

# Canal Winchester

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



## Meeting Minutes - FINAL

September 8, 2020

6:00 PM

## Council Work Session

*Mike Coolman - Chair  
Jill Amos  
Will Bennett  
Bob Clark  
Patrick Lynch  
Chuck Milliken  
Mike Walker*

**A. Call To Order**

*Coolman called Work Session to order at 6:01 p.m.*

**B. Roll Call**

**Present 6 – Amos, Bennett, Clark, Coolman, Lynch, Walker**

***A motion was made to excuse Milliken by Walker; seconded by Bennett***

***The motion carried with the following vote:***

***Yes 6 – Walker, Bennett, Amos, Clark, Coolman, Lynch***

**C. Also In Attendance**

*Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson*

**D. Request for Council Action****RES-20-006**

*Finance*

A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor ([Resolution](#))

*- Request to move to full Council*

*Jackson: Thank you Mr. Coolman; this is a resolution we do each fall that goes to the Budget Commission; basically setting tax levies, and determines the amount of property tax money that we get; now this is really more important for any municipality or entity that has voted debt; as this rate will change based on the amount of money they need to generate; but since our village does not change; this is just a routine thing we have to do; you will see the number in the resolution is a little bit higher than what you are used to seeing; it is my understanding that number does not reflect the increase in property values that the Franklin County Auditor has been going through their triennial update; so that could fluctuate a little more; given the development we've had that is why you are seeing the number that you are.*

***A motion was made by Clark to move RES-20-006 to full Council; seconded by Bennett. The motion carried with the following vote:***

***Yes 6 – Clark, Bennett, Amos, Coolman, Lynch, Walker***

**ORD-20-038**

*Finance*

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

*- Request to move to full Council*

*Jackson: This is another yearly ordinance that we do; so each year I take all the ordinances that Council passes and send them to what we call our codifier; and they review them and determine which ones need to be put into our codified ordinances; basically into our laws; so this is an ordinance listing the updates to that; mostly what you are seeing are updates to the state code that we need to reflect into our code; they will also make adjustments to our codes that was passed in the past. Coolman: how far back does it go? Jackson: since we do it yearly this would go to May 2020. Coolman: and the reason for the emergency? Jackson: They always write this as an emergency declaration; the codifier writes this ordinance, I did not; but we like to get*

these updated as soon as we can. Amos: where is the hands free ordinance fall in this, am I missing it? Jackson: it isn't going to be specifically listed here because this is everything that you have not already passed; and adding that to the codified; this is going to be states codes; as far as the hands free goes effects the codified ordinances; so it is already codified. Clark: it says the "Village" of Canal Winchester, is that ok. Jackson: yes, that it OK.

**A motion was made by Bennett to move ORD-20-038 to full Council;  
Seconded By Amos. The motion carried with the following vote:**

**Yes 6 – Bennett, Amos, Clark, Coolman, Lynch, Walker**

**ORD-20-039**

Development

An Ordinance Authorizing The Mayor To Enter Into A Clean Ohio Trail Fund Program State/Local Grant Agreement With The Ohio Department Of Natural Resources For The Proposed McGill Park Trail Connector And To Declare An Emergency ([Ordinance, Exhibit A](#))

- Request to move to full Council

Haire: Thank you Mr. Coolman; this ordinance would allow us to enter into an agreement with Ohio Department of Natural Resources; this is for the Clean Ohio Trails Fund; it is a standard state agreement; Mr. Hollins has reviewed the agreement and has no issues; this will allow a fifty percent reimbursement for the extension .76 miles of trail; the total project cost is \$901,656.00 the state will be reimbursing us \$450,828.00 through the Clean Ohio Trial Funds; the term of this agreement is we would have to have the construction complete prior to December 31<sup>st</sup>, 2021. Questions? Lynch: when do you plan on breaking ground? Haire: we are moving forward with engineering on the project, so that is underway. Lynch: so you are still in the paper planning stages before we would get the estimates and such. Haire: our hope is to proceed with both; so we have entered into the other agreement with the parks phase one improvements, and we would hope to bid those out at the same time; with mobilizing equipment and things like that and get it under one contract. Lynch: who are we using to draw the plans? Haire: plans are being drawn by OHM. Coolman: the length of time is? Haire: the biggest hurdle we have with our timeline is the bridge; but I would assume it would take a matter of months. Walker: so the latest it would start would be the spring? Haire: more than likely we will be bidding it out in the spring, we don't have an exact time yet; we did a lot of work with the environmental side of it that is why it has taken so long to get into an agreement to accept these funds. Lynch: is this going to be an asphalt paved path? Haire: yes. Lynch: is the path 100% out of the flood plain? Haire: part of the trail that would be in the flood plain; typically it would not affect the path. Coolman: and the state of the emergency? Haire: it is just a part of the contract to get this thing moving so we can get to the next step.

**A motion was made by Lynch to move ORD-20-039 to full Council;  
seconded by Bennett. The motion carried by the following vote:**

**Yes 6 – Lynch, Bennett, Amos, Clark, Coolman, Walker**

**ORD-20-040**

Development

An Ordinance Authorizing The Mayor To Enter Into A Tax Increment Financing Agreement With The Mountain Agency Columbus, LLC ([Ordinance, Exhibit A](#))

- Request to move to full Council

*Haire: This ordinance would allow us to enter into a TIF agreement to reimburse the Mountain Agency; The Mountain Agency is an affiliated entity of Wyler; The Wyler Automotive Group are the owners of the property there; when they built the dealership they were borderline on fire protection there, they needed to increase the fire flow; as part of that they wanted to extend an eight inch water line from Home Depot under US 33 to the dealership to increase pressure; we also had a need to get additional pressure to serve Bixby Road; so we asked to increase that line to a 12 inch line and that we would reimburse the difference in cost; and then we also need to acquire an easement from them to go to the west to take the water line to the west of the Mountain Agency property; so what this would do is allow us to reimburse the Mountain Agency for constructing the waterline in that area through the Gender Rd TIF that we have had since 2013; TIF funds can only be able to use for infrastructure that serves the TIF area; this would allow us to reimburse them fifty percent of the cost or up to \$173,637.00; and we would reimburse them within 30 days of their request on the completion and acceptance of the project; happy to answer and questions you may have. Lynch: Is this work that has already been done? Haire: It has not been completed yet; we have done work on the Wyler lot, but not this work. Bennett: Speaking specifically to the cost; you said fifty percent or up to 173k; I guess, is that the difference between the eight and the twelve inch? Haire: No, that is the negotiated agreement we made with them to get the easement; Bennett: Got it that makes sense. Coolman: The status on that TIF right now is? Haire: The current amount in the TIF fund? Coolman: Yes. Haire: Ms. Jackson should be able to answer that for you; we have a number of funds coming out of that; we have agreements with OPUS for the extension; we reimbursed Primrose annually for a 400 ft. extension; there are a number of funds going out of that TIF now; there are adequate funds there; especially when we get the next collection; this year, since they delayed the collection of property taxes in Franklin County we haven't received it yet.*

***A motion was made by Clark to move ORD-20-040 to full Council; seconded by Lynch. The motion carried by the following vote:***

***Yes 6 – Clark, Lynch, Amos, Bennett, Coolman, Walker***

**ORD-20-041**  
*Development*

An Ordinance Authorizing The Mayor To Enter Into A Sign Easement Agreement With Crossroads Christian Life Center, Inc. To Provide For A Sign Easement On Parcel 184-002666 ([Ordinance, Exhibit A](#))

*- Request to move to full Council*

*Haire: Thank you Mr. Coolman; this ordinance would allow us to grant X Church an easement to construct a monument sign at the corner of Gender Rd and Bigerton Bend; we would be granting them an area of 10 feet by 15 feet to construct their monument sign; the monument is 10 ft. wide and 2ft. in depth; so it would easily fit in that area; this would be a multi-tenant sign; so not only for the church but for the out parcel they have out Gender Rd to the South; the monument sign is the only way to get a viable commercial business to take that out parcel; due to visibility concerns; you have the ditch that crosses and it is well wooded, it restricts visibility to the parcel and the church; so you need signage; in exchange for that easement; they will take over the turf management and maintenance for that parcel; this is a parcel we took over about a year and a half ago; as part of the overall zoning agreement for that area; we were required to take title to the retention pond; we were not responsible for the drainage maintenance for the retention pond there; so Waterloo Crossing, OP who is the owner of the shopping center, they kept the drainage responsibility; currently we are responsible for the turf; since X Church would be out there mowing anyway; we suggested they take over the mowing and the maintenance; they are going to do that in exchange of the sign.*

*Coolman: Mr. Haire, how tall is the sign? Haire: 16 ft. Lynch: You said the sign is going to be multi-tenant; X Church is at the top; the two strips underneath, is that going to be enough to allow multi-tenants; Haire: As with most multi-tenant signs, the two largest leases will get those tenant panels. Lynch: So those are the only two spots for future tenants? Haire: Yes. Lynch: The granting of this easement, is this something we have done before? Haire: Recently we did this for Human Services; we allowed them a monument sign on a parcel we own; they are a nonprofit entity and providing a service to the city, and they we restricted with visibility.*

***A motion was made by Amos to move ORD-20-041 to full Council; seconded by Lynch. The motion carried by the following vote:***

***Yes 6 – Amos, Lynch, Bennet, Clark, Coolman  
Abstained 1 – Walker***

**ORD-20-042**  
*Development*

An Ordinance To Authorize The Mayor Convey A Tract Of Land Consisting Of Approximately +-0.26 Acres On West Waterloo Street To The Canal Winchester Industry And Commerce Corporation To Provide For Its Subsequent Conveyance To Jay Jala Hospitality, L.L.C. ([Ordinance, Exhibit A](#))

*- Request to move to full Council*

*Haire: This ordinance would allow us to dedicated a former portion of the Waterloo Street easement to the CWICC who would convey it to Jay Jala Hospitality LLC who are the developers of the Hampton Inn; what we have done, is we have allowed them to develop parking in that area, through a right of way permit; this just kind of cleans it up; by adding this .26 acres it allows the developer to increase the size of the hotel; we were able to go from 81 rooms to 92 rooms; this parcel gives more parking; there are actually 23 parking spots in this parcel; more rooms will create significate bed tax generation over time; we felt this is the easiest way to clean this up for financing or if they were going to sell the property; rather than going through a right of way permit every ten years; they are behind schedule; I spoke with the hotel owner on Thursday and he said the new time line is late December early January. Clark: I see on the drawings here, it looks like it goes all the away to the street? Haire: It is one foot form the edge of the bike path.*

***A motion was made by Lynch to move ORD-20-042 to full Council; seconded by Coolman. The motion carried with the following vote:***

***Yes 6 – Lynch, Coolman, Amos, Bennett, Clark, Walker***

**E. Reports**

*Matt Peoples – I actually have nothing to add to my written report.*

*Lucas Haire – I have done a lot of talking this evening; I'd be happy to answer any questions you may have.*

*Amanda Jackson – Just one quick update; I have worked with Mr. Hollins on drafting an amendment to the Fairfield County Sheriffs contract; it is now in the hands of the Fairfield County Sheriff's office for*

review; and once we have agreed on the language we will bring it to you for approval. Coolman: OK thank you, any other questions? Lynch: This document you are referring to, does it have anything to do with the additional officers? Jackson: Yes, sir.

#### F. Items for Discussion

#### G. Old/New Business

Haire: The ordinance you have before to consider the final development text for Greengate; Mr. Coolman and Mr. Lynch and I met with the developer of that project as well as the contractor that is building it (Ryan Homes) so we went over what we thought was complimentary to the Redwood Development; and went over the architecture standards that were established in that area; and said these are the minimums that we would accept; so the developer went back and made some changes; we didn't think they went far enough with those changes; so we asked them to revise again; which they did; so what is before you this evening they have clarified those architectural standards; the language leaves a lot to interpretation; what they have proposed, are changes like eaves on all four sides of the home; windows on all garage doors; siding will be .042 thickness; they have added a masonry water table on the forward facing wall; most cases in front of the garage; so we are creating standards for anyone who moves there; two design elements on any side of a one story home; and 3 design elements on 2 story homes; includes a door, window, vents, etc.; also in your packet is some information on the two conditions of the ordinance; the first is that a turn lane is included on Hill road and that it is developed during Phase One of development; the second condition is that they pay their proportional share of offsite traffic improvements; the traffic study did show traffic that there would be improvements necessary at Kings Crossing and Hill Rd; there are improvements necessary currently; turn lanes are required there; at Diley and Greengate development, when its built will be responsible for 4.3% of the traffic going through the intersection; so they would be responsible for 4.3% of the cost for intersection improvements; that includes turn lane extensions and traffic signals; their share of that would be \$38,817.00 and that would be going into the Greengate Agency Fund that we currently have; the Kings Crossing and Hill Road intersection their share for that intersection would be 5.7% of traffic so their share would be \$33,078.00; which would be held in our Meijer Agency Fund; which we are hold funds in that Meijer's placed there for future improvements. Coolman: Congrats, I think this is very well done; I think they stepped up from our previous discussion from them; thank you for communicating with them clearly. Lynch: These changes all happened in the last week? Haire: Yes. Lynch: Good; in regards to the intersections; they are only responsible for four and five percent respectively; where are the rest of those funds coming from for those interchange expansions? Haire: We are holding 138k dollars in the Meijer Agency Fund that Meijer has put in for intersection improvements; likely there will be a number of sources; that intersection is not within our jurisdiction currently; one small leg is within Canal Winchester; that is why nothing is done with it; I think Fairfield County doesn't want anything to do with it, because they know it will probably be annexed to Canal Winchester; so we will hold the money until the time the intersection improvements are necessary; and that there are more development that generate more money into the TIF; so there is a TIF for Diley Rd, that can be dedicated to intersection improvements as well. Lynch: So that TIF money would be used. Haire: Yes, that is one of the reasons we created the Greengate TIF; it covers the apartments and it will cover the 35 acres of commercial ground at the south of Busey; there would be a significant amount of money coming into the TIF. Lynch: So basically the percentage they are paying for the improvements for those roads is looking at the overall area; how much traffic is in that area; and take their share of residents and that is how you come up with the percentage. Haire: Yes, they will also be constructing Greengate Blvd. through entirety of their property. Lynch: At their cost? Haire: Yes. Clark: I have a philosophical problem with this; we would not have to expend the money if this project wasn't coming; houses are not generating income; they are a revenue

loser; how much are we expending to do this; how much actual tax dollars. Haire: It is not our intension to do any of the improvements; those would be in the future; there would be no improvements as a result of the development; the impact on the intersection is small enough; it doesn't cause the intersection to degrade enough that we would have to do those improvements immediately. Clark: I am confused; if they didn't do the housing we wouldn't need the extra turn lane into their development. Haire: That is 100% their cost; these are the other intersections surrounding it; they do have a traffic impact; but we are not going to do those improvements until sometime in the future; we are going to reserve these funds so we can do them in the future. Clark: OK, I'm good. Walker: Do you have the traffic study of peak time and non-peak time? Haire: Yeah, it is in your packet; the peak time are generally between seven and eight AM; I don't know for the morning traffic here; but the study will tell you for those specific intersections. Lynch: What is the status on OPUS and the front parcel that two tenants looking to reside there. Haire: They still have interest in the parcel, but we do not have anything for tenant improvements. Lynch: Things are moving along for Bixby road? Haire: They are doing their footers and foundation on the first building; and their building pad is finished on one building; and they are starting in the next few weeks on the building path for the second building. Lynch: Good, thank you. Amos: I have a question for Ms. Jackson; were we able to contact anyone from the Board of Health on getting someone in? Jackson: I would have to turn that to Mr. Peoples; he is the one with a contact. Peoples: I do have a contact for the Board of Health; I guess I need a little bit more direction on what we need; do we need a discussion in front of council, or just some background on what their process was going through the resolution. Amos: I think the request from the council was to have someone from the Board of Health to come in and field some questions with us, and discussing why they declared an emergency; and allowing council to ask questions. Peoples: I will reach out to them.

#### **H. Adjournment @ 6:46 p.m.**

**A motion was made by Lynch to adjourn; seconded by Clark.  
The motion was carried by the following vote:**

**Yes 6 – Lynch, Clark, Amos, Bennett, Coolman, Walker**