

Canal Winchester

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



Meeting Agenda

July 1, 2019

6:00 PM

Council Work Session

Mike Walker – Chair

Jill Amos

Will Bennett

Bob Clark

Mike Coolman

Bruce Jarvis

Patrick Lynch

A. Call To Order

B. Roll Call

C. Also In Attendance

Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson

D. Request for Council Action

RES-19-014

Mayor

A Resolution Authorizing The Labor Day Festival Committee To Operate The Annual "Canal Winchester Labor Day Festival" On The Various Streets And Sidewalks Of The City Of Canal Winchester (**Resolution**)

- Request to move to full Council

RES-19-015

Development

A Resolution Approving The Mayor'S Appointment Of Kevin Serna To Serve A Four-Year Term As A Member Of The Planning And Zoning Commission Expiring On July 1, 2023 (**Resolution**)

- Request to move to full Council

ORD-19-042

Finance

An Ordinance Approving The Editing And Inclusion Of Certain Ordinances As Parts Of The Various Component Codes Of The Codified Ordinances Of Canal Winchester, Ohio; And Declaring An Emergency (**Ordinance**)

- Request to move to full Council

E. Reports

Matt Peoples -

Lucas Haire -

Amanda Jackson -

F. Items for Discussion

G. Old/New Business

H. Adjournment

RESOLUTION NO. 19-014

A RESOLUTION AUTHORIZING THE LABOR DAY FESTIVAL COMMITTEE TO OPERATE THE ANNUAL "CANAL WINCHESTER LABOR DAY FESTIVAL" ON THE VARIOUS STREETS AND SIDEWALKS OF THE CITY OF CANAL WINCHESTER

WHEREAS, the annual Canal Winchester Labor Day Festival is to be held August 31, 2019 to September 2, 2019; and

WHEREAS, the Canal Winchester Labor Day Festival is a civic endeavor which is family oriented, safe, clean and fun for all the citizens of Canal Winchester; and

WHEREAS, the Council and Mayor of the City of Canal Winchester desire to express their approval on behalf of the citizens of the City and to authorize the use and control of various city streets, alleys and sidewalks of Canal Winchester for the benefit of this annual event;

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

Section 1. That the annual Canal Winchester Labor Day Festival operated by the Labor Day Festival Committee on August 31, 2019 from 12:00 PM until 11 :00 PM and September 1, 2019 from 10:00 AM until 11:00 PM and September 2, 2019 from 10:00 AM until 6:00 PM, be and hereby is authorized to operate and control said Festival upon the various streets, alley and sidewalks of Canal Winchester, Ohio.

Section 2. That the boundaries of the Festival shall be High Street from Mound Street south to end of S. High Street; Waterloo Street from West Street to Trine Street; and Stradley Place which includes the green space and adjacent parking stalls.

Section 3. That the streets and alleys within the boundaries of the festival shall be shut down to traffic by City staff with assistance from Festival Committee members from 9:00 AM on Friday, August 30, 2019 and reopened to traffic no later than 6:00 AM on Tuesday, September 3, 2019.

Section 4. That the Labor Day Festival Committee shall maintain liability insurance for the protection of the City of Canal Winchester, Ohio indemnifying and saving harmless said City from any and all liability that may arise or accrue by reason of the use of the various streets, alleys, and sidewalks of the City of Canal Winchester and shall present a copy of said insurance to the City.

Section 5. That the Council of the City of Canal Winchester authorizes the Mayor to issue the appropriate parade permit (Section 311.05 of the City of Canal Winchester Codified Ordinances) for the Labor Day Parade to be staged and controlled by the Labor Day Festival Committee without the normal permit fee. Said parade route shall be approved by the City.

Section 6. That the Council of the City of Canal Winchester authorizes the Mayor to issue the appropriate sign permit for the Labor Day Sign on city ROW.

Section 7. That the Council of the City of Canal Winchester hereby gives approval for use of the following City owned facilities by the Labor Day Festival Committee:

- a. Community Center Front Parking Lot for VIP sponsor parking, Municipal Building for equipment storage and entertainment green room.
- b. Swimming Pool Parking Lot for miscellaneous parking needs;
- c. Community Center for Quilt show related activities;

- d. Space for trash containers and port-a-johns to be determined and agreed upon by the City staff and CW Labor Day Committee;
- e. Parking behind 36 S. High Street for Committee members
- f. Any costs, for auxiliary police, special duty deputies, or regular police as determined to be need by both the festival committee and the city.

Section 8. That this resolution 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.

Finance Director/Clerk of Council

RESOLUTION NO. 19-015

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF KEVIN SERNA TO SERVE A FOUR-YEAR TERM AS A MEMBER OF THE PLANNING AND ZONING COMMISSION EXPIRING ON JULY 1, 2023

WHEREAS, the Canal Winchester Code of Ordinances section 1139.01 provides for the establishment of the Planning and Zoning Commission; and

WHEREAS, the Mayor of the City of Canal Winchester is required to appoint members to Planning and Zoning Commission and City Council is required to approve the Mayor's appointment;

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

Section 1: Kevin Serna shall serve a four (4) year term as a member of the Planning and Zoning Commission as appointed by the Mayor expiring on July 1, 2023.

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

DATE PASSED _____

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED _____

APPROVED AS TO FORM:

LEGAL COUNSEL

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

Finance Director/Clerk of Council

ORDINANCE NO.19-042

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANAL WINCHESTER, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, Section 731.23 of the Ohio Revised Code provides for the publication and certification of ordinances in book form, and

WHEREAS, the Council of the City of Canal Winchester, Ohio has had the matter of the updating and general revision of the ordinances before it for some time, and

WHEREAS, it has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such updating service, and

WHEREAS, the updating of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

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

SECTION 1. That the editing, arrangement and numbering or renumbering of the ordinances of Canal Winchester, Ohio of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2019 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. The following sections of the Traffic and General Offenses Codes, as amended are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

Traffic Code

- 301.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
- 301.20 Motor Vehicle. (Amended)
- 301.251 Predicate Motor Vehicle Offense. (Amended)
- 301.361 Shared-Use Path. (Amended)
- 301.51 Vehicle. (Amended)
- 301.53 Waste Collection Vehicle. (Added)
- 303.06 Freeway Use Restricted. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Added)
- 313.01 Obedience to Traffic Control Devices. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.01 Driving Upon Right Side of Roadway; Exceptions. (Amended)
- 331.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.04 Overtaking and Passing Upon Right. (Amended)
- 331.05 Overtaking, Passing to Left of Center. (Amended)
- 331.06 Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
- 331.07 Hazardous or No Passing Zones. (Amended)
- 331.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 331.09 Following Too Closely. (Amended)
- 331.10 Turning at Intersections. (Amended)
- 331.12 "U" Turns Restricted. (Amended)
- 331.13 Starting and Backing Vehicles. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)

- 331.15 Hand and Arm Signals. (Amended)
Traffic Code. (Cont.)
- 331.16 Right of Way at Intersections. (Amended)
- 331.17 Right of Way When Turning Left. (Amended)
- 331.18 Operation of Vehicle at Yield Signs. (Amended)
- 331.19 Operation of Vehicle at Stop Signs. (Amended)
- 331.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 331.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield.
(Amended)
- 331.23 Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk.
(Amended)
- 331.24 Right of Way of Funeral Procession. (Amended)
- 331.26 Driving Upon Street Posted as Closed for Repair. (Amended)
- 331.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 331.28 Driving Over Fire Hose. (Amended)
- 331.29 Driving Through Safety Zone. (Amended)
- 331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 331.31 Driving Upon Divided Roadways. (Amended)
- 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 331.40 Stopping at Grade Crossing. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety Vehicle. (Amended)
- 333.04 Stopping Vehicle. (Amended)
- 333.05 Speed Limitations Over Bridges. (Amended)
- 337.16 Number of Lights. (Amended)
- 337.28 Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)
- 351.03 Prohibited Standing of Parking Places. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.02 Right of Way of Blind Person. (Amended)
- 371.07 Right of Way on Sidewalk. (Amended)
- 373.01 Code Application to Bicycles. (Amended)
- 373.02 Riding Upon Seats. (Amended)
- 373.03 Attaching Bicycle to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.05 Signal Device on Bicycle. (Amended)
- 373.06 Lights and Reflector on Bicycle. (Amended)
- 373.07 Riding Bicycle on Right Side of Roadway. (Amended)
- 373.08 Reckless Operation. (Amended)
- 373.09 Parking of Bicycle. (Amended)
- 373.11 Paths Exclusively for Bicycles. (Amended)
- 373.12 Electric Bicycles. (Added)

General Offenses Code

- 509.03 Disorderly Conduct. (Amended)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Use. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.04 Sexual Imposition. (Amended)
- 533.07 Public Indecency. (Amended)
- 533.16 Dissemination of Private Sexual Images. (Added)
- 545.10 Misuse of Credit Cards. (Amended)
- 549.01 Weapons Definitions. (Amended)

General Offenses Code (Cont.)

- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)
- 549.06 Unlawful Transactions in Weapons. (Amended)

SECTION 3. That the Clerk of Council shall cause to be published in a manner required by law this Adopting Ordinance together with a brief summary of new matter contained in the 2019 Replacement Pages. Sections in the Codified Ordinances without any previous ordinance history indicate that section contains new matter enacted by this Adopting Ordinance.

SECTION 4. That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare and specifically for the reason 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

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Finance Director/Clerk of Council