

Canal Winchester

*City Hall
Council Chambers
45 East Waterloo Street
Canal Winchester, OH 43110*



Meeting Minutes - FINAL

April 3, 2023

7:00 PM

City Council

Chuck Milliken - President

Bob Clark - Vice President

Laurie Amick

Jill Amos

Steve Buskirk

Patrick Shea

Mike Walker

- A. **Call To Order** *Milliken called the meeting to order at 7:31 p.m.*
- B. **Pledge of Allegiance** Buskirk
- C. **Roll Call** *Present 7 – Amick, Amos, Buskirk, Clark, Milliken, Shea, Walker*
- D. **Approval of Minutes**

MIN-23-012

March 20, 2023 Work Session Minutes

A motion was made by Buskirk, seconded by Clark to approve MIN-23-012 with the modification on Page 18. The motion carried with the following vote:

Yes 7 – Buskirk, Clark, Milliken, Shea, Walker, Amick, Amos

MIN-23-013

March 20, 2023 City Council Meeting Minutes

A motion was made by Amos, seconded by Buskirk to approve MIN-23-013. The motion carried with the following vote:

Yes 7 – Amos, Buskirk, Clark, Milliken, Shea, Walker, Amick

- E. **Communications & Petitions**

COM-23-004

Introduction of Field Representative for Congressman Mike Carey

- F. **Public Comments** - Three Minute Limit Per Person

Discussion started at 1:37:17 on YouTube Channel

Jim Bohnlein, 6320 Rossmore Lane – I’m sorry I missed the work session. I didn’t see it on the agenda that there was going to be a work session tonight. I wanted to bring up the city manager. I suppose the council has started to discuss exactly some of the things that they are going to have to do. I would think it’s going to be a long process. We’re going to have to get the charter straightened out. We’re going to have to have a vote by the city. I don’t know when that’s going to happen. We’re going to have to have nominations, and I don’t know how those are going to be handled. I don’t know if you want to do this nationwide, citywide, countywide, or whatever. That’s going to be an issue, and it’s going to have to be discussed. I don’t know if you’ve done all these things. There are a couple of other things. You’re going to have to have a job description. I assume there’s going to be an issue about the mayor, his salary, and his responsibilities. I hope you’re on top of it. It’s going to be a huge issue, especially with the issues that I’ve just brought up. Also, the problem I see and the reason I voted against having a change when I was on the commission was because you’d think we’re not going to be able to hire somebody who is the most experienced. All of a sudden, our guy learns all about the city, does a nice job for a year, and everybody is excited about our new city manager. Then, all of a sudden, Grove City says the guy over in Canal Winchester is doing a great job for them, and we’re not happy with our guy. They’ll get together and pay our guy \$50,000 more to come work for them. We will be starting all over again. We start the whole process all over. I don’t know how much experience we can get as a city manager that would ensure we’ll be able to keep him here. Those are a couple of things that I would like to bring up, and then there are a couple of other things that I’ll wait to talk about until next time.

Kay Sargent, 6732 Braeswick Court – I would like to talk about transportation safety. The first thing I would like to do is thank all those who talked with TRAC members and representatives, in particular Mr. Clark, Mrs. Amos, Mr. Haire, Mr. Peoples, and the Mayor. Thank you. It did not change the vote, but in the long run, they have heard. They have heard that Canal Winchester is not passive about Highway 33. That is very important, and the city is making sure that they are putting money into it, and the TRAC people are

hearing that. I want to thank you for that. Additionally, there is more federal money in a program called Safe Streets and Roads for All. It's financed by the Bipartisan Infrastructure Law. The amount of money that goes not through ODOT but directly to municipalities, and that sort of thing, is a billion dollars a year from 2022 through 2026. The money has already been passed out for 2022 in Ohio. There were 13 different municipalities, including the Village of Buckeye Lake that got a total of \$3.414 million for comprehensive safety action plans. That was roughly \$200,000 to set up plans. There was one implementation plan, Livingston Avenue in Columbus that got \$15 million. There's money out there. There was actually \$200 million that was left on the table.

G. Reports of City Officials and Staff

Mayor's Report

Discussion started at 1:43:39 on YouTube Channel

Ebert – I have no written report, but I'd be glad to answer any questions.

Fairfield County Sheriff

Discussion started at 1:44:00 on YouTube Chanel

Sgt. Walker – You all have my written report, and I'd be happy to answer any questions. Walmart did hire deputies for special duty on Saturday. They worked from 10:00 a.m. to 10:00 p.m. and made 9 theft arrests. We're getting those semis and making those traffic stops.

Milliken – How many calls do you get to go out to the basketball courts at Guiler Park in the past, if any?

Sgt. Walker – It's not regular, especially during the winter months, but in the summer, it does pick up. We try to patrol that area quite often, especially at dusk because the park does close. I mean, it really just varies. We don't often get calls out to Guiler Park. It's normally to Hanner's Park or the pool.

Shea – Are you guys doing a loop out at McGill Park in the evening?

Sgt. Walker – Yes. We are primarily going to try hitting it when there are recreational sports going on because there are a lot more people there. Throughout the weekends and throughout the day, we try to make at least two passes through. We have the two 12-hour shifts now, so at least if they can hit it once a shift, I'm good with that.

Law Director

Discussion started at 1:45:47 on YouTube Channel

Boggs – No written report this evening. I am happy to answer any questions you have, and I do have a request for an executive session.

Finance Director

Discussion started at 1:46:04 on YouTube Channel

Jackson – Just a quick update: last Friday was the deadline for Dr. Bender Scholarship applications. I did actually receive three after the deadline, one of which I believe was sent to city council, but including those three that were received after the deadline, we got a total of 15. Two of which do not live within our corporation limits and therefore do not qualify for it. At this point, I would need to know from city council how you would like to proceed with the late submissions, and after that, the typical process is that all the identifying information is redacted and that the council president, vice president, and mayor receive copies of those after the redaction, go through them, and make their suggestions as to who should receive the funding.

Milliken – I'm okay with accepting the late applications.

Public Service Director

Discussion started at 1:47:49 on YouTube Channel

Peoples – Nothing to add to my written report.

Milliken – I would just like to ask if we've explored this Safe Streets and Roads for All program that Ms. Sargent mentioned.

Peoples – Yes. I actually received an email today. There's an open house at MORPC to go over some of the program details.

Shea – This might be a Mr. Haire question. The consultants, when we were talking about putting them on board to do the master plan, they were supposed to kind of help us see where we could get federal dollars. Are they showing us opportunities like this, or is this just email-driven?

Haire – Generally, MORPC is pretty on top of grants and what grants are available. They want to make that known to all their members, so that's our primary resource for it. They have a committee that, along with our regional economic development agency, the Columbus Partnership, is doing a lot around all the federal infrastructure dollars that are out there and the potential to gather as many of those as we can for the Central Ohio area.

Shea – Are there people who help us find grants and opportunities to capture that free money? Are there people out there who do that?

Haire – Yes. There's a website called Grant Finder for which we have a subscription through MORPC. That's primarily our way to do it. The scale of the project has to be large enough to accept federal dollars. The challenge is that your administrative costs go up, your design requirements, in some cases, go up significantly by accepting federal dollars, and your environmental requirements also go up, so all the studies on the front end get much more expensive and lengthier. Anytime you're looking at a project that's going to have federal dollars, you have to consider whether the federal dollars are going to be enough to make it worth being a federal project.

Development Director

Discussion started at 1:50:20 on YouTube Channel

Haire – Just a quick update on the TRAC process: the TRAC did hold their final meeting of this cycle, where they voted on a final list. That was held on the 29th. I'm happy to say that the U.S. 33 projects were funded at the preliminary engineering stage, so \$19 million, and that's in the 2024 and 2025 state fiscal years. The 2024 fiscal year actually begins in July of this year. They've actually already started that project, so we've met with ODOT. They're starting to put together their documentation for the project to get it put out to bid. They would like to have that out to bid late this summer to bid out the consultant to do the preliminary engineering. They've committed to applying in the next round of the TRAC funding process to go for the detailed design and right-of-way dollars. That's the idea—getting that preliminary engineering started so they can determine where that right-of-way needs to be and then go right into the next stage of the process. It's good to be involved in that process and to make sure we're staying on top of it. I am also happy to report that the Pickerington Road Interchange was funded for construction. That'll have an impact on our community as well as the residents here. That was funded for the construction, detailed

design, and right-of-way, with construction beginning in the 2025 fiscal year, which would be July of 2024. That is a \$47 million project with \$12.5 million in right-of-way, so almost a \$60 million project.

Shea – How long will it take them to actually build that? Is that a two-year project, or will they get that done in one year?

Haire – I would imagine it's going to be at least two years.

H. Resolutions

RES-23-019

Development

Sponsor: Milliken

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACQUIRE A DEED OF WATERLINE EASEMENT FROM GC WAREHOUSING, LLC.

- Adoption

A motion was made by Milliken, seconded by Amos to adopt RES-23-019. The motion carried with the following vote:

Yes 7 – Milliken, Amos, Buskirk, Clark, Shea, Walker, Amick

I. Ordinances

Tabled

ORD-23-014

Mayor

Sponsor: Shea

AN ORDINANCE CREATING THE POSITION OF CITY ADMINISTRATOR FOR THE CITY OF CANAL WINCHESTER

- Tabled

A motion was made by Shea, seconded by Clark to untable ORD-23-014. The motion carried with the following vote:

Yes 7 – Shea, Clark, Milliken, Walker, Amick, Amos, Buskirk

Discussion started at 1:53:53 on YouTube Channel

Amos – Like I said earlier, I think part of it is that we do have to kind of factor in, salary-wise and strategically, what we're looking at for our overhead. As far as the city administrator goes, I reached out to Gene Hollins last week and had an interesting conversation. I reached out to a couple other cities that have city administrators; many of them have a contract or some sort of agreement with their city administrator. It provides the city some protection. It is protecting the city in case we're not here. I did get several different versions of agreements. I'll share them with everybody to kind of start looking, but for me personally, I would love to see some sort of agreement with some sort of term in it that just gives us some protection as we move forward in what we're looking to do. I also got the name of somebody else who can provide us with a couple more different versions to look at, so I just need to reach out to them. I just kind of wanted to see what the thoughts were from the council on putting together a potential agreement or contract to just protect us for a little while.

Amick – I think we asked Mr. Boggs this question previously because, in essence, we're an employment-at-will city. I didn't think we could legally do that.

Boggs – Right. It says specifically in the charter that the administrator, if the position is created, shall serve at the pleasure of the mayor, meaning at the will of the mayor, and may be removed by the mayor without cause, and that the term of the administrator's position cannot be extended beyond the current mayoral term. I'm not intimately familiar with, for example, the arrangement in Obetz, but I suspect that it is worded somewhat differently. I can certainly do the legwork on that to see what differences there may be

with their administrator's contract versus what the charter provides for here.

Amos – What protection can we provide if we're going to put this position in place?

Boggs – They would be in the same position that the directors are in today, who all serve at the pleasure of the mayor. It would not change.

Amick – If I'm understanding correctly, the position really is not unlike any other city employee.

Boggs – That is correct.

Milliken – I just think that whether we're talking about a strong mayor, a weak mayor, a city administrator, or a city manager, there's no way to 100% insulate us from a bad circumstance or a bad individual in any of those roles.

Amick – Things happen. People get better offers.

Boggs – A city manager typically does have an agreement with the council that provides, for example, severance. There was a city that I worked with previously where it said that the city manager was removed by council without committing some active malfeasance and that he was entitled to six months of health insurance and twelve months of pay unless he found a comparable job before that. It's not atypical for a city manager to insist upon that level of protection for their employment circumstances with their council as part of a contract. The way the charter is set up, the city administrator would not have that type of bargaining power with respect to the mayor. I think that the pay range is set commensurate with that as well, because while that would be a well-compensated position, if you look at city managers around you, they tend to be higher compensated as well.

Third Reading - NONE

Second Reading

ORD-23-012

Construction Services

Sponsor: Amick

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH DECKER CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE 2023 STREET PROGRAM PROJECT AND DECLARING AN EMERGENCY

- Request waiver of third reading and adoption

A motion was made by Amick, seconded by Shea to suspend the rules and waive the third reading of ORD-23-012. The motion carried with the following vote:

Yes 5 – Amick, Shea, Amos, Buskirk, Milliken

Abstain 2 – Walker, Clark

A motion was made by Amick, seconded by Amos to adopt ORD-23-012. The motion carried with the following vote:

Yes 5 – Amick, Amos, Buskirk, Milliken, Shea

Abstain 2 – Walker, Clark

ORD-23-013

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THREE

*Finance**Sponsor: Amos*

MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$3,750,000) OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF (A) ACQUIRING, RENOVATING AND CONSTRUCTING A NEW MUNICIPAL COMPLEX AND RELATED PUBLIC INFRASTRUCTURE IMPROVEMENTS THERETO; (B) ACQUIRING AND CONSTRUCTING MCGILL PARK PHASE I AND RELATED PUBLIC INFRASTRUCTURE IMPROVEMENTS RELATED THERETO; APPROVING THE CITY'S APPLICATION FOR PARTICIPATION IN THE OHIO MARKET ACCESS PROGRAM (OMAP) FOR CREDIT ENHANCEMENT; AND DECLARING AN EMERGENCY

- *Second Reading Only*

Discussion started at 2:06:04 on YouTube Channel

Shea – At our last meeting, I was a little skeptical about this. I want to thank Mr. Peoples and Mrs. Jackson for taking the time to go through the budgets and expenditures. It really made me feel much more comfortable with the finances. I do appreciate your time and the stewardship that you showed to the taxpayer's money. Thank you.

First Reading**ORD-23-015***Finance**Sponsor: Walker*

AN ORDINANCE TO AMEND THE 2023 APPROPRIATION ORDINANCE #22-041, AMENDMENT #3

- *First Reading Only*

ORD-23-016*Council**Sponsor: Milliken*

AN ORDINANCE TO PROVIDE FOR THE SUBMISSION OF PROPOSED CHARTER AMENDMENTS TO THE ELECTORS OF THE CITY OF CANAL WINCHESTER AT THE NOVEMBER 7, 2023 MUNICIPAL ELECTION

- *First Reading Only*

No discussion or vote occurred during this meeting. ORD-23-016 was tabled during Work Session meeting.

ORD-23-017*Public Service**Sponsor: Amos*

AN ORDINANCE TO UPDATE THE SWIMMING POOL DAILY ADMISSION RATES

- *First Reading Only*

ORD-23-018*Public Service**Sponsor: Amick*

AN ORDINANCE CREATING THE POSITION OF SEASONAL AQUATICS SUPERVISOR AND ESTABLISHING A PAY RANGE

- *First Reading Only*

J. Council Reports

Work Session/Council - Monday, April 17, 2023 at 6:00 p.m.

Work Session/Council - Monday, May 1, 2023 at 6:00 p.m.

CW Human Services - Walker

Discussion started at 2:08:02 on YouTube Channel

Walker – There are currently no statistics for the month of March. I just wanted to remind everyone that the Easter Egg Hunt will be held at McGill Park on Saturday, April 8th, at 10:00 a.m. The senior prom is Thursday, May 4th, at the high school, in partnership with the student council. There'll be music, dinner, dessert, and a raffle.

CWICC - Amick

Discussion started at 2:08:50 on YouTube Channel

Amick – Just a couple of highlights from the March 2023 CWICC meeting: Manifold & Phalor, I had the opportunity through the housing council to visit that business and was pretty wowed. They are nearing completion of their 30,000-square-foot addition, and they're already thinking they could use more space. The next highlight is that the Walgreens is under construction at their new location, 6275 Winchester Boulevard, where their investment will exceed \$30 million and create an additional 200 jobs. That's going to be a high-technology infrastructure build out for them. Accurate Electric is taking up the last of the current spaces in the current Canal Pointe, and they will build a 15,000-square-foot facility there. It was a great meeting, with lots of stuff moving in our city.

CWJRD - Amos/Shea

Discussion started at 2:10:00 on YouTube Channel

Amos – Nothing new to report from me.

Shea – Soccer got canceled this weekend at McGill Park due to a fear of goals blowing over on children's heads. I think it was a wise call. I remember when my children were young. I don't like sitting out in 50 mph winds and feeling cold.

Amos – Thursday, April 20th, is our next meeting at Town Hall at 7:00 p.m.

Destination: Canal Winchester - Milliken

Discussion started at 2:10:48 on YouTube Channel

Milliken – The last winter farmer's market was held on April 1st. Destination truly appreciates all those who visited the winter farmer's market at Faith United Methodist Church, and thanks to them for hosting it. The summer farmer's market, which is on May 27th, will be held at the train depot. Art on the Canal Stroll is coming up on May 20th, noon to 6:00 p.m. The first Thirsty Thursday is May 25th from 6:00 p.m. to 9:00 p.m. Poverty String Band will be performing. We encourage everyone to check the community calendar on the Destination Canal Winchester website.

Chamber of Commerce – Buskirk

Discussion started at 2:11:35 on YouTube Channel

Buskirk – No change in membership, but this past week they did hold a networking event at Buffalo Wild Wings. There were quite a few people there, including myself. Upcoming events include the State of the School Luncheon on Wednesday, April 12th, at the Community Center. A golf outing on May 12th at the golf course.

K. Old/New Business

Discussion started at 2:12:06 on YouTube Channel

Amick – I wanted to thank my peers on council for allowing me to serve on the Housing Council. We had our review on Thursday, and I was absolutely blown away. I think there were 24 or 25 businesses on the list. We visited with all of them, and I'm pleased to report that they're all seeing incredible successes. Many of the businesses are growing, and the diversity of products and services that we have here in Canal Winchester is pretty mind-blowing. Thank you for allowing me to serve on that council.

Buskirk – I will second that. I will also thank Mr. Haire for the wonderful tour and his knowledge of our community.

Amick – It was awesome.

Clark – I did my 7th tour, and I will sadly say that I wasn't re-nominated, so I am done with the tours. But it

is interesting. You learn a lot by going and visiting those businesses. The diversity of it is amazing. I appreciated being on it.

L. Adjourn to Executive Session @8:10 p.m.

A motion was made by Milliken, seconded by Amos to adjourn to executive session to consider confidential information relating to specific business strategy, of an applicant for economic development assistance under sections 3735.67 to 3735.70 of the Ohio Revised Code 121.22 (G)(8). The motion carried with the following vote:

Yes 7 – Milliken, Amos, Buskirk, Clark, Shea, Walker, Amick

City Council returned from executive session at 8:24 p.m.

M. Adjournment @8:25 p.m.

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

Yes 7 – Shea, Clark, Milliken, Walker, Amick, Amos, Buskirk