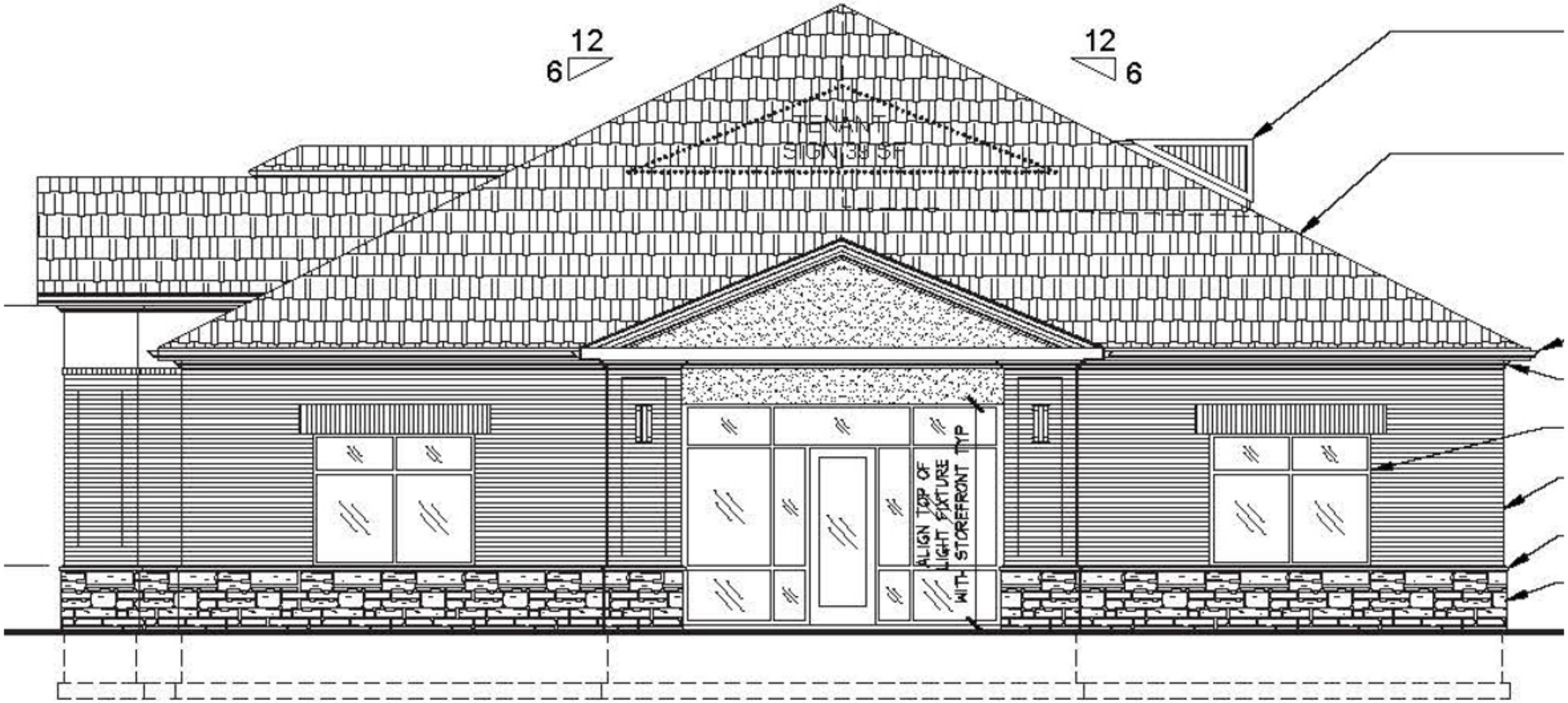



Zoom In




SOUTH ELEVATION

SCALE: 3/32"=1'-0"




C
A200

# EAST & WEST ELEVATION

SCALE: 3/32" = 1'-0"

# Staff Recommendation

Staff is recommending that Planning and Zoning Commission recommend approval of the proposed rezoning of 1.279-acre parcel from GC (General Commercial) to PCD (Planned Commercial District) with the development text adopted by Ordinance 112-96.

# CITY OF CANAL WINCHESTER, OHIO

## ORDINANCE NO. 20-022

**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED NINE HUNDRED FIFTY THOUSAND DOLLARS ($950,000) OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING APPROXIMATELY 110.244 ACRES OF LAND AND INTERESTS IN LAND AT THE CORNER OF BIXBY AND RAGER ROADS AND ALL NECESSARY APPURTENANCES AND IMPROVEMENTS THERETO; AND REIMBURSING THE CITY FOR ANY MONEYS ADVANCED FOR SUCH PURPOSES; AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council (the "Council") of the City of Canal Winchester, Ohio (the "City") has determined that under Article VIII, Section 2q of the Ohio Constitution, it is a proper public purpose for the City to (i) create and preserve jobs and enhance employment opportunities; (ii) conserve and preserve natural areas, open spaces, including by acquiring land or interests therein; (iii) provide for and enable environmentally safe and productive development and use or reuse of publicly and privately owned lands, including those within urban areas, by the remediation or clean up, or planning and assessment for remediation or clean up, of contamination, or addressing, by clearance, land acquisition or assembly, infrastructure, or otherwise, that or other property conditions or circumstances that may be deleterious to the environmentally sound or economic use or reuse of the property.

WHEREAS, the City Council (the "Council") of the City of Canal Winchester, Ohio (the "City") issued notes dated June 19, 2019 in the amount of $950,000 (the "Outstanding Notes") in anticipation of the issuance of the bonds described herein, which Outstanding Notes will mature on June 18, 2020; and

WHEREAS, it is advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of said bonds and to retire the Outstanding Notes; and

WHEREAS, the Fiscal Officer (the "Fiscal Officer") of the City has certified to this Council that the estimated life of the Project to be financed with the proceeds of bonds and notes hereinafter referred to exceeds 5 years, the maximum maturity of bonds being thirty (30) years and notes being nineteen (19) years;

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

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the maximum principal sum of not to exceed Nine Hundred Fifty Thousand Dollars ($950,000), for the purpose described in the title of this Ordinance.

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined in Section 4 hereof), shall bear interest at the maximum average annual interest rate presently estimated to be five (5.50%) per annum, payable semiannually until the principal sum is paid or provision for payment has been duly made therefor. The Bonds shall mature in thirty (30) annual installments. Debt service payments on the Bonds in years in which principal of the Bonds is payable shall be substantially equal.

Section 3. It is necessary to issue, and this Council hereby determines that there shall be issued, notes in anticipation of the issuance of the Bonds pursuant to Chapter 133 of the Ohio Revised Code (the "Revised Code"), the Charter of the City, this Ordinance and the certificate of fiscal officer relating to the terms of notes (the "Certificate of Fiscal Officer") and for the purposes set forth in the title of this Ordinance.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of not to exceed Nine Hundred Fifty Thousand Dollars ($950,000), or such lesser amount as shall be determined by the Finance Director and certified to this Council, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the Finance Director and shall mature on such date as shall be determined by the Finance Director and certified to this Council, provided that such date shall not be later than one (1) year after the date of issuance of the Notes and subject to redemption as shall be determined by the Finance Director and certified to this Council. The Notes shall be issued as fully registered notes in book-entry form in denominations of $100,000 or any integral multiple of $5,000 in excess thereof. Coupons shall not be attached to the Notes. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission.

The Finance Director is hereby authorized and directed to execute a Certificate of Fiscal Officer Relating to Terms of the Notes setting forth and determining such final terms and other matters pertaining to the Notes, as required by and is consistent with the terms of this Ordinance.

Section 5. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity and are hereby pledged for such purpose.

Section 6. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same falls due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The

Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 7. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same fall due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 8. The Notes shall bear interest, based on a 360-day year of twelve 30-day months, payable at maturity, at such rate per annum as shall be determined by the Finance Director and certified to this Council, provided that such rate shall not exceed five per centum (5.00%) per annum. The Notes shall be sold at private sale to Fifth Third Securities, Inc. or such purchaser or purchasers (collectively, the "Original Purchaser") as the Finance Director shall designate in the Certificate of Fiscal Officer at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued to the date of delivery of the Bonds to the Original Purchaser.

The Finance Director is hereby authorized and directed to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price set forth in the Certificate of Fiscal Officer and interest, if any, accrued to the date of delivery. The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Notes, if any, shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes, or other obligations of the City, as permitted by law. Any premium received from the sale of the Notes shall be deposited into such funds and used for the purpose of said funds as shall be specified in the Certificate of Fiscal Officer.

The Finance Director is hereby authorized to execute on behalf of the City a note purchase agreement (the "Note Purchase Agreement"), if required, with the Original Purchaser, setting forth the conditions under which the Notes are to be sold and delivered. The terms of such Note Purchase Agreement, if any, shall be consistent with the terms of this Ordinance.

Section 9. The Notes shall be executed by the Finance Director and the Mayor, provided that either or both of such signatures may be a facsimile, and shall be designated "City of Canal Winchester, Ohio Taxable General Obligation Land Acquisition Notes, Series 2020," or as otherwise determined by the Finance Director. The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar (as defined in Section 10 hereof). The principal of and interest on the Notes shall be payable upon presentation and surrender of the Notes at their maturity at the office of the Note Registrar. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such

other person acting as an agent of the Note Registrar as shall be approved by the Finance Director on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 10. The Finance Director is hereby authorized and directed to serve as authenticating agent, note registrar, transfer agent, and paying agent (collectively, the "Note Registrar") or to execute on behalf of the City a note registrar agreement (the "Note Registrar Agreement") with such bank or other appropriate financial institution as shall be acceptable to the Finance Director and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as Note Registrar for the Notes. The terms of such Note Registrar Agreement, if any, shall be consistent with the terms of this Ordinance. If at any time the Note Registrar shall be unable or unwilling to serve as such, or the Finance Director in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Finance Director may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Note Registrar hereunder. Each such successor Note Registrar shall promptly advise all noteholders of the change in identity and new address of the Note Registrar. So long as any of the Notes remain outstanding, the City shall cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the "Note Register"). Subject to the provisions of this Ordinance, the person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Notes, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Note Registrar shall not be required to transfer or exchange (i) any Note during a period beginning at the opening of business fifteen (15) days before the day of mailing of a notice of redemption of Notes, and ending at the close of business on the day of such mailing, or (ii) any Notes selected for redemption, in whole or in part, following the date of such mailing.

Section 11. In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed, and the Note Registrar shall authenticate and deliver, the Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Council and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Council or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing

the same debt, and entitled to the same benefits under this Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 12. For purposes of this Ordinance, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Notes in fully registered form are issued only to the Depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of Notes, and to effect transfers of Notes, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Notes may be initially issued to a Depository for use in a book-entry system, and the provisions of this section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Note of each maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book-entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Council. Payment of principal of and interest on Notes in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of this Council, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal of and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and this Council. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar shall furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The Mayor, Finance Director, Clerk of Council, and any other officer of this Council, are each authorized to execute, acknowledge and deliver, if necessary, in the name of and on behalf of the City, the letter agreement among the City, the Note Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book-entry system.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the City and the Note Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Note Registrar do

not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then-acting Depository, shall permit withdrawal of the Notes from the then-acting Depository, and authenticate and deliver note certificates in fully registered form to the successor, assign or nominee of the then-acting Depository, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 13. The law firm of Frost Brown Todd LLC is hereby appointed to serve as bond counsel to the City in connection with the issuance of the Notes. The fees to be paid to such firm shall be subject to review and approval of the Finance Director and shall not exceed the fees customarily charged for such services.

Section 14. The Clerk of Council and any other officers of the Council are each hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including without limitation a general certificate of the Clerk of Council and a no-litigation certificate of the Mayor and the Finance Director, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

Section 15. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditors of Franklin and Fairfield Counties, Ohio.

Section 16. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal thereof and interest thereon at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 17. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Revised Code Section 121.22.

Section 18. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that the City may wish to enter into and consummate a purchase contract for the purchase of the land, and it may be in the best interests of the City to make immediate provision therefor; wherefore, in accordance with Sections 4.07 and 5.05 of the Charter of the City, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves or vetoes this Ordinance.

[Signature Page to Follow]

1st Reading: _____, 2020
2nd Reading: _____, 2020
3rd Reading: _____, 2020

Adopted: _____ , 2020

Effective: _____, 2020

Approved:

_____
Mayor

Approved as to Form:

_____
Law Director

Signed:

_____
President of Council

Signed:

_____
Clerk of Council

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. _____ duly adopted by the Council of the City of Canal Winchester, Ohio on _____ ___, 2020 and that a true copy thereof was certified to the County Auditors of Franklin and Fairfield Counties, Ohio.

_____
Clerk of Council
City of Canal Winchester, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES

I, Michael Stinziano, the duly elected, qualified, and acting County Auditor in and for Franklin County, Ohio hereby certify that a certified copy of Ordinance No. 20-____ duly adopted by the Council of the City of Canal Winchester, Ohio on _____ __, 2020 providing for the issuance of general obligation notes designated City of Canal Winchester, Ohio Taxable General Obligation Land Acquisition Notes, Series 2020, in the amount of not to exceed $950,000 was filed in this office on _____ __, 2020.

WITNESS my hand and official seal at Columbus, Ohio this ___ day of _____, 2020.

_____
County Auditor
Franklin County, Ohio

[SEAL]

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES

I, Jon A. Slater, Jr., the duly elected, qualified, and acting County Auditor in and for Fairfield County, Ohio hereby certify that a certified copy of Ordinance No. 20-____ duly adopted by the Council of the City of Canal Winchester, Ohio on _____, 2020 providing for the issuance of general obligation notes designated City of Canal Winchester, Ohio Taxable General Obligation Land Acquisition Notes, Series 2020, in the amount of not to exceed $950,000 was filed in this office on _____ ___, 2020.

WITNESS my hand and official seal at Lancaster, Ohio this ___ day of_____, 2020.

_____
County Auditor
Fairfield County, Ohio

[SEAL]

**ORDINANCE NO. 20-023**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH AMERICAN BORING, INC. FOR THE CONSTRUCTION OF THE BIXBY RD. WATERLINE AND SANITARY UTILITY EXTENSION PROJECT AND DECLARING AN EMERGENCY.**

WHEREAS, it is the recommendation of the Municipal Engineer and the Construction Services Administrator to award the contract for the Bixby Rd. Waterline and Sanitary Utility Extension Project to American Boring, Inc.; and

WHEREAS, Council hereby finds and determines that it is in the best interest of the City of Canal Winchester to enter into a contract with American Boring, Inc. for the Bixby Rd. Waterline and Sanitary Utility Extension Project;

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

Section 1. That the Mayor be and hereby is, authorized to enter into a contract on behalf of the City of Canal Winchester with American Boring, Inc. in the amount of $1,178,846.59 for the Bixby Rd. Waterline and Sanitary Utility Extension Project.

Section 2. That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of public health, safety, and welfare, such an emergency arising from the need to meet a specific construction schedule; wherefore this ordinance shall take effect and be in force from and after its passage.

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

Bird+Bull Engineers & Surveyors

April 30, 2020

William E. Sims
Construction Services Administrator
**City of Canal Winchester**
36 S. High St.
Canal Winchester, OH 43110

Re: Bixby Road Waterline & Sanitary Utility Extension Project
**Job No. 18-105**

Dear Mr. Sims:

Bids were received for the above referenced *Bixby Road Waterline & Sanitary Utility Extension Project* ("Project") on March 19, 2020 at the City offices. A copy of the bid tabulation is enclosed. The lowest responsible bidder for the Project is American Boring, Inc. Their documentation is complete. References were checked with several of the companies from the submitted qualifications and all provided positive references for American Boring, Inc. A pre-award phone conference was had between American Boring, Inc, The City of Canal Winchester and Bird + Bull, Inc. on April 13, 2020. Based on the information provided, the scope of the work, and phone discussion, American Boring, Inc. has the ability, the resources, and the experience to properly complete the Project in accordance with the Contract Documents but it is recommended that American Boring, Inc. have a licensed electrician available for oversight and troubleshooting, as necessary.
Bird+Bull, Inc. is recommending that the City of Canal Winchester award the Contract to American Boring, Inc.

Bids were received for a base bid on this Project. The BASE BID for this Project is **$1,178,846.59**. We would recommend you award the Base Bid on this Project for **$1,178,846.59.** The Engineer's Estimate (Base Bid) for this Project was $1,300,000.00.

I trust that this information is sufficient for your needs. If you should have any questions, please contact me at your convenience.

Respectfully,

**Bird+Bull, Inc.**

Mike Crane, P.E.
*Project Engineer*

*Enclosure (1):* Bid Tabulation

**BIRD+BULL, INC.**
3500 Snouffer Road, Suite 225
Columbus, OH 43235-2857
Phone: 614-761-1661
Fax: 614-761-1328
www.birdbull.com

**ORDINANCE NO. 20-024**

**AN ORDINANCE AUTHORIZING EXECUTION OF THE 45 E. WATERLOO ST. MUNICIPAL COMPLEX RENOVATION PRELIMINARY SERVICES AGREEMENT WITH LEHMAN DAMAN CONSTRUCTION SERVICES, INC. AND DECLARING AN EMERGENCY**

WHEREAS, the City of Canal Winchester, Ohio (the "City") is undertaking a construction project to redesign and renovate an existing structure at 45 E. Waterloo St. for the purpose of a new Municipal Complex (the "Project"); and

WHEREAS, Council previously determined that it is in the best interest of the City to procure the necessary services for the Project by using the design-build method of construction project delivery and pursuant to the City's Amended Charter and the City's Codified Ordinances, Council waived the competitive bidding requirement with respect to the contract for the Project and developed its own design-build process as permitted under its Charter and Ordinances; and

WHEREAS, in accordance with the design-build process, Council solicited competitive proposals and after evaluating such proposals, the Council has determined that the Lehman Daman Construction Services, Inc. proposal best serves the interests of the City; and

WHEREAS, the Council wishes to authorize the Mayor and/or his designee to execute a Preliminary Services Agreement for the project with Lehman Daman Construction Services, Inc. in the amount of $91,000.00.

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

Section 1.
The Council authorizes the Mayor to execute a Preliminary Services Agreement for the Project, in a form acceptable to the Law Director, with the Lehman Daman Construction Services, Inc. in an amount of $91,000.00

Section 2.
Council authorizes the work to proceed immediately upon execution of such agreement.

Section 3.
This ordinance is hereby declared an emergency measure, necessary for the preservation of public health, safety, and welfare, such emergency arising from the need to maintain a specific project schedule; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

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

**ORDINANCE NO. 20-025**

**AN ORDINANCE TO AMEND THE 2020 APPROPRIATION ORDINANCE #19-069, AMENDMENT #2**

WHEREAS, the City Council desires to proceed with activities of the City which require changes in the appropriations to accommodate those activities;

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

Section 1. That the 2020 Annual Appropriations Ordinance be amended by appropriating from the unappropriated monies of the General Fund $984,342.00 to following line items.

| Department | Function | Amount |
|---|---|---|
| Administration | Operating Expenses | $ 984,342.00 |

Section 2. That this ordinance 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

To: Members of City Council

From: Amanda Jackson, Finance Director

Date: April 30, 2020

RE: Appropriation Amendment #2

# MEMORANDUM

---

Appropriation Amendment #2 for the 2020 Appropriations serves to accomplish the following:

*General Fund* – Appropriate $984,342.00 from the unappropriated fund balance of $6,668,641.00 as follows:

- $984,342.00 to Administration – Operating Expenses. These funds will pay off the Bond Anticipation Notes issued in June 2019 for the purchase of approximately 110 acres of property on Bixby Road. We will not close on the sale of the property prior to the maturity date of the 2019 BANs and therefore, are presenting additional legislation to reissue the notes until which time the proceeds of the sale are received. If that legislation is approved by Council, we will issue $950,000 of new BANs, receive this amount in cash, and use that cash to pay the 2019 BANs. In our accounting system, I will post a receipt and expenditure both in the amount of $950,000 as well as an expenditure of $34,342 for interest on the 2019 BANs. The total cash outflow expenditure by the City at this time will only be the $34,342.

## Amanda Jackson

**To:** Matthew Peoples; Steve Blades
**Cc:** kmckeon2013@yahoo.com
**Subject:** RE: [EXTERNAL] 2020 Dr Bender 5K Classic update and question

---

**From:** Steve Blades <sdblades1170@gmail.com>
**Sent:** Thursday, April 23, 2020 12:51 PM
**To:** Matthew Peoples <mpeoples@canalwinchesterohio.gov>
**Cc:** kmckeon2013@yahoo.com
**Subject:** [EXTERNAL] 2020 Dr Bender 5K Classic update and question

Hi Matt,

My name is Steve Blades and I am the new race director in training for the annual Dr. Bender 5K Classic. I have added Karla as a Cc to this email so she's in the loop also.

My understanding is the city has already donated $2000 to our 2020 event and we are very appreciative of this.

Of course, the coronavirus and the subsequent stay at home orders and social distancing guidance are impacting and will continue to impact public events like the Bender race. So, on behalf of our race committee and Cross Country Booster Club I wanted to get your thoughts/feedback about the city's donation and how that would be impacted by a possible cancellation of our 2020 race. For instance, would we need to return it or could it carryover to a 2021 Bender race? Also, some races have shifted to "virtual" which basically means registrants would track themselves running a 5K race within a certain timeframe and that allows them to follow the social distancing and restrictions of public events being 10 or less. The Bender committee and XC Boosters are considering this as a backup option for 2020, so would the city maintain their donation in that scenario?

Our next meeting to discuss this is on Tuesday, May 12th at 7pm so a reply by then would be appreciated.

Please call me(614-353-8934) or simply email back to Karla and me if you have other questions before providing answers.

Thanks!

Steve Blades
[This message is from an EXTERNAL SOURCE. Use caution when opening links or attachments.]
CONFIDENTIALITY NOTICE: This email message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. If you are the intended recipient, but do not wish to receive communications through this medium, please advise the sender immediately