

Canal Winchester

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



Meeting Minutes - FINAL

October 16, 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 7:16 p.m.

B. Pledge of Allegiance - WalkerC. Roll Call

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

Not present: 0

D. Approval of Minutes

[MIN-17-050](#) 10-2-17 Council Work Session Meeting Minutes

Attachments: [10-2-17 Work Session Minutes](#)

[MIN-17-051](#) 10-2-17 Council Meeting Minutes

Attachments: [10-2-17 Council Meeting Minutes](#)

A motion was made by Clark, seconded by Bennett to approve minutes.

The motion carried by the following vote:

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

E. Communications & Petitions

[17-241](#) Madison Township Gas Aggregation – Susan Brobst

Susan Brobst – 4575 Madison Ln, Groveport; Madison Township Administrator; Before you is information on gas aggregation; had come before you last year as an FYI regarding electric aggregation; if you recall, needed to be a part of AEP, most of Canal Winchester is part of South Central so no effect on residents or businesses; Township Board has reviewed and considered and signed a contract for gas aggregation which is the same idea where more numbers customers would see additional savings for those with Columbia Gas; won't affect those who don't have Columbia Gas; 2 year contract starting December 1, 2017 and run for 24 months; residents will receive an opt-out letter around beginning of November; will have 14 days if they chose not to participate in the program, sign the bottom of the letter and send back and will be removed from program; otherwise, will be automatically in program and will receive township's savings beginning with the following bill; the NYMEX is the price that Columbia Gas

goes by - the ccfs; this contract is with a fix adder to that NYMEX price at whatever point in time the bill is calculated; currently, when the sheet was put together, the adder price was \$0.145 per ccf so that was added on to whatever the NYMEX price was at auction; with this program, the adder would be \$0.1281 which is lower; can see a few cents savings for participating in the program; no cost to enroll or stop using the service; when receive opt-out information, decide if you want to use it if you want to see how your gas bill would look for the next few months; automatically enrolled, will get notice from Columbia Gas stating you want to move to Volunteer Energy which is who the contract with; bill will look the same and still be paid to Columbia Gas; can still use budget program; if after some time you want to no longer be enrolled, just call Columbia Gas; will not receive an opt-out notice if you are already under contract with someone else; once that contract ends, you will receive notification allowing you to enroll in the program; make sure you ask key questions – upfront fees, fees for joining later, fees for cancelling; contact information on bottom of handout; will be sent out to anyone with Columbia Gas in township; can call with questions; consultant will send handout out and township will send out postcard 10 days later; welcome to call township with questions

[17-249](#)

State Representative Richard D. Brown

[17-246](#)

ZM-17-005 Recommendation from Planning and Zoning to consider the rezoning of 4.73 acres of a 27.8 acre parcel from Multi-Family Residential (AR-1) to General Commercial (GC) for property located at 6450 Gender Road (Parcel ID 184-000865)

Public Hearing set for November 20, 2017 at 6:30 p.m.

Jackson – want to go on the record that handed out copies of several emails received by administration over the couple of weeks

[17-250](#)

Thank You Letter from Kelly Abbott

Received and filed.

F. Public Comments - Five Minute Limit Per Person

Nathan Doerfler – 37 W. Waterloo St; Loose Rail Brewing; noise is subjective, all around us, operated Harvest Moon Craft Kitchen for 8 years, never asked to turn music

down inside or out; music is a necessity for our business; Response to complaints – met with city officials multiple times since the middle of May, came to an agreement 7- 10 pm Thursday, Friday, and Saturday, no full bands, keep decibels under 100, have never gone over 78, average is 65 in alley behind Hartman’s, requested meeting with Mr. Hollins so could establish an objective standard to follow, requested same from last meeting with the Mayor, frustrated at hearing city wants to prosecute; Reaction to response – asked to put acoustic music inside, one man one guitar unamplified, sheriff showed up, next date had band on the patio with decibel level 75 in alley, no complaints; trying to find what we should be done, asked for direction but are given none; sheriff’s stuck in the middle being asked to enforce something that doesn’t exist; had rude encounters with a couple deputies as well as with some complaining residents entering business and making atmosphere around customers uncomfortable; bands selection changed, residents coming in, sheriff always showing up resulting in slower business; complaints still coming; complaining party has shrunk; city told us to keep doing what we’re doing because they can tell everything we are doing is acceptable to the deputies; need an objective standard; continues to be a shade of gray I can’t hit; need to be treated fairly with no selective prosecution or double standards; bent over backwards to work with city; Council needs to apply the complaining residents subjective standard of noise that they feel is ok city-wide, not just for me; be able to tell the residents, business, organizations that emailed you and the Mayor that they need to turn the noise down or tell a small minority that what we are doing is no different than what others are enjoying free exercise of; open to reasonable and constructive meetings with the residents.

Pat Burks – 29 W. Mound St; Nervous, upset, and disappointed in having to talk; love Harvest Moon, go there 4 times a week; but there are times when the music is too loud, truth is it is sometimes too loud; comes into your house and you can hear the music, the bass, the singing; disrupts your peace; noise is very subjective; not bad on certain days; have the benefit of Hartman’s Tire to muffle so if it’s too loud for me, other residents and households would be even louder; a dog barking only a couple times is no big deal, but barking for 3 hours straight gets to you; so if the music penetrates your house and is there constantly, it can be an aggravation; saying this out of honestly and truthfulness and consideration for other neighbors; should be able to be taken care of; need to know there are times when it’s definitely too loud; love Loose Rail and the beer; problem that needs taken care of

Leah Baughman – 47 W. Mound St; live right across for Loose Rail, do not have Hartman’s muffling the sound; cannot hear music from inside the house; never had a problem with the music; have three dogs who bark at everything, doesn’t bother them or disrupted us; on two occasions when police were called, had family in house, showed they could not hear it, windows are open; sound is subjective, for some is a headache; making a bigger deal that it is?; articles saying windows are rattling when us next door can’t hear it inside; seems like some things have been blown out of proportion; Loose Rail has been excellent addition to community; people come to Canal Winchester for places like Loose Rail and Harvest Moon; can hear the band and high school football games from our house; can’t hear Loose Rails music inside house.

Kevin Smith – 146 Washington St; Work for City of Columbus as construction inspector; proud to call Canal Winchester my home; love this village for small business, small town, believe in American dream; Nathan has brought delicious farm to table food through his restaurant; now has brought us a microbrewery; very popular now; bringing people into this village; love BrewDog, wonderful to see what’s happening; Loose Rail brings people into the historic part of Canal Winchester; supporting local businesses, eating at our restaurants; all small businesses that have built this village; my wife and I fully support Nathan and his wife’s efforts; live on Washington St, hearing marching band two or three times a week; doesn’t bother me; it’s a point of pride; same thing when going into Loose Rail, people talking, playing games, listening to music; all positives for our community; Nathan is one of our small town heroes.

Brooks Davis – 6642 Lakeview Circle; my wife and I have lived here 22 years; first moved here there was the streetscape, nice street trees, nice brick pavers; not much to offer for food and entertainment; thanks to local businesses like owners of Loose Rail, taken vacant historic building and brought it new life; have friendly establishment where people can sip a beer, have conversation, listen to live music; enjoy spending weekends in Canal Winchester; used to go out of town; can spend our money here; retired city planner, know from working with communities that what downtown Canal Winchester has is unique and hard to get without local businesses taking the risk and spending money; last Saturday enjoying evening from Loose Rail with friends from out of town, came because of the music; went out to Mound St to check decibels, running mid-60s on sidewalk; registered as being average quiet street, normal conversation levels; not unreasonable for noise from business in downtown commercial area; please don’t jeopardize success of a business with unreasonable restrictions.

Noah Auman – 47 W. Waterloo St; across the driveway from Loose Rail; loud at what point, what hours; in my experience noise has wrapped up at 10 o'clock which is reasonable for a city; if looking for peace, country is where you belong; noise is expected in a city; Canal Winchester is a growing city, noise will increase; removing music from community leaves city quiet, only to be disturbed by actual noise; things that do disturb the decibel level; jacked up trucks barreling down Waterloo St; nothing being done about that; train blowing horn at all hours of the night; dump trucks banging in the alley; marching band I can hear from my residence; entertainment drives people to Canal Winchester; no entertainment, no revenue; keep entertainment here; beneficial, increase tax revenue; have video of daughter sleeping at 9 o'clock with music playing; windows fitted very poorly so music seeps into house; how can daughter sleep soundly with all that "noise"; available on Loose Rail website.

John Boice – 185 Groveport Pike; 36 year resident of Canal Winchester; used google to find out what's in place now; don't have ordinance here, Franklin County does; 2329.11; sets up parameters based on residential, industrial, and commercial; information we've heard talks about decibel levels; they fall within the parameters of that; Franklin County did due diligence; if this issue gets beyond this, will need to craft something with parameters that are realistic.

Mike Vasko – 65 W. Columbus St; sit on Planning and Zoning; here for myself tonight; very difficult situation; concerns me that there is this fast track to doing something; thinks that's a mistake; issue needs to be addressed by getting complaining parties in a sit down meeting with the alleged offending party; two tracks – offending party attacking council demanding you do something immediately while Nathan sits here not doing anything because he thinks he has nothing to be concerned about until reading article in the paper suggesting criminal action will be taken against him; haven't sat down and tried to talk through the issue; are there reasonable restraints on the music or parameters that can be set up to avoid extreme action; sound ordinances were very popular back in 90s and most were shot down by higher courts when challenged; can be very expensive to undertake; Council stuck in the middle; election year; everyone's expecting you to do something; smart thing may be to do nothing but to encourage parties to talk to each other; have personally walked down the alley on evening's when band is playing; found when car is passing, you can't hear the music; don't think that's objectionable amount of noise; just personal view; no rule will solve that; can't make everyone happy; need to slow this down before official action taken

Brad MacBrair – 7173 Bromfield Dr; Live in Westchester; huge fan of Loose Rail; live a stone's throw away from the high school; if considering a noise ordinance, if you do it for one specific thing, it could have unintended consequences

Rob Tickle – 1930 Winchester Southern; witnessed and enjoyed expansion of downtown; want to talk not about noise but live music; noise is factory machinery, cars driving by; at Loose Rail this past Saturday, spoke with couples from all over who were in town to listen to live music at Loose Rail; all spent money at other businesses downtown; the live music brought them here; as Council looks at this, encourage them to keep in mind live music as unpaid ambassador to bring people here

Bobbie White – 229 Carriage Place; Fischer Homes wants to put 84 homes in small cornfield lot at High and 33; we are used to wide, clean streets with places for kids to play; years at 27 homes, said lots were too small for that and Council didn't allow it; narrow streets, not wide like we have; how fire department could go in without blocking traffic; only 5 feet of grass between homes; object to streets leading out right in front of my house; are streets going to be clean in winter time; are Carriage Place and Jones Place going to be a parking lot; kids don't have a place to play; suggested putting a little park in; don't want a park by my house; hope Council thinks about that; have flyer from a person running for Council; says he will consider the safety and security of our community and protect our property values through responsible growth and development; vote for this guy

Maria Slifko – 190 Carriage Place; same concerns; originally 250 homes; cram 84 homes on 15 acres; going to be a traffic nightmare; tried to get neighbor to go, says why bother, City Council won't listen, they will do what they want to do; have parking and traffic concerns; traffic down Pfieler, they go 50 mph; wish cops would do something about that; maybe observe in the morning during rush hour

Spencer Wood – 6681 Cherry Bend; here to support Loose Rail; my wife and I have three kids; don't have much time to spend at Loose Rail; when walking in the evenings on Waterloo and Mound, noise levels are very low; almost always acceptable no matter the day; loudest noise usually a motorcycle driving through town; moved here because it's a vibrant community; can hear Hanner's Park from patio or concerts down here at the city; hearing the high school marching band; sound of a good community; big proponent of responsible growth; establishments like Loose Rail is responsible growth; have enough fast food restaurants, gas stations, tire places; need more like

Loose Rail to grow downtown; improvement plan city is working on is phenomenal plan; millennials like to sit outside; restrictive environment where they can't do that, be difficult to attract the businesses we want in Canal Winchester

Michael Stobart – 15 E. Columbus St; we need a larger venue; every time we have a major issue, we need a larger venue so all the voices can be heard; Mr. Hanna had some issues getting in here; consider Go-To Meeting or Skype so others can see the meetings; talk about ordinance 17-041, the development at 33 and High St; City has done amazing job at development over the years; look good, high quality; good planning; concerned about precedent setting here if approved; Lucas has done his job working with the developer but not amicable for community; development standards for planned unit developments are minimal, negotiate with city; specific standards set in here, minimum lot area, exceeding this; 20 acres minimum lot, they are at 15; 4 units per acre, at 5.48, 35% over development standard; limited standards here and throwing them away when asking for variances across the board; concerned about next planned unit development is going to ask for the same thing; what's our comeback to the developer; concern is precedent this is setting; heard two things in community – 55 and over housing, perfect area for it; hearing from many too many units; Federal Housing for Older People act applies to any community it wants it to apply to; one law that allows discrimination based on age; developer wants it open to everyone; not necessarily valuable to community wants or needs; if you are going to approve this, come up with very specific findings and facts as to why this deserves the exception

Paul Bender – 69 W. Waterloo St; lived in community for more than 10 years; wife's office; address Council on three things; venue on big capacity nights, we can't all fit here; Loose Rail is our neighbor; different perspective as business owner; no issues with music played in evenings; coincides with when having therapy sessions, have had no problems with noise; on personal level, it's been great for community; beautiful venue; downtown seems vibrant; address High St – agree with Mr. Stobart it's just too big, doesn't fit in village; high density is busy, creates noise, traffic and volume; work at Station 32 on Gender, can attest when you put a lot of property on a small parcel, from a fire perspective it's hard to get in there; have seen families and a lot of cars in 55 and older communities; don't want to see this in our village; it's too big and doesn't fit; upsets me this is under consideration; think we are setting a bad precedent; can see the traffic in places on other side of 33; hope you vote no

Jonathon Wilcox – Wilcox Communities; here on behalf of applicant of Fischer Homes and Wilcox Communities; made some changes to the plan from the last meeting; based on feedback, was a lot of concern about loft option; base plan at 1,200 sq feet targeted at an active adult buyer; concern about the loft attracting more kids into the schools; Fischer Homes has agreed to limit to no more than 40% with the loft option; would take it from a 2 bedroom to a 3 bedroom with a den, first floor master; concern about density from Mr. Donahue, suggestion to lose 6 units; lost 4 units, took total to 80; total of 32 out of 80 could have loft option; request by Mr. Jarvis for more historic look to the homes; Fischer Homes agreed to carriage style garage door; similar to Westchester subdivision; agreed to request to use natural materials on the front, masonry, hardy engineered wood instead of vinyl siding; request for additional samples of commercial component at corner of High St; 15.5 acres for 80 homes; 1.75 acres for professional office zoning; brought additional samples of what the buildings could look like; struggled to find examples; found building in Worthington close to Old Worthington that fit into area; think it will fit in well with Old Town feel; heard other side of 33, apartments, squeezing units in, doesn't fit, other cities don't want that; look at the facts, none of that's true; Charleston Lake developed by us

Jennifer Dollery – 28 E. Columbus St; some questions; just like to sit and listen; what are the base prices going to be with all the upgrades; still \$170,000?; aren't many homes in this area that you can purchase at \$170,000; I know what I bought my house for, what other homes are going for; talk to Kelly Abbott; 15.5 acres with how many homes?; think that they had said loft space would be taken out of 40% of spaces, would take out 32 and leave 48; is it opposite?; growth is great; promoting downtown is wonderful; do we need more homes or do we need more businesses; do we need more growth?; have we thought about our schools; 6th grade class shares lockers; more developing, more schools, more kids; they are the most important part

Kim Stedman – 38 E. Columbus St; have to compromise with development; have to grow; one compromise is to do a 55 and older; that maybe HOPA wouldn't work; but after talking to Mike Stobart, can do it anywhere as long as set up right; is a way to make sure, especially with more lofts, would be compromise with the concerns of the residents with traffic and schools

Mershon – I'd like to know about the precedent; my understanding is when you negotiated the PUD or PRD, there is no precedent set; Haire – A planned unit

development is based on the unique character of the land itself and how it's going to be developed so it's a plan for only that specific development; all negotiated standards; that's why you have PRDs and PUDs, have flexibility in your code; not necessarily a variance requirement for any PUD; PUD in itself allows for variance from the code; requires you to list divergences from our standard and give reasons for that; that's what shows in the application.

Mershon – Can you explain HOPA again? How can it be applied here?; Haire – Fair housing requirement amended in 1996; prior to that, if you had a senior development, required to provide specific senior related services to qualify; difficulties associated with it - 80% of units are required to be 55 or older, 20% can be marketed to anyone, pretty onerous compliance requirements; generally apply to apartment communities with a manager on site who can monitor compliance; can be applied elsewhere; can apply in this case if the HOA wants to take on responsibilities of compliance with standards; can be difficult on a financing perspective; lot of discrimination, custody issues, case law on that; can be very difficult

Clark – difference between Charleston Lakes and this one; acreage per unit; Haire – emailed out densities of all development; in general most condo communities are more dense than what is proposed; most are between 5 and 6 units per acre.

Bennett – Charleston Lakes is 5.15, Eagle Ridge 5.94, Canal Villas 5.36, Winchester Ridge 6.62; Haire – this is proposed at 5.22 with the reduction

Walker – who's decision is it to require HOPA; Haire – in general it can be placed by any HOA; Jarvis – possible to make it a condition; Hollins – not something we generally deal with during zoning process; don't regulate deed restrictions with zoning; placed by developed when attempting to get financing for construction; these are not apartments so this would be interesting; have individual owners with fee simple ownership; individual owners will have to get financing and the idea of them trying to get financing for a home with this type of deed restriction is just not very feasible

Haire – proposed change on page 8; specifically prohibits play equip; help discourage amenities typical families want to see; Walker – text that would be backed by the city; wouldn't be on the homeowner to have removed?; Haire – would be enforced by the city

Mershon – natural materials also on the side of the garage; included driver feedback sign on Pfeifer Dr as well; Haire – yes, natural materials on all sides facing the street; developer agreed to fund a speed feedback sign

Jarvis – when this goes through Planning and Zoning goes through Fire Department review, was it made a requirement to have a connecting road from this development to the corner of Jones and Carriage Place?; Haire – Once over 30 units need to have two means of fire access; state code; don't know when that was adopted; Donahue – these streets are the same width as other developments; Haire – yes, 26 feet

Jarvis – Appreciate the effort to provide us with something; expectations much higher than what I'm seeing; doesn't look like a historical structure; discussion ensued with Mr. Wilcox.

Hollins – On Loose Rail issue, we have tried everything possible to avoid bringing it to court; litigation or ordinance of once sized fits all are hard lined reactions; we hear everyone loud and clear; best possible solution to convene a meeting with representatives from the interested parties to see if there is a better solution; communication is key here and what may have gotten lost; will be undertaking this effort soon; Mayor Ebert – Amanda, Gene, and I met with Mr. Vasko representing Loose Rail last week and asked that we get everyone in the same room; waiting on availability for a meeting date from both sides; Jarvis – What's plan B?; Hollins – Met with the municipal court prosecutor; had talk with deputy sheriffs about his expectation of evidence to sustain a charge under the disorderly conduct state statute ie. Testimony of the officer; would need them to go to residential properties and record their observations and testify to the court; court would make ultimate determination; Ohio courts have upheld us of disorderly conduct use in these cases; Jarvis – Everyone keeps asking for a noise ordinance; think they are looking for hard lines to apply; not an easy thing to do but might be in the cards in the future to solve this; hope that's not the case; Walker – First amendment issues; ordinance would be all inclusive include Labor Day, Blues and Ribfest, Christmas in the Village; sound barriers like around drummer can soften the sound; things out there that can help

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

Bennett – earlier discussion about connection at Carriage Place; talk about is access point needed; can it be emergency access only; would it need to be evaluated by fire chief; Haire – it’s the discretion of Council whether it’s included or not; at a minimum it should be fire department access; control it multiple ways – bollards, grass pavers that look like grass but marked with posts to show fireman where to drive on a reinforced surface; fire department doesn’t typically like those because they aren’t accessible 12 months of the year; Jarvis – Limiting the access into the existing neighbor would go a long way in making this project palatable; know people are looking for a yes or no on this tonight

Jason Wisniewski – 3940 Olympic Blvd, Erlanger, KY; with the applicant; for my clarification on what is being requested; eliminating the access point off the existing neighborhood to the south is not on the table; either needs to be as shown or as an emergency access of some kind; do we need to table the conversation or is that something we can hammer out with the city, fire department, and developer before final development plan; if not a yes or no on the existence of the connection, seems

needlessly prolonging something; Bennett – Can vote with that in mind; Jarvis – Response on whether could limit the access could change my vote; Haire – Can be limited; it’s Council discretion if it’s a private street connection or an emergency connection only; can propose to amend the ordinance; Hollins – You can condition the approval of the rezoning on conversion of the connection to Carriage Place to emergency access only to be determined with the final development plan Discussion ensued regarding the commercial building and the Planning and Zoning approval process.

A motion was made by Bennett, seconded by Jarvis to amend section 2 of the ordinance to add a sixth condition as follows:

The connection road to Carriage Place will be an emergency access only road and the design of the road will be determined in connection with the final development plan approval.

The motion carried by the following vote:

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

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

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

No: 1 – Bennett

[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

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

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

Second 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](#)

Sponsor: Clark

Read for 2nd reading.

[ORD-17-046](#) AN ORDINANCE TO AMEND THE CONTRACT WITH THE FAIRFIELD COUNTY SHERIFF FOR POLICE PROTECTION

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

Sponsor: Mershon

Read for 2nd reading.

First Reading

[ORD-17-047](#) AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH COLUMBUS POOL MANAGEMENT, INC. FOR THE OPERATION OF THE SWIMMING POOL

Attachments: [Columbus Pool Management Proposal](#)

Read for 1st reading.

[ORD-17-048](#) AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION NECESSARY TO REPLACE GUARDRAIL END TREATMENTS

Read for 1st reading.

Donahue – Going out toward Meijer, there’s no guardrails; do we ever tell whomever we need to about that?; Peoples – That portion is Fairfield County; second complaint in a week; will pass along.

I. REPORTS

Mayor’s Report

[17-242](#)

Mayor's Report

Attachments: [Mayor's Report October 16, 2017](#)

Ebert – Trick or Treat is the 31st from 5:30 to 7:30; Drug Take Back Day is October 28th from 10 a.m. to 2 p.m. at Diley Ridge; House Bill 49 Centralized Income Tax Collection is being challenged by COMMA - the Central Ohio Mayors and Managers Association

[17-240](#)

September 2017 Mayor's Court Report

Attachments: [September 2017 Mayor's Court Report](#)

A motion was made by Bennett, seconded by Jarvis that this report be approved. The motion carried by the following vote:

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

Fairfield County Sheriff

Sgt. Cassel – Our position on Loose Rail is to not take any criminal action unless we have to; hoping they can come to an agreement; will be 1% of the population that won't be happy no matter what we do; handed out sheet with monthly stats through the 16th – first shift in blue, second shift in red, and third shift in green in Fairfield County, Canal Winchester in purple; calls for service Canal Winchester is 214, multiple unit calls at 119, reports taken by shift at 48, traffic stops by shift at 57, citations by shift at 47, arrests by shift at 21; compare Canal Winchester's numbers to other deputies that patrol Fairfield County; pretty significant in my opinion; our guys are doing a good job; look forward to any help you can give us; Bennett – How many other deputies on each shift in Fairfield County?; Sgt. Cassel – At least 6 deputies on each shift plus a deputy in Bremen, a weights and scales deputy, and a trash deputy

Law Director

Hollins – Add to what Mayor said municipalities got tired of state legislature chipping away at their income tax authority; centralized income tax collection is bad; bigger picture is the issue; never know what's next; may take away our ability to collect tax from folks who work here and tell us we can only tax those who live here; started with Central Ohio Mayors and Managers; now over 100 municipalities including Columbus, Cincinnati, Cleveland, and Dayton that are taking on the state legislature; more to come on that; hopefully be able to put up quite a good fight

Finance Director[17-243](#)

Finance Director's Report

Attachments: [Finance Director's Project Update 10-16-17](#)
[September 2017 Financial Statements](#)

Donahue – Do we need a couple of council members to select Bed Tax Grants?; Jackson – Yes, structure similarly to scholarship committee; Donahue – Mr. Bennett and Mr. Jarvis

Jackson – Nothing in addition to my written report.

Donahue – Question about streets and Gender Rd; didn't see any money in the budget for the ruts developing; Peoples – Not on plan for next year; hired consultant to do pavement condition rating on all streets; Bill got preliminary report back last week and is reviewing; using this in all our CIP planning; know there is wash boarding happening out there; was an anomaly during construction; been keeping an eye on it; don't know why it happened but is on the radar

Public Service Director[17-244](#)

Director of Public Service Project Update

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

Peoples – On the Committee of the Whole agenda will be the CIP; doing things differently this year; same format; is OPWC requirement; coming up with individual fact sheets on each project with map, small narrative, cost estimate; looking at funding scenarios; first year into this; handed out report for East Waterloo speed study; new format with the free software we have; number 1 is east bound, number 2 is west bound; significantly worse than other areas we studied; pulled back 3 houses from the corporation limit sign; 85% right around 35 mph; not much difference between east bound and west bound; going to look into that; widening may help; study starting tomorrow on Dietz; will look at Pfeifer Dr as well; put speed trailer out; Thrush is on the list as well, especially between Fox Hill and Groveport

Donahue – where they are putting the new road out of the development out there, are we doing something to move the 25 mph out further?; Peoples – as part of the Hill Rd annexation and working with the developer to annex a portion of their property; one

resident that is apprehensive about annexation; can't enforce the speed limit until we own the roadway; requested to have the 40 mph sign moved farther out but they wouldn't do it based on their road standards; Bennett – Does the whole property need to be annexed in?; Peoples – No, just requesting the right of way; waiting on additional annexations; have another property owner having utility problems; this is in addition to the one we authorized annexation

Bennett – On speed study, do you have a breakdown by time?; Peoples – Yes, I have that data; just gave a summary tonight; of the 23,000 vehicles, 18,000 - 19,000 are going between 25 and 35; majority between 30 and 35; when 85% percentile going 5 mph posted limit when most places start looking at it

Development Director

Haire – Update on parks plan survey; closed last Tuesday; received 1,019 responses; significant number; only received 300 on Old Town Plan; taking under advisement at next steering committee meeting this Wednesday the 25th; working on a combined development fee ordinance; last updated in 2013; planning and zoning, building department, right of way, and engineering review fees included in ordinance

J. COUNCIL REPORTS

Committee of the Whole Monday, October 30, 2017 at 6:00 p.m.

Work Session/Council Monday, November 6, 2017 at 6:00 p.m.

Work Session/Council Monday, November 20, 2017 at 6:00 p.m.

CW Human Services Representation – Clark – moved into new building; went well

Destination: Canal Winchester Representative – Mershon – nothing to report

Canal Winchester Industry and Commerce Corporation Representative – Clark – next meeting will be November 29th @ 11:30 a.m. at the Interurban

CWJRD – Bennett – next meeting is this Thursday at 7 p.m.

Old/New Business

Adjourn to Executive Session

Adjournment

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

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

Meeting adjourned at 9:19 p.m.