

Committee of the Whole
September 25, 2017

Present: President King; Council Members Buxton, Clausen, Fleck, Larmore, Scott and Sovinski; Mayor Hazel; Director Hitchcock; Auditor Strawn; Law Director Moore; Kevin Sandler, WCSM; Bill Kincaid, The Daily Standard; and Residents.

President King called the meeting to order at 6:03 pm for discussion of the previously passed golf cart ordinance.

CM Buxton stated he has seen some golf carts traveling down sidewalks and on 35 mph limited streets. Mayor Hazel stated Director Hitchcock along with the Police Chief and Assistant Chief identified each property or area that could not access other areas of the City on golf carts. They have marked these areas on a map outside the Safety-Service Director's office. Administration has not heard back from ODOT on the use of bike path along Havemann Road. Because of the grants utilized for funding of the paths, it cannot be made by the local state office.

CM Scott asked if walkers or cyclist would need to yield to the golf carts if ODOT approves golf cart usage on the bike path. He further asked if a motorcycle could be ridden on the bike path. Mayor Hazel replied no, a motorcycle and a car are fully licensed for street use and follow under a different designation. The path would need to be marked with a center yellow line, and pedestrians and cyclists would need to watch for the golf carts.

The meeting was then moved to view the map outside the Safety-Service Director's office. Director Hitchcock explained the map was marked showing the streets that golf carts are legally allowed to drive on, the areas of town where golf carts would not have access out of their subdivision on golf carts, and areas that the golf carts would not be allowed off their driveway because they are on a 35 mph street.

Chester Stephenson and Bob Hoying, who both live in Eaglebrooke subdivision, exclaimed their concern of not being able to drive their golf carts to the golf course without obtaining a license. They only have 100' to 150' which they would need to drive on the City street. It could cost them up to \$1,000 to get their golf carts street legal.

After further discussions with Council, Administration and residents, the meeting was moved back to the Council Chambers.

CM Fleck stated his concern is to not alienate the people driving to the golf course. He asked if there are waivers of some sort that could be required by the residents.

John Irmscher then addressed the council. He stated the improvements to the ditch area by Bob Evans looks good. But, Good Will floods up to their doors because of drainage issues and suggests Administration look into this.

In March 1993 legislation was passed to make City utility services available with the annexation of the Eaglebrooke subdivision. The subdivision was built with wider sidewalks to allow for golf carts. He also stated the danger with going against the grain on a cart path; being at risk of getting hit in the head with a golf ball. A normal country club is gated with private streets. Eaglebrooke has never been private. He made reference to New Albany golf course. New Albany golf course was purchased by the City. This is one of many communities that look at golf courses as a tool to bring people to their community.

Mr. Irmscher stated his concern if someone goes into a pond on a golf cart, it is not safe to be wearing a seat belt. Safety is key throughout the community. He sees the biggest issue the City has is the people not following the 25 mph speed limit, and suggests another speed trailer be purchased to put in various areas around the City.

CM Larmore stated he understands what Mr. Irmscher is saying about the seat belt, but he would not be wearing a seat belt if he golfing. This is about driving the golf cart on the street, which is why the seat belt regulation was included. What drove most of the further discussion of this Ordinance is people who want to get to restaurants from their neighborhood. This is a work in progress, and the Ordinance was made to be amended, if needed.

Bill Kincaid asked if the Eaglebrooke masterplan was accepted by Council in 1993, and if Mr. Irmscher thought the golf cart usage on streets should be grandfathered in.

Director Hitchcock stated he has looked through past Planning Commission meeting minutes, and no documentation regarding golf carts is included in the meeting minutes. Director Hitchcock stated crossing the streets on a golf cart is not a problem, but driving down the street is. John Irmscher stated the selling point on the development was the use of golf carts.

Law Director Moore stated the Ohio legislature has come up with a new provision in the ORC, which trumps whatever has been done in the past. He has not been able to come up with a City-wide solution. John Irmscher stated a solution could be to allow for a pass similar to what a tractor has to go from one field to another on the road. Developers are working with the State to try to pass legislation with golf course communities for a tag that allows golf carts to drive on the street only in the community. What some communities did was to not pass an Ordinance allowing golf carts on the streets because they knew it would create a problem.

Rick Mosier stated if someone wants to go from their house to the club house to play golf, he cannot imagine the law enforcement will have a problem with it. He feels we just need to let it play out. A simple solution is that everyone who pays the HOA, each year get a sticker to allow them to go from their residence to the golf house to play golf.

CM Fleck stated we are dealing with two separate issues of the people who just want to play golf and those who want to drive around on City streets. He wants to be sure the City does not have liability if they grant a waiver.

CM Scott stated he empathizes with them, but there will always be a person who will circumvent the law. He likes the idea of allowing a special sticker, but questions who should issue the sticker. Mayor Hazel stated if the State Law allows it, the HOA could issue the stickers.

CM Scott stated the other issue we have is getting people from their subdivisions to area restaurants.

CM Clausen stated he agrees with Mr. Mosier that it be managed with the golf course. The reason citizens are moving to the golf course is to play golf.

President King adjourned the meeting at 6:59 pm.

Submitted by Joan S. Wurster, Clerk of Council