

Canal Winchester

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



Meeting Minutes - FINAL

October 2, 2017

7:00 PM

City Council

*Steve Donahue- President
Will Bennett-Vice President
Bob Clark
Bruce Jarvis
Bobbie Mershon
Mike Walker*

A. Call To Order

Donahue called the meeting to Order at 7:00pm

B. Pledge of Allegiance - JarvisC. Roll Call

Yes: 6 – Bennett, Clark, Donahue, Jarvis, Mershon, Walker

Not present: 0

D. Approval of Minutes

[MIN-17-047](#) 9-18-17 Council Work Session Meeting Minutes

Attachments: [9-18-17 Work Session Minutes](#)

[MIN-17-048](#) 9-18-17 Council Public Hearing Meeting Minutes

Attachments: [9-18-17 Council Meeting Minutes](#)

[MIN-17-049](#) 9-18-17 Council Meeting Minutes

Attachments: [9-18-17 Council Meeting Minutes](#)

A motion was made by Mershon, seconded by Clark to approve minutes. The motion carried by the following vote:

Yes: 6 – Mershon, Clark, Bennett, Donahue, Jarvis, Walker

E. Communications & Petitions

Hollins: 3rd reading regarding High and 33; no action will be taken; applicant of that project has requested for continuance of 3rd reading; Noise complaint: scheduled meeting on Wednesday with environmental court prosecutor; plan to give packet with complaints to them and if evidence is satisfactory we will be bringing charges; we are not satisfied with the progress they are making; thinking criminal charges will impact that; included correspondence for buyer at 370 Cherokee drive; has been received more to come;

Jarvis: environmental court is being brought in for prosecution or advise; Hollins: environment court is designed to handle zoning and nuisance issues and have a number of tools to do so; discussion ensued regarding nuisance in regards to possible noise ordinance and possible criminal charges for Loose Rail;

[17-231](#)

September 25, 2017 Email from Bruce Patrick RE: 370 Cherokee Dr

Attachments: [Sept 25, 2017 Email from B.Patrick RE 370 Cherokee](#)

-received and filed

[17-232](#)

September 26, 2017 Email from Jackie Marion RE: Housing Development at 33 and High

-received and filed

Attachments: [Sept 26, 2017 Email from J.Marion RE 33 and High](#)

[17-233](#)

September 26, 2017 Email from Cyndi Lynch RE: Housing Development at 33 and High

Attachments: [Sept 26, 2017 Email from C.Lynch RE 33 and High](#)

-received and filed

[17-234](#)

September 26, 2017 Email from Cathleen Sammler RE: 370 Cherokee Dr

Attachments: [Sept 26, 2017 Email from C.Sammler RE 370 Cherokee](#)

-received and filed

F. Public Comments - Five Minute Limit Per Person

Eugene Johnson, 4177 Sitterly: reopened Car wash on Waterloo Street: thanks council for helping with that process from a zoning and permits standpoint; express gratitude and announce the opening of the Carwash; assured will post signs about noise and

keeping it down; Will have lights on and off at scheduled times to prevent people from using when closed; want to be good neighbors; Public opening Oct 21st;

Bruce Patrick: new resident to Canal Winchester: author of one of the letters regarding 370 Cherokee; business owns the property and rents it out to multiple tenant; concerned about it since it's a single family neighborhood; concerned about a neighborhood being changed into something it's not; Hollins: it's a difficult area of the law; give explanation of the law as it currently stands and the litigation; Doesn't have enough information yet will need to look into it;

Cathleen Sammler: addresses same concerns about the 370 Cherokee property and the upkeep; Gene: responds that it is not uncommon for homes to be owned by businesses or incorporations; as long as they are used for single family homes; we will continue to take a look at this; they cannot convert garages into a bedroom without various permits that they would have to obtain by the city;

Pat Lynch, 27 E. Columbus Street: Turning Stone; think we can agree that a 55 older community is not bad; they will create less traffic and won't put a burden on our schools; developer says they are targeting 55 or older; Loop hole- HOPA- says they can qualify people based on age for a particular community; where a certain percentage of have to be at least 55 or older; Its endorsed by HUD so it is a legal program; think this would get more residence on board;

Jim Bohnlein, 6920 Rossmore Lane: think fisher did a great job targeting the type of community that is needed; this is not the right community; it's going to be a development forever; going to see garages and narrow sidewalks; no community center to meeting space or clubhouse; a small park; Canal Winchester does need space for people who want to downsize; Think Fischer can do better;

G. RESOLUTIONS - NONE

H. ORDINANCES

Third Reading

[ORD-17-041](#)

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING A TOTAL OF 17.554 ACRES CONSISTING OF PARCELS (184-002764, 184-000748, 184-

000749, 184-000738, AND 184-000739) ZONED PLANNED RESIDENTIAL DEVELOPMENT (PRD), A PARCEL (184-000747) ZONED OLD TOWN SINGLE FAMILY RESIDENTIAL (OTSFR), AND A PARCEL (184-001616) ZONED LOW DENSITY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD), OWNED BY DAMON A. PFEIFER AND TIGER CONSTRUCTION, INC., LOCATED SOUTHWEST OF THE INTERSECTION OF NORTH HIGH STREET AND US 33

Attachments: [N High St and US 33 Rezoning Exhibit A – Legal Desc](#)
[N High St and US 33 Rezoning Exhibit B – App Part 1](#)
[N High St and US 33 Rezoning Exhibit C – App Part 2](#)

Sponsor: *Bennett*

- *Applicant has requested ordinance to be tabled*

A motion was made by Bennett, seconded by Mershon that this Ordinance be adopted. The motion carried by the following vote:

Yes: 6 – Bennett, Mershon, Clark, Donahue, Jarvis, Walker

Second Reading

[ORD-17-042](#)

AN ORDINANCE TO AMEND THE 2017 APPROPRIATIONS ORDINANCE 16-033, AMENDMENT #7

- *Requesting wavier of third reading*

Sponsor: *Clark*

A motion was made by Clark seconded by Bennett, that the second and third reading of this ordinance be waived.

Motion carried by the following vote:

Yes: 6 – Clark, Bennett, Donahue, Jarvis, Mershon, Walker

A motion was made by Clark, seconded by Bennett that this Ordinance be adopted. The motion carried by the following vote:

Yes: 6 – Clark, Bennett, Donahue, Jarvis, Mershon, Walker

[ORD-17-043](#)

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A HEALTH SERVICES CONTRACT WITH FRANKLIN COUNTY PUBLIC HEALTH

Attachments: **[2018 FCPH Contract](#)**

Sponsor: *Mershon*

-read for second reading

First Reading

[ORD-17-045](#)

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH CANAL WINCHESTER HUMAN SERVICES FOR THE PERIOD FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2020

Attachments: **[CW Human Services Contract](#)**

- Read for 1st reading

[ORD-17-046](#)

AN ORDINANCE TO AMEND THE CONTRACT WITH THE FAIRFIELD COUNTY SHERIFF FOR POLICE PROTECTION

Attachments: **[Fairfield County Sheriff Contract Amendment](#)**

- Read for 1st reading

I. REPORTS

Mayor's Report

[17-235](#)

Mayor's Report

Attachments: **[Mayor's Report October 2, 2017](#)**

- Received and filed

Mayor: reminder about prescription drug take back' Oct 28th; 10am to 2pm at Diley ridge; Christmas in the village December 1st and 2nd;

Fairfield County Sheriff

Dispatched calls 473; Pick-up runs 790; Multiple calls 224; reports 111; Addendums 45; Civil Papers attempted 17; Served 11; Building checks July 7970; vacation check 116; traffic stops 81; citation 95; Warnings 40; Felony arrest 2; misdemeanor arrest 22; warrant arrests 15; OVI arrests 1; Pink slips 7; misdemeanor charges 32; Felony charges filed 3; total down time in July 51395;

Law Director

Hollins: at the last meeting council heard the appeal from certified Oil; spoke though written decision rather than voting at meeting to meet deadline; Council did uphold the denial from P&Z; have not received any contact;

Finance Director

[17-236](#)

Finance Director's Report

Attachments: [Finance Director's Project Update 10-2-17](#)

Bennett: I understand the potential loss of jobs but we have to balance the safety of residents; if we are under staffed; as we are; discussion ensued; Jarvis: requested to discuss at next COW meeting;

Public Service Director

[17-237](#)

Director of Public Service Project Update

Attachments: [Director of Public Service Project Update – PW](#)

[17-239](#)

Construction Services Administrator Report

Attachments: [Construction Services Admin Project Update–Sep 28](#)

Development Director[17-238](#)

Development Director's Report

Attachments: [Development Director Council Update 9-28-17](#)

Haire: public meeting at community center on the 19th regarding parks and recreation; received a ton of feedback; urge everyone to take survey online; open until the 9th; received over 400 responses; next public meeting will be in early December; Mershon: can you go please bring everyone up to date what we are trying to do here; Haire: gave summary of the status of what is proposed and where it stands and the process; discussion ensued;

J. COUNCIL REPORTS

| | |
|-------------------------------|--|
| <i>Work Session/Council</i> | <i>Monday, October 16, 2017 at 6:00 p.m.</i> |
| <i>Committee of the Whole</i> | <i>Monday, October 30, 2017 at 6:00 p.m.</i> |
| <i>Work Session/Council</i> | <i>Monday, November 6, 2017 at 6:00 p.m.</i> |

CW Human Services Representation – Clark – informal open house October 4th from 3:00 until 6:00 pm. Public blessing October 9th at 9:00 a.m.

Destination: Canal Winchester Representative – Mershon – Meeting last week for Christmas in the Village.

Canal Winchester Industry and Commerce Corporation Representative – Clark – next meeting is November 29th at 11:30 a.m. at the interurban building.

CWJRD – Bennett – next meeting October 19th at 7:00 p.m.

Old/New Business

Jarvis: in regards to Madison township officials; Mayor: discussed possibility providing policing service to CW since we

pay over 500k; we think they should be; Jarvis: suggests building checks;

Adjournment

Meeting adjourned at 8:05 pm

A motion was made by Bennett, seconded by Donahue that this meeting be adjourned. The motion carried by the following vote:

Yes: 5 – Bennett, Donahue, Clark, Jarvis, Mershon, Walker