

Canal Winchester

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



Meeting Minutes - FINAL

March 20, 2023

6:00 PM

Council Work Session

*Bob Clark - Chair
Laurie Amick
Jill Amos
Steve Buskirk
Chuck Milliken
Patrick Shea
Mike Walker*

- A. Call To Order** *Clark called the meeting to order at 6:00 p.m.*
- B. Roll Call** *Present 7 – Amick, Amos, Buskirk, Clark, Milliken, Shea, Walker*
- C. Also In Attendance**
Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson, Bill Sims
- D. Request for Council Action**

RES-23-011*Development*

A RESOLUTION APPOINTING LAURIE AMICK TO SERVE A THREE-YEAR TERM AS A MEMBER OF THE HOUSING COUNCIL EXPIRING ON DECEMBER 31, 2025 AND DECLARING AN EMERGENCY

- Request to move to full Council

A motion was made by Amos, seconded by Walker to move RES-23-011 to full Council. The motion carried with the following vote:

Yes 6 – Amos, Walker, Amick, Buskirk, Clark, Milliken

Abstain 1 – Shea

Discussion started at 5:24 on YouTube Channel

Haire – As we discussed in our last work session meeting, there’s a need for council to appoint two members to serve on the Housing Council. Those are three-year terms. The two members that are currently appointed are no longer on city council. The housing council meets annually to review any property receiving a Community Reinvestment Area tax exemption. That meeting is generally held at the end of March. We have a meeting scheduled this year for March 30th, so we need to have the appointees selected by that time. I’d be happy to answer any questions you have about that.

RES-23-012*Development*

A RESOLUTION APPOINTING STEVE BUSKIRK TO SERVE A THREE-YEAR TERM AS A MEMBER OF THE HOUSING COUNCIL EXPIRING ON DECEMBER 31, 2025 AND DECLARING AN EMERGENCY

- Request to move to full Council

A motion was made by Amick, seconded by Amos to move RES-23-012 to full Council. The motion carried with the following vote:

Yes 5 – Amick, Amos, Clark, Milliken, Walker

Abstain 2 – Buskirk, Shea

RES-23-013*Development*

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER A LEASE AGREEMENT WITH THE CANAL WINCHESTER INDUSTRY AND COMMERCE CORPORATION, AND DECLARING AN EMERGENCY

- Request to move to full Council

A motion was made by Buskirk, seconded by Shea to move RES-23-013 to full Council. The motion carried with the following vote:

Yes 6 – Buskirk, Shea, Amick, Amos, Clark, Milliken

Abstain 1 – Walker

Discussion started at 7:39 on YouTube Channel

Haire – This resolution seeks permission for the city council to enter into a lease agreement with the Canal Winchester Industry and Commerce Corporation, acting as an economic development agent for the city. This space is 4,100 square feet here at 45 East Waterloo Street. It's the space at the far east end of the building. The city has been working with Kent Power, a local company located in Canal Pointe. They primarily provide services to electric transmission companies and natural gas pipeline companies. There's a lot of funding from the federal government going into electricity transmission lines. They've landed a number of large contracts and have a need to expand their administrative design and professional staff. They need additional office space to do that. They approached the city about locating at the far end of this building. With that project, they would design the space at that end of the building for 20 to 25 people. Again, this would all be for office and administrative professionals only. It wouldn't be any of their work-related trucks or vehicles that would be visiting the site. It would primarily be the administrative functions that they have. To accomplish this, the city would enter into a lease agreement with the CWICC. The CWICC would then enter into a lease agreement with Kent Power. The term proposed is a two-year term. They would lease the space for two years from the CWICC with an option for three one-year extensions at the same terms. The terms that are proposed are \$15.00 a square foot for the lease. It would be just over \$61,500 a year. Again, it would be for the two-year term. There's already a separate electric meter and water meter in that space. The only utilities that we'd have to work out are for the heating and cooling. The heating and cooling are designed so that one air handling unit handles the entirety of the remaining space in the building, which is 7,800 square feet. We would have to work out a prorated share based on the square footage and use of utilities and how that would be handled. They would be responsible for finishing out the space as part of the contract. The city would have a responsibility to complete the walls. Right now, the walls are left unfinished. The city would be responsible for completing the remaining walls and putting in a limited amount of electricity. We have worked with Ferguson, who is the contractor for the building here, and that space was included in their permit to finish it. We just told them not to do that, so we did a change order not to have them finish that space because we didn't know exactly what we were going to do. We didn't want to put up all the drywall, the sheathing, and everything else that needed to be put up and then have someone come in and have to tear it all up to put in new electric and other things. What we're proposing is that we put 10 outlets on each side of the space, and we'd go ahead and finish the walls on both sides of the space. They're also requesting that we finish dividing the spaces with a wall. Right now, there's a large overhead garage door between those spaces. We would go ahead and close that, so the far end of the building would be a separate space completely. The 4,100 square feet would be completely separated from the rest of the building. We'd have some fire alarm work we'd need to complete to accomplish that and split the area into different fire zones. We've worked with Ferguson, and we have a price put together to complete that. It's \$133,311 to complete the portions of the space that would be our responsibility to do.

Shea – That really jumped. I thought I heard a number like \$60,000.

Haire – We thought it would be somewhere around \$75,000 when we last looked at it.

Sims – That was before we looked at basically the extent of it. We looked at the requirements that we needed for electricity in that end of the building, and of course we added some to this portion here that we originally weren't finishing. The HVAC system has got to get two ducts into the other space through the firewall and also a duct into this space. I think that an increase in scope and an increase in the cost that we're figuring on have kind of led to that. The primary part is that we ended up talking about doing the

entirety of the exterior wall and not just that one end.

Shea – Is it a two- or three-year lease?

Haire – It's a two-year lease with three one-year options to extend their lease. They would have it for up to five years.

Shea – So our guaranteed money is like \$123,000?

Haire – Yes.

Shea – And you're talking about a build-out cost of \$130,000?

Haire – \$133,311

Shea – That sounds like a \$10,000 loser. Can you get them to go for a longer term on the lease so we can at least recoup our cash, or can we increase the rate?

Haire – I mean, you could say it's a \$10,000 loss, but we're also finishing out the space that would be 3,800 square feet that we would be able to use. They would be investing a significant amount into building out the space on that end of the building, which we would retain at the end of that lease term. There would be private, hard-wall offices, and they're expanding the restrooms, adding a kitchenette, a large conference room, lighting, and HVAC ductwork extended throughout the space.

Shea – I understand. I promise you, I really do understand, but just from a mathematical standpoint, it doesn't sound good.

Clark – Well, we're also getting the income tax on the jobs. That's additional money.

Haire – Right. There will be 20 people working in this space. They currently have 12 people working in offices at their existing location in Canal Pointe. They'll be moving eight of those people here, and then there would be up to 22 people working here with the addition of jobs. They'll be backfilling some of that space in their existing building. I haven't gotten a clear number; it'll probably be somewhere between 15 and 20 new employees total over that two-year term.

Amick – Do you know the median income for those positions?

Haire – I don't have any specifics on that. They couldn't give me a number specifically, but these are higher-wage positions. They're all professional project managers, design engineers, and HR staff.

Milliken – Correct me, if I'm wrong too, but part of the discussion was that we were having difficulty finding somebody to fill out the space, and I think one of the reasons why was because it was an unfinished space. I think it would be easier to replace them once their lease is up because it will be a finished space.

Haire – The inflation in construction costs is significant currently, and that is not going to change in this environment we have in central Ohio with all the growth we're experiencing, so completing that now and having a tenant that's willing to build out the space without us providing any type of tenant improvement allowance is rare. They will invest at least twice as much as we will in that space. It's going to be a

significant investment on their part for a short-term lease.

Shea – So for \$10,000 we get a completely finished building, guaranteed two years rent, and the possibility of five years rent, and all in all we come out in a much better situation. Plus the income tax.

Haire – Yes. We’re helping a local company continue to grow in Canal Winchester.

Shea – That too. Thank you.

RES-23-014

Public Service

A RESOLUTION TO APPROVE THE TRADE-IN OF A 2014 VENTRAC 4500Z MOWER

- Request to move to full Council

A motion was made by Amick, seconded by Buskirk to move RES-23-014 to full Council. The motion carried with the following vote:

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

Discussion started at 18:44 on YouTube Channel

Peoples – This is a resolution for the Ventrac mower. First of all, Ventrac is one of our mowers, and it’s a little bit different than some of the other ones you’ve seen around. We use it in a couple different ways. We could change some of the attachments on the front. We have an eight-foot cutting head on it; we actually used it for our first mow out at McGill Park last week. We have an eight-foot brush hog on the front of it, and then last year we got a broom for it as well so we could clean off the bike paths as part of our snow and ice operations. Along with that broom, we also got a cab for it with a little heater. Not only that, but we also use it out at the interchange for slope mowers. It’s designed to go on up to a 45-degree slope, so we get into the sides of that interchange out there. This is a very integral piece of equipment. As part of the 2023 budget, we are proposing to purchase a new one. This is a trade-in, and they’re giving us a very good amount for the trade-in. The purchase price for the new mower is \$30,000, and they’re giving us about \$16,000 for the trade-in.

RES-23-015

Council

A RESOLUTION ESTABLISHING THE COMPENSATION FOR THE OFFICE OF MEMBER OF COUNCIL OF THE CITY OF CANAL WINCHESTER FOR THE PERIOD OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2025

- Request to move to full Council

A motion was made by Shea, seconded by Buskirk to table RES-23-015 to full Council. The motion carried with the following vote:

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

Discussion started at 21:24 on YouTube Channel

Clark – I’ll open up the floor to council.

Amick – I have a kind of technical question; I think this is a question for Mr. Boggs: why are sections 4, 5, and 6 in this particular resolution if those are items that already exist?

Boggs – That was to ensure that those concurrent benefits of council would continue to be authorized for the upcoming biennium. In prior years, when council has adopted this ordinance, they have included and

restated those benefit provisions as well.

Amick – But wouldn't we have to vote to have them removed? Do you know what I'm asking? They're already there; why are we voting again for them when they're already there and we've not voted to remove them?

Boggs – The way that the charter provision on salaries is worded is that if you adopt the compensation ordinance by July 1st of the odd-numbered year, it takes effect the following year. If you fail to adopt something, then the current compensation continues; however, when adopting a new salary, it sort of raises the question: if you adopt a new salary and don't include the benefits, what was the council's intention? To keep them or take them out? That's why they're just restated here. One other item I would note, and it's not included in this draft, but it was included in your discussion two weeks ago, was conditioning the receipt of the 3% cost of living adjustment on adopting and providing a cost of living adjustment for employees. In thinking about that, and it honestly just occurred to me as we were sitting here preparing for this meeting, I realized that including that provision could arguably be seen as influencing council. For example, if you were faced with a budget request from the administration that called for no cost of living adjustment for employees, then, from the perspective of the Ohio Ethics Commission, council members could be influenced to add in an increase so that they could get theirs. While I think the sentiment behind that discussion is appreciated from an ethics commission perspective, making it conditional on your approval of COLA for staff would create an ethics commission.

Amos – If that ever happened, and the city came to us and said they weren't taking any pay raises, this council could decide to do nothing and take no pay raise as well.

Boggs – This sets it for two years. The pay raise for 2025 would still be in effect regardless. We could seek an advisory opinion from the ethics commission, and if they were to sign off on that as being appropriate, then you would have immunity to take that action in the future.

Milliken – I'm okay with that.

Shea – I'm fine with that. Please. I like it just for the spirit of it. There's no reason that we should take more money if the people doing the work aren't getting more money.

Amos – Mrs. Jackson, how soon do you need an answer? Is it July?

Jackson – Yes.

Amos – Mr. Boggs, if I'm correct, any decision made by them can take six months to a year to receive an opinion?

Boggs – It can take them some time, yes. I wouldn't want to go so far as to commit to saying that it couldn't be received by July 1st, but I also wouldn't want to commit to saying that it will be received by July 1st.

RES-23-016
Council

A RESOLUTION ESTABLISHING THE COMPENSATION FOR THE OFFICE OF THE
MAYOR OF THE CITY OF CANAL WINCHESTER FOR THE PERIOD OF JANUARY
1, 2024 THROUGH DECEMBER 31, 2025

- Request to move to full Council

A motion was made by Amos, seconded by Amick to table RES-23-016 to full Council. The motion carried with the following vote:

Yes 6 – Amos, Amick, Buskirk, Clark, Milliken, Walker

No 1 – Shea

Discussion started at 28:15 on YouTube Channel

Amick – Mrs. Jackson, can you check my math for me, please? There would be a \$50,000 annual salary, \$6,000 in travel allowance, and \$83.52 in PERS contribution; am I missing anything?

Shea – Health Insurance.

Amick – Do we know roughly what that number is? Because we're at around \$64,352 without the health insurance contribution.

Jackson – Health insurance alone is \$26,000 this year. Dental, vision, and life insurance is probably about another \$1,600 for the year.

Amos – So looking at the salary, those were kind of some numbers I had ahead of time. I was thinking we really need to reduce it between \$30,000 and \$40,000, which breaks down to about \$50,000 to \$60,000 with benefits.

Amick – What is the rough total compensation package today? Because that puts us right in the neighborhood of \$90,000 for a reduced salary plus benefits.

Jackson – Roughly \$137,000.

Shea – What about the alternative proposal with the 3% increase in the PERS pickup?

Jackson – \$137,000 is what it is today. He has no PERS pickup today, so that's not included in anything. The \$137,000 is purely his salary, the monthly travel allowance, and his health insurance—dental, vision, medical, and life. The mayor's salary next year without a city administrator is at \$103,868.

Walker – After more consideration on this, I came to my opinion of \$40,000 plus PERS pickup and the monthly travel allowance.

Amos – I pulled up the charter because we keep going back to the whole fact that there are no set hours. We may be the luckiest city in the world to have somebody look at this and say they can do this full time for \$40,000, and we may not. We have to plan for either or situations because we don't know if we're going to get somebody who's going to be part-time or full-time. There's nothing in the charter that states hours. Some of the things in the charter talk about being responsible for the administration of all municipal affairs placed under the mayor's charge by the charter, but our charter is kind of vague on that. It goes on to say he appoints, promotes when necessary for the good of the service, suspends, removes, or otherwise disciplines municipal employees and appointed administrative officers. What does that look like to us? If you potentially have a part-time employee, How is that fair? Again, there are no hours, so how does this look, or could it look, if we get somebody who's only here a couple hours a week?

Shea – I'd like to just take a stab at this because these words, "part-time and full-time," are irrelevant. The mayor is the mayor. There is no part-time or full-time work. The way it works is that the mayor reports to the residents. The residents vote for him, and then he or she is accountable to the residents. We can influence the mayoral policy through the budget process, but for us to dictate the terms of a duly elected executive on how they're going to do their job, we're overstepping our lines and what we're allowed to do. That is my opinion.

Amos – We're lucky right now. Our mayor works more than 40 hours a week. Let's be honest. We, as a council, are responsible for defining these. If we're creating a new administrator position or looking to reduce the mayor's salary, we're making a statement. We are also responsible for making sure that those people can do the job. If I get somebody who logistically cannot work and cannot be at the city office on a regular basis, is it fair to tell Mrs. Jackson that this person who only shows up a couple days a week is going to be your evaluator? Is that fair? Are they going to get the whole picture? Do they see everything? That's hard. It may not be fair, but that's what it says in our charter. It does state later that he can designate some of this to the administrator, but if we're designating to the administrator, then why aren't we having our administrator be the one in charge in the first place? If you're designating a lot of this stuff over to your potential administrator, why are we going mayor-strong still?

Shea – Well, what you're calling for is a charter change?

Amos – Yes.

Shea – Which is something that we probably should discuss and actually wrote down to talk about in our new business. Right now, we have to deal with what we have in front of us. We've got the rules in front of us. The way this is set up and the way Mr. Boggs has explained it to me, and believe me, I've probably worn him out on questions on this topic, but the way it's written is the way it's written. If we want to deviate from it, then we're going to be in violation of the charter, which is not a good thing. That's the constitution of our city, so we need to respect it, and if we don't like what it is or how things are evolving, then we need to change it.

Amos – Agreed. Which is why I still keep going back to I think we're putting the cart before the horse. I feel like we're asking for these changes, but we're not making them in the appropriate order. It just doesn't seem logical to me that we're appointing somebody who's going to be taking on a lot of power in our city as a city administrator and could potentially be designated a large chunk of responsibility from the mayor, and yet we're not giving them really what they deserve.

Shea – Who deserves?

Amos – The city administrator. You're going to be assigned as a city administrator and be taking on a large chunk of items for us, potentially being designated with large amounts of responsibility as far as the authority to supervise, revoke, and delegate. There is a lot of stuff.

Shea – Timeout. That charter language was approved by the voters of this town.

Amos – Understood.

Shea – At the end of the day, I can't argue with that because it's from our voters. We have a charter review process, and that charter has gone through it, so to disagree with it philosophically is acceptable,

but to ignore what it says is irresponsible.

Amos – I don't want to ignore it, which is why I'm bringing it up. When you look at it now, the city did not used to be mayor-strong. Let's remind everybody of that. The city did not always have mayor-strong language. It's been 20 years; we were not mayor-strong then.

Ebert – Yes we were.

Shea – We were mayor-strong with Marsha Hall, and that was over 30 years ago.

Amos – They changed over to mayor-strong somewhere back in Marsha Hall's term.

Amick – The bottom line is that whether you pay the mayor's position \$10,000 or \$100,000, the responsibilities, without a charter change, stay the same. Whether they're here a couple hours a week or 60 hours a week, they still have to execute on what's already been approved in the charter. I kind of feel like it's irrelevant until the charter changes. If I'm an employee of the city and I'm going to take direction from somebody who may only be in the office a fraction of the time, I don't care; the charter says that he or she is responsible for directly supervising that individual. Now, when the charter comes up for review in 2025 that could very well change everything. It could change the structure of our form of government, the language, and what the mayor is actually responsible for executing, but right now, the way it is worded, the mayor is still fully accountable to the voters for what's in the charter.

Amos – I'm not denying any of it. I completely agree with everything everybody's saying; it just seems illogical. We're changing the salary, we're reducing these changes, and we're potentially adding the city administrator, but the mayor position still has a lot of things they're responsible for. We've been lucky enough to have a mayor who has the time to do this with the salary reduction. I would be remiss if I didn't say I'm concerned that if we get somebody who can't work as many hours, I now have staff reporting to somebody who is getting their evaluations from somebody who isn't working on a regular basis. I understand what the charter says, but not if we don't put this through and start putting it in the order we should be doing it in.

Shea – The good news is that we really do have a great professional staff here. I know I give them grief sometimes and I disagree with them sometimes, but they're very talented, capable, and do a very good job. It's just going to come down to a vote; if you don't like it, you don't like it. If you like it, you like it.

Clark – I think you're overthinking this. This works in other cities, and other cities have this type of government. You've got a three, four, or five-page job description of the city administrator's position in place that states the employees report to him or her. The mayor would discuss what he wants accomplished with the city administrator, and then it would be delivered to the staff. The mayor will always be at the top.

Amos – I'm not opposed to a city administrator. I just think that we've done this in an inappropriate year. I don't feel like we're doing it the way we should. We're not taking the time to really put it in the position where it should be. We are a small town comparing ourselves to a lot of others, where a lot of cities our size have a strong city administrator or city manager. I just feel like we're rushing. That's all.

Milliken – I tried to track down as many people as I could and have conversations with those who were on the charter review committee when this city administrator position was put forth. Because it was so long ago, the memories weren't that great. In the conversations I had, nobody mentioned the administrator

with regards to the mayor's salary. I think that's where the muddy water starts to happen for me. I'm not necessarily against a city administrator. What I'm against is bringing in a city administrator and reducing the mayor's salary; it feels like a change to the charter to me. Maybe it is, maybe it isn't. It's an important change happening in our structure of government that I think needs more voices from the community to participate. I think it needs to be a charter decision. You're right, Patrick; it's in there, and we have every right to do the administrative position. I don't like the fact that it's in there because it has those muddy waters. It just seems like a charter decision to me at this point.

Amick – For this particular resolution, keep me honest, but we have until June 19th to make the decision. Is that correct? So, perhaps we table this until such a time so we get to have more conversation with our residents. Again, we have to keep these pieces of legislation separate. This is literally about the compensation package for the mayor's position.

Amos – I'd love it if that happened. I would love to hear from more residents. There has been a lot of talk. I've had lots of residents approach, and I would love for more people to come in and share their thoughts. We can't do a charter change right now. Could there be one next year? Could we decide as a council to review it over the next year and put something forward? Absolutely, we can. Right now, we're just at a rough spot, but I want to hear from more people in our community as to how they feel about this. I know we'll have some people tonight, I'm sure, who are going to share thoughts, but I'd love to hold it for a little while longer.

Amick – Mrs. Jackson, your PowerPoint presentation that you shared with us several weeks ago is excellent; thank you for doing that, by the way. That was very helpful. You had given some examples of some other cities and the salaries for those mayor positions. Was that the total compensation package, or was that just the straight salary?

Jackson – That's just straight salary.

Amick – Because I think where I'm getting hung up on this particular resolution is that I threw out the \$50,000 and thought it seemed like a reasonable salary adjustment, but then when you start adding in all of the other benefits, that changes the picture a little bit for me.

RES-23-017

Development

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AND COMPENSATION AGREEMENT WITH VIOLET TOWNSHIP, FAIRFIELD COUNTY, THE FAIRFIELD COUNTY PORT AUTHORITY, THE BOARD OF EDUCATION FO THE PICKERINGTON LOCAL SCHOOL DISTRICT, EXEL, INC., AND DECLARING AN EMERGENCY

- Request to move to full Council

A motion was made by Shea, seconded by Buskirk to move RES-23-017 to full Council. The motion carried with the following vote:

Yes 6 – Shea, Buskirk, Clark, Milliken, Walker, Amick

Abstain 1 – Amos

Discussion started at 51:30 on YouTube Channel

Haire – This resolution will authorize the mayor to enter into this development and compensation agreement with the number of other entities that are listed there. This is in regards to a development

that's taking place at the southwest corner of Basil Western Road and Amanda-Northern Road in unincorporated Violet Township. The developer, Exel, Inc., is also DHL Supply Chain. They're proposing to build a 700,000 to 800,000-square-foot distribution center at that site. It would be a 45- to 60-million-dollar investment in that project. That project is already zoned in the township, and the township approved entering into this agreement at their meeting last Wednesday night. The port authority, which is also party to this agreement, approved it this morning. As part of this council's approval of a MOU to create a JEDD, which is a Joint Economic Development District with the township, it happened last fall. We laid out the terms of what that JEDD would look like and what the revenue share would be. If you recall, the city would allow the township to use its income taxing authority, so a 2% income tax will be charged on two properties along the Basil Western corridor that develop within the unincorporated township area. The revenue split on that was that the city would receive 13% of the income taxes collected, 3% of that would go to RITA for the income tax collection services, and 10% would go to the city. This further lays out other incentives. The company would receive a 15-year, 100% property tax exemption. They would also create a tax increment financing district in that area. The tax increment financing district will be used to pay for roadway infrastructure improvements, which will be done by the Fairfield County Transportation Improvement District. There are also a number of sources of revenue from the developer that would go into that TID to help fund those improvements. There's a \$1.2 million contribution from the State of Ohio through the 629 Grant that was received for Exel, Inc. They would contribute a dollar per square foot for any development that they do on that site. That pool of money is approximately \$3 million and would go towards the infrastructure improvements that would need to take place along Basil Western Road to accommodate this development and other developments that are underway in that corridor. There are a number of other developments that would be subject to the same terms that are set forth in this agreement and that would be done through a very similar development and compensation agreement. This is in the Pickerington Local School District, so they would receive 10% of the JEDD revenues in that area as compensation for allowing for the 15-year 100% exemption. They would also receive a payment in lieu of taxes of 20 cents per square foot of building annually during the term of the exemption, so during that 15-year term. Rick Szabrak is here to answer any questions you all might have. He is the development director for Fairfield County. He's been working more directly with the company and all the entities to gain their approvals and understand the terms of the agreement. We're part of this agreement just because it basically contemplates the JEDD. We haven't formally entered into the JEDD agreement yet. We're party to this agreement because the JEDD is included in it. I'd be happy to answer any questions, or Thad has been working on it and reviewing it as well. Our anticipation is that we would have very similar types of arrangements with any developments that would take place within the corporate limits in terms of the contributions. We'll have a memorandum of understanding that we'll be looking at introducing to council at a later date that will lay out those terms for any properties developed in that corridor so that we're all working together towards solving the infrastructure issues that are out there.

Amick – This costs us nothing because it's already been zoned and approved by Violet Township. This is pure revenue for us. Is that a fair way to simplify this agreement? We would collect the 10%. It doesn't really cost us anything to enter into this agreement.

Haire – Correct. It would be the JEDD agreement, which would come later. We'll have legislation that will come at a future date that will create the JEDD in that corridor.

Boggs – There's a particular statutory process we have to go through to formally create the JEDD. This development compensation agreement anticipates that process, starting with this property owner's

petitioning to do that.

Amick – So, this is just the first step of becoming party to the JEDD.

Boggs – Or the second step.

RES-23-018

Development

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT A DEED OF SIDEWALK EASEMENT FROM DANIEL ROBERT, INC.

- Request to move to full Council

A motion was made by Amos, seconded by Shea to move RES-23-018 to full Council. The motion carried with the following vote:

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

Discussion started at 59:09 on YouTube Channel

Haire – This was an easement that we brought to you previously. There were some changes in the location of that easement and where the sidewalk needed to be installed based on other utilities. This is just describing the change in that area and the acreage associated with it. This is for the project at Groveport Road and Clinton Street.

Amos – They are making them put a sidewalk in front of these houses, correct?

Haire – Yes. I believe it's already been installed. They need to have a public easement associated with that sidewalk so that the public can traverse it because it's outside of any right-of-way.

ORD-23-012

Construction Services

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 to move to full Council

A motion was made by Amick, seconded by Shea to move ORD-23-012 to full Council. The motion carried with the following vote:

Yes 6 – Amick, Shea, Walker, Amos, Buskirk, Milliken

Abstain 1 – Clark

Discussion started at 1:02:27 on YouTube Channel

Sims – I'm requesting that council authorize this ordinance to be moved forward to full council to award the street program to Decker Construction. They performed a project for us last year and have on several occasions in the past as well and performed successfully. This project is a little bit larger than our typical street program with the inclusion of some of the roadway work associated with the water line project that will be replacing water lines in the Dye/Manor subdivision.

ORD-23-013

Finance

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED THREE 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

- Request to move to full Council

A motion was made by Amos, seconded by Walker to move ORD-23-013 to full Council. The motion carried with the following vote:

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

Discussion started at 1:04:19 on YouTube Channel

Jackson – We've had some brief discussions about this debt several times over the last five to six months, starting with our budget discussion last fall. Back in 2021, we issued \$6.5 million worth of short-term bond anticipation notes to pay for the renovation of this building that we're sitting in as well as phase 1 of McGill Park. In 2022, we chose to pay off \$750,000 of that original \$6.5 million issuance. What we did is what we call rolling the remaining amount. We rolled those into a new short-term, one-year bond anticipation note. Currently outstanding, we have \$5.75 million that is coming due in May of this year. We had talked several times briefly about what to do with these notes now that interest rates have sort of moved since they were issued around this time last year. I am bringing this to you this evening after a lot of internal discussion about our capital projects that we have coming up in the next several years. We have a lot on our plate. While we could pay off that \$5.75 million bond anticipation note, we don't think that is the best move currently. We would like to maintain some cash in the bank to continue working on some of these capital projects, namely McGill Park Phase 2 as well as the covered bridge roof, which really, truly, needs some help. We would like to be able to again have that cash available to do those two projects. We do have some more details about McGill Park Phase 2 that we would like to share with you this evening during Old/New Business that relates directly to this. This ordinance is written to allow us to again roll up to \$3.75 million of what is currently outstanding, which is \$5.75 million. This is a not to exceed amount, meaning we can go all the way up to that number or we can go less. We're here tonight to talk about that and see what the council's feelings are on how we would like to approach this. A couple points that I want to bring up: it does have language in here about the Ohio Market Access Program (OMAP) that is through the Ohio Treasurer's Office. I included some information regarding that program with my written report this evening in your council packet. This is not something we've done before, but there's no cost to the city to do it. It basically allows us to piggyback off of the State of Ohio's short-term credit rating, essentially making our debt issuance more marketable. It was brought to my attention that this would probably be a good thing based on where the market is right now for this type of debt and that piggybacking off of the state would be in our best interest. Obviously, interest rates have increased significantly since we did this last year. We're looking at about a 4% interest rate here. However, if we were to take this long-term, our interest cost would be huge. So, what I did is I ran some numbers earlier today for this discussion on what would happen if we were to pay down a portion of it and take the \$3.75 million over 20 years, as well as what would happen if we took the current \$5.75 million that's outstanding over 20 years. We take what is currently outstanding (\$5.75 million), and we're going to end up spending \$2.7 million in interest. That's just of interest. It's a very large number, right? Especially when your principal is \$5.75 million. If we were to do \$3.75 million, pay down some of it, and issue long-term debt for the \$3.75 million, we'd still be looking at roughly \$1.7 million in interest. With that being said, it is my suggestion that we do not go long-term with this debt and that we give ourselves another year and potentially pay off the rest of this next

year, even though we will incur a 4% interest rate on whatever we don't pay off this year. I hope I'm not throwing too much information at you, but even paying 4% next year on whatever we don't pay off this year is still a better deal than going long-term on this debt. I have a dollar amount in mind of what I think we should pay off; ideally, I'd like to get our outstanding debt down to closer to the \$3 million mark, but I am open to discussion with council in case there's anything capital project-wise that we have not considered internally that council would like us to take a look at and that we could potentially need that cash for. I will turn it over for questions.

Amos – Are we able to expedite the conversation regarding McGill Park Phase 2 now so we can understand what you're asking or why?

Jackson – Of course. I'm going to let Mr. Peoples and Mr. Sims jump in so we can kind of talk about this.

Peoples – We've been putting together some planning for McGill Park Phase 2 from the original concept drawings. As part of our planning process, the quad baseball field was pretty tight in that area. We've also met with CWJRD and the BrockStrong Tournament to kind of see what their needs were. They both said there was a bigger field need, so what we wanted to try to do was put a large field in there, which again made that site a little bit smaller. We'll go over to this area; these are five pickleball courts. The way it is laid out now is kind of four in a row and one separate. We're still kind of working on the configuration for that. There would be some additional parking in this area. This is where the parking lot ends now, so we'd be extending the parking lot into here and then putting in a culvert. There's a ditch that runs through here. As part of our proposed Phase 2, we would be installing a walking path all the way along Lithopolis-Winchester Road, crossing over the bridge, on the bridge itself, and down over the hill to tie into the dog park. We would be doing some grading work in this area, but the fields are not included in what we're considering for our Phase 2 project. Some of the costs that are associated with that are: pickleball courts along with lighting, parking, and the path connection to the bridge are \$630,000; baseball field site preparation and mass grading are about \$750,000; the dog park and this is a kayak launch into the creek; the connection to this side of the bridge is about \$550,000; and then the bridge itself is about \$325,000. We have to put a structure alongside of the existing bridge similar to what we have on the McGill Connector Trail, and we were able to work with Franklin County Engineers, who own the bridge, to be able to put the path on there. It'll be separated by a wall, is that correct?

Sims – There'll be a concrete barrier.

Peoples – That is our Phase 2 plan. I'll take any questions if you have any.

Amos – The pickleball courts, launch ramp, dog park, and trail will all be completed. The baseball fields will be graded, but not the actual field.

Peoples – Correct.

Amos – So, that would be part of Phase..?

Peoples – Either 2A or if we're going with Phase 3. More than likely, the next phase. We added a pavilion as well. From our original concept, it had a silo here as the press box. We had restrooms in this area. We kind of—I guess I'll call it scaled back a little bit from what the original concept was, although we do want to have a press box in here. We put a shelter house in this area, and these two green areas would be a little bit of an open-space turf field for people who are renting the shelter house.

Shea – How much more to do the ball fields?

Jackson – The budget we got last December which included the grading was about \$5.5 million.

Peoples – That’s why we pulled it out of this phase.

Amos – Do you have an estimated cost for the covered bridge roof replacement?

Peoples – It’s about \$110,000. We went in earlier, late last year, and we were hoping to just pressure wash it. I don’t know if you have been down there, but it has a bunch of moss growing on top. It just doesn’t get a whole lot of sun. We had a crew come in and they started spraying it, and it went right through the cedar shakes, which are from 1992. We’re actually looking at some synthetic material to go on there that Mr. Moore has approved in the Landmark district. They’re exact replicas of the cedar shakes.

Amos – So, \$2.5 million for the park, \$110,000 for the covered bridge, and, Mrs. Jackson, you want to pay off \$2.75 million and refinance \$3 million. The \$3 million will give us a little wiggle room, is that what you’re telling me?

Jackson – Correct.

Amos – That makes a lot more sense. Thank you. In the one-year, we’re going to do short-term debt at a 4% interest rate on the \$3 million.

Jackson – Correct.

Amos – How much do you think we can pay off in that one-year term?

Jackson – We only pay it off once a year. There’s not like a midpoint where I’m paying it off. I mean, ultimately, the goal would be to pay this off completely in 2024 when it comes due in May of that year. However, we will likely be having this conversation again next year, first to see where interest rates are and, second, to see what happens with our capital projects between now and then. I have one more thing I would like to bring up. You will notice that the legislation is written with an emergency declaration on the end. You do not need to pass this tonight. That emergency declaration is merely there so it becomes effective upon passage at third reading to allow for us to hit the timeline of when the debt matures in May.

Clark – When you talk about the \$5.75 million outstanding debt total, is that where you get into the wastewater debt?

Jackson – No. That has nothing to do with utility debt.

Shea – You’re still putting in new headworks, correct?

Peoples – Yes. That’ll be another discussion we have next year.

Shea – And that’s still going to be \$20 million?

Peoples – Well, we hope not, but we’re still looking at \$20 million. We will be fine-tuning that cost estimate as we go through detailed design.

Shea – Sure. We talked about this like a year ago, and I remember that there was like an EPA loan program that you were going to be able to get into and that upgrading the headworks was only going to be from a cash flow perspective. \$15,000 more a month, is that still accurate?

Jackson – Without an exact dollar amount on how much construction is going to cost, it's difficult to put an exact number on that. You are correct; we do have a wastewater debt that will be falling off the books. Our last payment is in 2024. That payment is pretty significant; it's over \$400,000. We have this timing with the headworks project where once we get a loan for that, as you said, Mr. Shea, through the state, once we go through the construction process and have to make our first payment, we won't have any doubling up. The difference there is probably, if I had to take a guess, definitely more than \$15,000 a month, but we pay that debt once a year. Although with the loan, it'll be twice a year. The current debt is once, and the new loan will be twice a year, usually in a January-July kind of time frame.

Peoples – It's similar to the exercise we're going through right now—how much we're going to put down. We have very healthy balances in our wastewater, so we'll have to figure out how much of an actual loan we're going to take and how much we're going to pay out of the cash reserves we have, which is roughly \$10 million.

Shea – That's tied to those funds for sewer, wastewater, and utilities, the \$10 million. That's really a separate account.

Peoples – Correct.

Shea – This one here that we're talking about runs through the general fund.

Jackson – Correct.

Shea – What is our unencumbered cash balance presently?

Jackson – Let me give you the numbers as of the end of February, because that's our most recent month-end that I have right in front of me. Unencumbered, we have \$7.2 million, but that's not a true financial picture. We ended 2022 with \$18 million.

Shea – So, we ended 2022 with \$18 million, and then we take out this year's operating budget.

Jackson – Right, but you also have to add in what we're taking in this year as well. The original budget was \$11.4 million.

Shea – How are revenues pacing compared to last year?

Jackson – Really, the only one I pay attention to on a monthly basis is the income tax, and we're about \$250,000 ahead of where we were this time last year. We took in over \$11 million last year. I would say that we will be there again this year.

Shea – Do you think we'll go higher?

Jackson – Likely. It all depends on operations in some of the vacant spaces.

Shea – The last time we talked, there were only 30,000 feet left to lease, right?

Haire – That’s finished.

Shea – This is me personally; I don’t like kicking the can further down because, honestly, I kicked myself when I looked back on last year. It was the first time I ever saw a resolution like this, and I went along with it, but I think we missed an opportunity as a council to set ourselves up on a good long-term interest rate. Now we’re stuck with a really crazy interest rate environment. I personally would like to see us knock down as much of this debt as possible. I don’t feel like the economy is going to get better. I’d prefer to play more cautiously.

Peoples – We have McGill Park Phase 2, Gender Road Phase 6, where there’s a million-dollar shortfall, but I think that’s an argument to not pay down as much because we know we have these other projects that are out there. We don’t want our cash balance to go down to a point where we don’t feel comfortable with it. We have Greengate, the roundabout at Kings Crossing and Hill Road, and there will be infrastructure needs for the Basil-Western corridor. We know we have these projects out there.

Shea – Maybe we need to hold off on McGill Park Phase 2. I mean, this is great. It’s an awesome idea, but maybe we need to hold off because I don’t want to see us just keep adding more debt. I know there’s a fine line there.

Jackson – This isn’t new debt. We’re not adding debt.

Shea – We are if we do McGill Park Phase 2.

Jackson – No, we’re not. That’s what I’m saying. We’re not issuing new debt to do this project. We’re asking to keep the cash we have in the bank right now to do this project. We wouldn’t be in the financial position we’re in if we took this one year at a time. We finished 2022 with a year and a half’s worth of cash in our general fund. That is quite honestly way more; we should have between six and nine months’ worth of cash in the bank at the end of the year. We’ve had this discussion for years and years. We knew all this stuff was coming. We’ve been preparing for it. If for some reason our income tax revenue was not what we thought it would be, we’re not going to go out and build Phase 3 of McGill Park. We’re not going to spend money we don’t have. We know we have this money. Ultimately, this is the council’s decision; if you would rather just pay it all off now, we can do that. If you don’t want to pay any of it off, let me know, and we’ll rewrite the ordinance for that, but this is the best situation we have for now. You mentioned that if you had known last year, you would have taken this long-term; we would be paying a couple million dollars in interest still. It’s like your mortgage. You take out a mortgage, and your rate could be 2%, but you’re paying that 2% on your mortgage for 30 years. So, how much interest did you actually pay on your mortgage? That’s exactly what we’re looking at here, so even though the 4% interest rate for one year sounds like a lot of money, in the grand scheme of things, it is the best financial decision for us at this moment.

Shea – Well, really, all you’re doing is taking \$120,000 and spending it to kick the debt down the road.

Jackson – For one year.

Shea – For one year, but I really would like to understand what we’ve got coming in terms of cash flow revenue and big projects and how we’re going to cash flow them while still maintaining the quality of city services. I’m really trying to understand the whole macro picture here so that we make the best financial decision for the residents of the city.

Milliken – *It’s fair. You should want the clearest picture possible that gives you the confidence to make a decision on this. That being said, this is just a first reading. We do have time to build that picture.*

Ebert – *I think, in a nutshell, Amanda presented this last fall in her budget presentation. It was all spelled out, then, so I think you might want to go back and review that. The numbers may have changed slightly, but these are still the same projects.*

ORD-23-014

Mayor

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

- Request to move to full Council

A motion was made by Amos, seconded by Amick to table ORD-23-014. The motion failed with the following vote:

Yes 3 – Amos, Amick, Milliken

No 4 – Buskirk, Clark, Shea, Walker

A motion was made by Shea, seconded by Buskirk to move ORD-23-014 to full Council. The motion carried with the following vote:

Yes 4 – Shea, Buskirk, Clark, Walker

No 3 – Milliken, Amick, Amos

Discussion started at 1:38:27 on YouTube Channel

Amos – *I would respectfully ask us to hold it since we held the mayor’s salary. We’ve talked about how these two need to go hand in hand. As we have further conversations to hear from our community, my request would be to table this one.*

Boggs – *One suggestion I would have is that because the text of the section on the administrator requires that the position be created by council by ordinance, it would be on for three readings unless you waive the readings. One option that would be available to you is that rather than tabling it at work session, if you move it on to the full council agenda, you could go through your readings on separate days, and then if you get to the third reading and are not ready to act on it, you could always table it on the council agenda rather than leaving it here and not getting through readings as we move along.*

Amos – *We do still have plenty of time to get three reads in if we table it tonight.*

E. Old/New Business

OTH-22-021

Pedestrian Safety

Discussion started at 1:41:02 on YouTube Channel

Peoples – *This is in my written report. We’re hoping to get the contractor out there working within a month.*

OTHER DISCUSSION

Discussion started at 1:41:18 on YouTube Channel

Amos – I had one quick thing to say. The new event center that's going in on Liberty Street has been proposed, and they're currently working on it. Right now, a lot of those residents park on the street. It does not have a curb yet, and there's no curb buildout for the majority of those. There is parking on the side of the building. There is parking on Towing Path Alley. My request is for us to consider putting resident-only parking on just one side of the street for the residents to park on, just to give them a little bit of relief when there are events that are potentially coming in.

Haire – My question is, would we be issuing permits and then providing stickers for residents, and then who monitors and enforces parking regulations in that area? What are the costs of those permits?

Amos – I agree you'd have to get a permit, but I think the sticker could not be something that's super exorbitant. We don't have them in any other neighborhoods.

Haire – We do not issue parking permits anywhere in the city.

Milliken – Wouldn't the resident just be able to look out their window and be able to tell if it's their car or not?

Haire – How do you know if it's one of your neighbor's guests or anything along those lines? In the city of Columbus, in my experience, I had a parking permit. I paid an annual fee for that parking permit. I was given guest passes to give my guests when they arrived at my home. I had to pay extra for those guest passes. The guests would put those in their cars when they were at my house. That was monitored by a parking enforcement division in the City of Columbus, which would write parking tickets, boot cars, tow cars, and things like that. You're getting into a lot bigger issues with enforcing parking, and you need a division that would be able to handle that.

Amos – They have short driveways. We've seen it happen before. You get a lot of people who don't seem to know how to park on the curb, and they end up in your yard. I don't think it's going to be that complicated. We're talking about four or five houses total, but just consider putting signs up and then issuing them a sticker for their car. Their guest can park wherever. I wasn't looking into it that far. It's just for residents only. I think it would prevent people from parking all over their yards.

Shea – Are we creating a problem that doesn't exist yet?

Amos – Potentially. The lady who is selling her house was the one who brought this up and asked about potentially bringing this forward. There are two houses back-to-back right now that are for sale. There will be quite a bit of parking going on there, and I don't want yards destroyed. There's no curb. If it were a curved road, it would not be as big of a deal to me, but we've seen people pull into yard sales and into people's yards.

Amick – I think it would be interesting to know the occupancy of the facility and the number of available legitimate parking spaces to kind of look forward and say, do we think this is going to be an issue or not?

Amos – I'll look and find out.

Discussion started at 1:47:08 on YouTube Channel

Shea – I'd like to bring back the police study and discuss the presentation we had with Chief Von

Eckartsberg. If we could add that to Old and New Business for the next meeting.

Clark – Sounds good. Real quick, I had a constituent reach out regarding their yard work over in Westchester. They have had an issue with a fiber-optic cable being laid in their yard since last August. There was a ditch that was being dug. I reached out to Bill, and he gave me a contact. In a matter of ten minutes, I had somebody on the phone with AT&T who was already on the phone with this constituent. AT&T is coming out tomorrow to look at the yard and fix it. If you have any other complaints in that area, I strongly encourage you to reach out to either Bill or myself. I don't have the guy's number with me right now, but I can get it to you if you need it.

Sims – Just to follow up on that. In that instance, it was in a portion of development that wasn't part of the greater AT&T fiber project. It was fiber going into a new section of the subdivision along with other utilities. I spoke with AT&T to discuss the restoration and the rest of those areas where they have been working all last year. They're working on getting the restoration plan together. They are well aware that they need to be on that this spring. They had a little bit of right-of-way work to take care of. AT&T is installing a new conduit along an existing duck bank on West Waterloo Street starting on Elm Street, and it will actually tie into a below-ground vault at the southeast corner of High and Waterloo Streets, which is actually in the pavement. It's been on my report for quite a while. They're actually getting ready to start that, so they'll be working down by Elm Street later this week and then probably be down in the intersection in the next two weeks. It's directional boring, but there is some excavation that has to be done to locate the existing utilities in the ground.

F. Adjournment @ 7:45 p.m.

*A motion was made by Amos, seconded by Buskirk to adjourn. The motion carried with the following vote:
Yes 7 – Amos, Buskirk, Clark, Milliken, Shea, Walker, Amick*