

Canal Winchester

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



Meeting Minutes - FINAL

July 1, 2019

7:00 PM

City Council

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

- A. **Call To Order** *Jarvis called the meeting to order @ 7:10 p.m.*
- B. **Pledge of Allegiance** - Amos
- C. **Roll Call** *Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker*

D. **Approval of Minutes**

[MIN-19-029](#) 6-17-19 Work Session Minutes ([WS Minutes](#))

[MIN-19-030](#) 6-17-19 Public Hearing Minutes ([Public Hearing Minutes](#))

[MIN-19-031](#) 6-17-19 City Council Meeting Minutes ([Council Minutes](#))

A motion was made by Lynch to approve MIN-19-029, MIN-19-030, and MIN-19-031, seconded by Coolman. The motion carried with the following vote:

Yes 6 – Lynch, Coolman, Amos, Bennett, Clark, Jarvis

Abstain 1 – Walker

E. **Communications & Petitions**

[19-059](#) Letter From Waste Management RE: State of Ohio Fuel Tax Increase ([Letter](#))

Jarvis: Due to the state of Ohio's tax increase on fuel, they were notifying us of a 15 cent increase to their rates as well; no action is required from us on that, just for your information.

[APL-19-001](#) June 18, 2019 Appeal of Planning and Zoning Commission Denial of Conditional Use Application CU-19-001 and Variance Application VA-19-005 for Panda Express, Inc. and Waterloo Crossing Ltd. ([Panda Express Appeal](#))

- Set Public Hearing

Jarvis: On June 18th, 2019, the appeal of the Planning & Zoning Commission denial by Panda Express at Waterloo Crossing; we need to set a public hearing to hear the facts of that appeal and to make a decision; clerk of council Mrs. Jackson do you have a proposed public hearing date; Jackson: yes because of the way that the calendar falls, we need to set that appeal for August 5th; we would like to do that at 6:00 p.m.; we anticipate it taking a while so we will also move up work session to 5:30 that evening; is there anyone that has a schedule conflict that would be able to be here at 5:30 for the work session to be followed at 6:00 by the public hearing followed by the general meeting; Clark: I will be out of town; Jarvis; so it's not a matter of starting early; you won't be at all; thank you; alright; we can commit then to the August 5th.

19-060Ohio Division of Liquor Control Notice ([Liquor Control Letter](#))

Jarvis: we received a letter from the Ohio Division of Liquor Control; I believe this is a routine thing for a new restaurant or a reseller of alcohol that appears in the village; I think this one has to do with the Boar and Barrel and that it is an opportunity if you wanted to have a hearing I believe you could do that; in my experience it's never been done; there's no reason to necessarily question that; unless there's a going concern; this is just their latest; I'll ask the city solicitor rep do we need any action on that if we choose not to; Boggs: if you choose not to request a hearing you don't need to take any action on that; and I can second your remarks in terms of hearing; those are usually due to safety concerns; violations of liquor control law; that sort of thing; so if you choose not to request a hearing no action is required; Jarvis: anyone feel a need to request a hearing on this matter.

19-062Madison Township Fire Report - June 2019 ([June 2019](#))

Jarvis: Chief Fasone was kind enough to provide us with a report in advance; Chief if you'd like to come to the podium to speak a little bit about that we'd appreciate that; Fasone: unless you guys have any questions on the report I really didn't see any trends that were troublesome at this time; I would like to if you'd allow me to lead some praise upon Mr. Peoples on the completion of his OPWC grant on Gender Road for the improvements; we were able to participate in that grant; thanks in a large part to Mr. Peoples work the project came back under budget and we saved some money on so I know you guys probably had to save some money on it too; we were able to get into that program and optimize the traffic signalization to work in cooperation with the fire department response so that we add a level of safety if you will by using the traffic signals to stop traffic in our favor and having to decrease our response times I'm sure; so I'd like to thank Mr. Peoples for his work on that; we certainly appreciate that; the other thing is we are asking for good weather for Friday for Brewdog's fireworks that are coming up; when rain falls on fireworks and they get cancelled you run into some additional problems that we don't like to deal with if we don't have to; I appreciate your help Mr. Peoples as well; did you have any questions; Lynch: I noticed on your report here you got a call for an open burn in Ashbrook; I'm guessing an outdoor fire; Fasone: this time of year people like to have cookouts when it's not oppressively hot; like I will say like it is today; then we'll get a call of concern from a neighbor; sometimes they throw smoke; sometimes they just see flames and they want us to check it out; on this particular run I can tell you the EPA is a primary enforcer with burning type of complaints and actually law enforcement as well; when we get the call we'll send a crew out to check for fire safety; if the person is burning good clean wood like they're supposed to be doing; not construction debris or aftermarket materials and they're burning safely then we'll just give them the okay and we'll go on with our business; and we don't actually get involved in that; if it's noxious smoke or something they're not supposed to be burning then we'll extinguish it at that time; Lynch: so as long as it's not smoking and it's in a contained area; Fasone: well there's certain guidelines for size; Lynch: I get asked this all the time so; Fasone: so I always tell people to go to the Ohio EPA's website and look up open burning for their guidelines there; the authority and having jurisdiction if you will; Lynch: thank you; Jarvis: before you leave the podium, I read in the paper that you're going to be taking another position here fairly soon; I wanted to tell you that in your tenure as chief you were a very visible fixture here and came to our meetings; we appreciate that; the reports, that was also something new; that was something that you did that nobody else did before you; we thank you; Fasone: my pleasure; thank you.

F. Public Comments - Five Minute Limit Per Person

Ethan Reynolds: I'm not from this town but from a small town east of here called Xenia, Ohio; I'm former mayor and city councilman; I've met with most of you now on city council; some of you I've known for years; it was nice to get reacquainted with them; so I've met with you guys and went over the big topic of the day is should we record or not record council meetings and what is the cost that would incur with that; so in my city I've been elected to two terms on council and as mayor and we face the same issues in regards to this topic; what we found out was if you wanted to update this and have a nice sound system that could be recorded it could cost you a lot of money; and we were in the process of looking at a new city building and we found out that it would cost us around \$46,000 to have it be able to be live streamed, to be recorded, to have all the works of it; its something the city couldn't afford; nor should it do that because the problem was a lot of folks what about public records laws and when do public records cross the lines of how long we have to keep those digital copies; so what we did is we found a system to do it; we had a nice decent sized camera purchased - like a single camera; it was stationed typically in the back of the room; and what ends up happening is they would have a mic system hooked up into your mics; a similar set up to what you all have here; and it only cost us around \$4,800 for the whole system; and what we would then do is pay an individual company outside of our town; and I think it wads 2,300 a year to service us; so they would film it, they would record it, and they would keep a digital copy for the public records laws and they would actually do all the work so you didn't have to do it; Mr. Walker and Mr. Clark so I met with them to discuss this; then they said Ethan would you mind showing up bringing this up because I know this has been a topic that everyone has discussed; I've heard it at the community coffees and I've heard it here; so I think it's something that you guys would be interested in knowing; thank you so much for your time; do you have any questions for me; Jarvis: the way this works in our world Mayor Reynolds is when the public speaks we listen and we don't say a whole lot in response; Reynolds: fantastic; no worries; so in our town it's a little bit different; Jarvis: I would like to say thank you for taking your time to address that and to come visit us; I know where Xenia is and it's not right around the corner; Reynolds: I work up in Columbus so it was like a 20 minute drive; Walker: thank you.

G. RESOLUTIONS

[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](#))

- Adoption

Bennett: procedural question Mr. Jarvis; Mr. Coolman brought up that he is the president of that organization or vice president; is there any conflict; does he need to abstain; I guess I'll look at solicitor; Boggs: just so that I am clear, Mr. Coolman you are the vice president of the; Coolman: Nonprofit Labor Day Committee; Boggs: my recommendation would be that he abstain from the vote and discussion of this particular resolution; Jarvis: is he able to fulfill his sponsorship; a sponsor is determined by whoever makes the first motion to forward to full council; can he fulfill his function with that; it hasn't been seconded yet; Boggs: my recommendation would be that somebody else if they are so inclined the make the motion that Mr. Coolman's motion be rescinded;

A motion was made by Coolman to withdrawal his motion to approve resolution 19-014

A motion was made by Jarvis to adopt RES-19-014, seconded by Lynch. The motion carried with the following vote:

Yes 6 – Jarvis, Lynch, Amos, Bennett, Clark, Walker

Abstain 1 – Coolman

[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](#))

- Adoption

A motion was made by Jarvis to adopt RES-19-015, seconded by Bennett.

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

H. ORDINANCES

Third Reading

[ORD-19-037](#)

Finance

Sponsor: Jarvis

An Ordinance Approving And Adopting The 2020 Tax Budget ([Ordinance, 2020 Tax Budget](#))

- Adoption

A motion was made by Jarvis to adopt ORD-19-037, seconded by Walker.

The motion carried with the following vote:

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

[ORD-19-038](#)

Finance

Sponsor: Coolman

An Ordinance To Set The Salaries Of Members Of Council Effective January 1, 2020 ([Ordinance](#))

- Adoption

Lynch: just for clarification we are keeping all salaries for council members the same as the past two years; Jarvis: that is correct no change; Walker: that was unanimous; all seven if us decided to do that; Coolman: yep no change.

A motion was made by Coolman to adopt ordinance 19-038, seconded by Clark. The motion carried with the following vote:

Yes 7- Coolman, Walker, Amos, Bennett, Clark, Jarvis, Lynch

An Ordinance To Set The Salary And Fringe Benefits Of The Mayor Effective January 1, 2020 ([Ordinance](#))

ORD-19-039

- Adoption

Finance

Sponsor: Walker

Walker: before it goes to vote I would like to mention that Wil Bennett had proposed the 2.5% increase for the mayor's salary to be set; that was on May 20th 2019; we appreciate that motion; I'd like to run a few things that I had found that were very interesting there for everyone to see; but starting with take the name Mr. Jarvis said, take the name and face out of this position; it's a fulltime position; and it is in line with what the city of Canal Winchester employee's have been given; a 2.5% interest increase in their salary; with the city workers it's a cost of living with merit combines; when it comes down to it I believe that the cost of living cola is at 2.8; and the mayor's position is a fulltime position; and I would believe that, that would warrant a 2.5 cost of living adjustment; or looking at it, we often as cities look at what he other employees are receiving and it's right in line with that; I would also like to share some things that I have found; just for instance, the city of Delaware has a city manager that is paid \$149,000.53 a year; also has an assistant city manager at \$106,821 with a secretary of \$54,000.38 per year and then administrative assistant at \$41,000 a year; these are also with benefits; medical benefits; let's go to Dublin for a moment; city manager \$210,000; assistant city manager \$138,000; executive secretary \$61,000; administrative assistant \$49,000; just bear with me for a moment please; this is important; city of New Albany; manager \$156,000; then also on top of these we have a mayor as well; which some is known as a weak mayor; so let's jump back up to Delaware; that mayor's \$8,760; also Dublin \$16,000; New Albany \$23,400 a years; these were on top of the city managers and assistant managers; what I'm just showing here, this goes on with how \$150,000 for the city manager of Upper Arlington at \$206,000 with an assistant city manager at \$128,000 with an executive; this goes on; Westerville; but I'll make this brief; We're looking at Gahanna; administrator \$116,000 and then we have an executive secretary \$43,000; with the mayor making \$103,000; so our mayor currently is at \$95,983 a year; and what Mr. Bennett had proposed was a 2.5% increase which is right in line with the city workers and the cost of living; the mayor of Canal Winchester at any time in the mast 12 years of his time here was able and could have had a fulltime administrative assistant and right now currently that would pay \$36,319 a year with the fringe benefits for family of \$22,000 a year on top of that; so are we getting a bargain right now; again take away the face and the name; even though I know he's sitting right here and it's awkward to do that; it's a must; it's what we have to do; and we have to ask ourselves how many of us get raises; and I don't need a show of hands; but are in line with that same type of raise per year or even more; it's just basically in line with the cola that's out there; a carton milk this year will cost the mayor's position the same amount next year with inflation; thank you for listening; Bennett: over a year 2 1/2% what's the dollar amount; Jackson: for the mayor; Bennett: yes; Jackson: it's in your ordinance; so he's at 95 thousand and change right now so next year would be \$98,382; Bennett: less than \$2,000; Jackson: yeah and in 2021 he would be just over \$100,000; so about another \$2,500; Walker: I'd like to add if we don't and it is no it is no for the next two years; it will be no cost adjustment in the mayor's pay for the next two years; Amos: Ms. Jackson, this does not include the car allowance correct; the \$500 a month car allowance; Jackson: no that's a separate line in the ordinance; Clark: but that's basically a reimbursement; Jarvis: we've said it before you can look at the MORPC data; it's difficult to draw direct conclusions from that; use that and whatever other criteria you have; for myself I feel that we're both on the council and the mayor's side right where we need to be; everybody vote to his or her conscious; if there's any other discussion; Clark: I'd just like to point out that's basically not a raise; I wouldn't classify it as a raise; it's a cost of living adjustment; it basically keeps the buying power of that position the same to the next year if you're at the inflation rate; which we are giving; actually maybe a little bit less than

the inflation rate; for a position that's overseeing a seven million dollar budget, 37 fulltime and part time employees; I think 95,000 to 98,000 is justifiable and I think we can afford it.

A motion was made by Walker to adopt ordinance 19-039, seconded by Bennett. The motion carried by the following vote:

Yes 4- Walker, Bennett, Clark, Coolman,

No 3- Amos, Jarvis, Lynch

Second Reading

ORD-19-040

Public Service

Sponsor: Bennett

An Ordinance To Waive Competitive Bidding For Water Tower Maintenance Services And To Authorize The Mayor And Finance Director To Enter Into A Multiple Year Agreement With Utility Service Co, Inc ([Ordinance, Exhibit A](#))

- Second Reading Only

Bennett: but I would state for the record that the reason that we are potentially waving the competitive bidding is there are not other qualified companies to do the work; so, this is part of the reason for the need for this.

ORD-19-041

Development

Sponsor: Amos

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Turning Stone, Phase 1 ([Ordinance](#))

- Second Reading Only

First Reading

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 waiver of second and/or third reading and adoption

Bennett: to state for the record we're waiving that for the purpose; Coolman: for the purpose of getting the updated wording in certain ordinances to reflect the new wording that is being used by the state; they've been on the shelf for a while and they need to get updated; Bennett: I understand.

A motion was made by Coolman to suspend the rule requiring second and third reading, seconded by Bennett. The motion carried with the following vote:

Yes 7- Coolman, Bennett, Amos, Clark, Jarvis, Lynch, Walker

A motion was made by Coolman to adopt ordinance 19-042, seconded by Bennett. The motion carried with the following vote:

Yes 7- Coolman, Bennett, Amos, Clark, Jarvis, Lynch, Walker

I. Reports

Mayor's Report

[19-063](#)

[Mayor's Report](#)

Mayor: thank you Mr. Jarvis; I'd like to thank you for the earlier passing of the resolution of the 2019 Labor Day Festival; this will be our 99th year; so, we're looking forward to getting this one done and get on with the hundredth; we're hoping that will be a big one; this will be the last meeting in July so I want to remind you of the Blues and Rib Fest coming up; Friday and Saturday, July 26th and 27th; Friday is going to run from 5:00 p.m. to 11:00 p.m. on Saturday it will be going from 12 noon to 11:00 p.m.; we're looking for that to be another great success; and then one last thing the Canal Winchester Labor Day Festival this year decided there's a need in Lithopolis at the Wagnall's Memorial; they have a dire need of \$400,000.00 to fix the building they've got I don't know if you've ever noticed the stained glass windows in the building; they are just about ready to fall out of their frames; the frames are rotted; they really don't have the money to do it themselves right now; they went on dire straits for a while; so the Labor Day Festival decided this year that they're going to take proceeds from their 50/50 raffle; 50% of that will go to Wagnall's Memorial and also 100% of the proceeds taken from the TV raffle are going to go to Wagnall's Memorial as well; tickets are \$5.00 and if you need any I have some with me; Bob did a good job at selling some last week at Music in the Park; so we're off to a good start; and Gene Hollins actually bought the first four; can you believe that; he couldn't get them quick enough; he couldn't wait until I got the box open; but we're off to a good start; we really are I've sold about \$200.00 worth already and we've only had them for like a week; it's going good;

Jarvis: it's very commendable to help out Wagnall's; it's a beautiful building; it's part of our extended community; and definitely worth preserving;

Fairfield County Sheriff - Thank you Mr. Jarvis; I do not have a written report for you today; I'll have one at our next meeting; Amanda reached out to Bexley P.D. and got all the numbers for you guys that you asked for in our last meeting; I also made contact with a Sargent there; a Sargent Hannah; I asked him how it was working; he said when they rolled it out for the first couple months and they stopped someone for it they gave them a warning instead of a citation; he said they gave a lot of warnings but they do write some tickets now; the fine for it is \$115.00; so I asked them if their arrests went up because they enacted that ordinance and he said yes; that would be like your warrant arrests; if I stop you, and you've got a warrant I go ahead and arrest you on that; tickets also increased for driving under suspension and license forfeitures and things of that nature; he said as a general rule most of the citizens that they have talked to and explain to them why they stop them because it is a primary offense and a lot of people aren't used to that; he said once they explain it to the citizens then they understand; he said a lot of them thank them for stopping them and keeping them from getting in an accident of whatever; so that's just something to think about; he said they like the ordinance;

Jarvis: Sargent Cassel I don't know whether you were here when we were setting up our agenda for the committee of the whole on the 29th of this month; but that's sort of the main topic; maybe not the only one but one that we all agreed we sort of wanted to take to the next level of being able to take some action on it; but that information is critical to the discussion; thank you.

Law Director - Good evening everyone; no written report; but we do have a request for executive session on two topics; the purchase of property of public purposes and for personnel matters; I can answer any questions.

Finance Director

[19-064](#)

[Finance Director's Report](#)

Jackson: Thank you Mr. Jarvis; I don't have anything in addition to my written report this evening.

Public Service Director

[19-061](#)

[Public Service Project Updates, Construction Services Update](#)

Peoples: thank you Mr. Jarvis; also, nothing to add to my written report in work session.

Development Director

[19-062](#)

[Development Report](#)

Haire: thank you Mr. Jarvis; one additional item to report; Barrel and Boar is going to have their ribbon cutting tomorrow at 10:00 a.m. and then they'll be open for lunch to the public tomorrow; it's my understanding that they're also going to be open on July 4th; they should be open all weekend and I'm sure if you want to wait to get a table there; they're not taking reservations at this point; it's good to have that refilled and have that space active again; it's been about four months which is a very quick turnaround to get them in there; I had lunch there on Friday and the space looks great; I think you'll be pleasantly surprised with the amount of updates that were done in that space; Amos: Mr. Haire how was it; was it great; was it fantastic; Haire: it was very good, yes; Jarvis: are all members of council or the public in general invited to that ribbon cutting; Haire: yes, 10:00 a.m. tomorrow.

J. Council Reports

NO MEETING JULY 15, 2019 DUE TO COUNCIL RECESS

Committee of the Whole - Monday, July 29, 2019 at 6:00 p.m. (TENTATIVE)

Work Session/Council - Monday, August 5, 2019 at 6:00 p.m.

CW Human Services - Mr. Lynch: Nothing to report at this time.

CWICC - Mr. Clark: Our next meeting will be Wednesday; July 31st 11:30 at the Interurban building.

CWJRD - Mr. Bennett/Mrs. Amos: Thank you Mr. Jarvis; Zumba starts tomorrow so if you haven't registered and you still want to participate you still have time; Amos: there's still time; Bennett: also, today registration for fall soccer and volleyball opened; and our next executive board meeting is

Thursday, July 18th 7:00 p.m. Town Hall for anyone that would like to participate; Jarvis: does that Zumba class come with a free ambulance ride; Amos: it's right across the street from the first house.

Destination: Canal Winchester - Mr. Walker: Farmer's Market is Saturday 9-12; don't forget; and also, every Tuesday 6:30 at the Interurban until the Blues and Ribfest (the 10th Blues and Ribfest); so just let everybody know about that; that's July 26th and July 27th; the 10th Blues and Ribfest.

K. Old/New Business

Bennett: Do we want to sort of finish the conversation about community coffee or set that; that would also be an agenda item for committee of the whole or do we want to just continue to discuss at meetings; the only concern is that another one will have passed by the time we sit down again; that's the only I guess issue potentially with; Jarvis: I don't know how everyone else feels; I would like to kind of take that or hold that over to the committee of the whole meeting; to go ahead and allow that July meeting to take place; that's one I'm signed up for; so I'll get a second chance to look at how it operates and probably be able to contribute a little bit more to the conversation than I could right now; Bennett: thank you Mr. Jarvis.

L. Adjourn to Executive Session @ 7:48 p.m.

A motion was made by Walker to adjourn to executive session, seconded by Bennett. The motion carried with the following vote:

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

Council returned from Executive Session at 8:33 p.m.

M. Adjournment @ 8:34 p.m.

A motion to adjourn was made by Lynch, seconded by Amos. The motion carried with the following vote:

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