

# Canal Winchester

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



## Meeting Minutes - Final

April 6, 2020

7:00 PM

### City Council

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

- A. Call To Order at 7:00 pm
- B. Pledge of Allegiance Led by Walker
- C. Roll Call Present 7 – Amos, Bennett, Clark, Coolman, Lynch, Milliken, Walker
- D. Approval of Minutes

[20-98](#) Minutes 3-2-20 Work Session ([Minutes](#))

[20-99](#) Minutes 3-2-20 Full Council ([Minutes](#))

***Motion to approve minutes from March 2, 2020 for work session and council meeting made by Clark; seconded by Lynch***

***Motion carried by the following vote:***

***Yes 7 – Clark, Lynch, Amos, Bennett, Coolman, Milliken, Walker***

E. Communications & Petitions

[20-100](#) Madison Township Police Department March 2020 Statistics ([Report](#))

Walker asked about any other communications or petitions; Jackson replied nothing else besides what is listed on the agenda. Lynch commented to gain Walker's attention, asking if we can back up a second, Walker acknowledges Lynch; Lynch stated we did receive a correspondence to all council from Randy Stemen that has not been put on the correspondence, the minutes or the agenda to the meeting, since it's not on the minutes or agenda for the meeting can you please read that letter so that can be public knowledge. Hollins said we can distribute that in its full form, but we probably want to do that at the next meeting, and do the communications and petitions come into the clerk to council; Jackson replied that one did not, it was forwarded to us. Hollins said to get it on the agenda it should be...Jackson said they all have it, too, as far as she is aware of. Hollins said alright. Lynch said it was sent to all council members before the agenda went out last week. Hollins said we can get it on communications and petitions and address it formally at the next meeting. Jackson asked about acknowledging receipt of it. Hollins said if you want it to be a part of the official council record we can put it on for the next meeting, I think everybody does have a copy of it. Coolman said Gene, correct me if I am wrong, by us all receiving a copy of it by email does that already make it a part of public record? Hollins said it is considered a public record. Lynch said that is correct, but it said since it is not on the agenda here then the general public would not know about it unless it has been brought to attention, everything in our email is public record technically. Milliken said it's going to be in the newspaper, they are going to know about it. Amos said the resident asked for it to be brought to formal council so if it can be added to the agenda to meet his request to be addressed. Jackson asked what is your intention with the letter from a full council perspective so we know where to put it on the agenda. Amos said I don't have any agenda at this point in time, I just know that the resident asked for it to be brought to full council, so I think his intention was that we would discuss it in full council, having had no conversations I have no idea what anybody else

feels. Milliken said there is no vote to be held. Clark said yea, this is Bob, I don't see this as a city council function, it's not germane to the City of Canal Winchester, for city council or anything that we're doing. Lynch asked it doesn't pertain to city council? Clark said it does not; Gene can elaborate on that. Hollins said anybody can submit anything to the clerk and we can put it of record and then any further action I think the appropriate time to discuss that would be under new business; if a member wants to bring it up then we can probably discuss it further. Walker said ok. Lynch said it will be put on the agenda for the next council meeting. Coolman asked where would you like for this to be put on the agenda, under new business, under communications. Lynch responded that he requested it be read given the fact that it was a correspondence and it could be placed under it could go under correspondence as we have on our agenda, and that would be item E. communications and petitions; so that's why I asked for it to be read; if we want to do that next meeting, that's fine; the only reason I bring this up, this was a federal offense, and I don't think it is something that should be taken lightly but we can talk about this at a later time. Milliken said we can talk about it tonight, I don't mind. Lynch said no, let's just get on with the meeting, we can discuss this at the next meeting. Jackson stated I will warn you that we don't know when the next meeting will be, so you may want to discuss it tonight. Lynch said I am sure there will be another meeting at some point in time whether it be two weeks from now or four weeks from now, there will be another meeting.

#### F. Public Comments - Five Minute Limit Per Person

Walker asked if we had any public comments posted on the city website; Jackson stated we got nothing. Gene said you can submit public comments in writing, to make that clear to anybody who is listening in, and they will be posted; Jackson said that was put out when we put the agenda out, we gave them the deadline prior to the start of this meeting and we got nothing, so. Walker said alright thank you.

#### G. RESOLUTIONS

##### RES 20-004

*Public Service*

A Resolution Authorizing the Mayor to Enter Into a Contract for the Participation in the ODOT Road Salt Contracts Awarded in 2020

(Resolution)

*- Adoption*

Peoples said this is our annual contract with ODOT for salt; obviously it was a very light winter and didn't use that much salt or have to use that much; last year we did 50 tons and this year we are looking at 100 tons, our salt barn is full and we want to make sure we keep on their contact...just do a hundred tons this year. Amos said I hope we have lot of snow. Walker asked if any other questions or discussion for Peoples?

***Motion to adopt RES 20-004 made by Coolman; seconded by Milliken  
Motion carried by the following vote:***

***Yes 7 – Coolman, Milliken, Amos, Bennett, Clark, Lynch, Walker***

#### H. ORDINANCES

*Tabled*

*Third Reading***ORD 20-008**

Law

Sponsor: Lynch

An Ordinance to Repeal Chapter 1130 of the Codified Ordinances of the City of Canal Winchester ([Ordinance, Exhibit A](#))

- Adoption

**Motion to adopt ORD 20-008 made by Lynch; seconded by Coolman  
Motion carried by the following vote:**

**Yes 7 – Lynch, Coolman, Amos, Bennett, Clark, Milliken, Walker**

**ORD 20-010**

Development

Sponsor: Clark

An Ordinance to Authorize the Mayor to Accept an Easement for General Utility Purposes from the Mountain Agency, LLC. ([Ordinance, Exhibit A](#))

- Adoption

**Motion to adopt ORD 20-010 made by Clark; seconded by Milliken  
Motion carried by the following vote:**

**Yes 7 – Clark, Milliken, Amos, Bennett, Coolman, Lynch, Walker**

*Second Reading***ORD 20-016**

Development

Sponsor: Lynch

An Ordinance to Authorize the Mayor to Accept a 0.51 Acre Parcel of Land From Rockford Homes, Inc. and Dedicating Such Land as Right of Way for Public Use and Accepting Such Improvements to be Known as Cormorant Way ([Ordinance, Exhibit A, Exhibit B](#))

- Second Reading Only

**Lynch stated second reading only.**

**ORD 20-017**

Finance

Sponsor: Coolman

An Ordinance to Authorize the Mayor and Finance Director to Enter Into a Depository Agreement with Park National Bank for the Deposit of Public Funds ([Ordinance, Exhibit A](#))

- Second Reading Only

**Coolman stated second reading only.**

*First Reading***ORD 20-018**

Development

An Ordinance to Authorize the Mayor to Accept a 1.66 Acre Parcel of Land from the Paul E. Ruff and Pauline A. Ruff Trust and Dedicating Such Land as Right of Way for Public Use and to Declare an Emergency ([Ordinance, Exhibit A Deed](#))

- Request waiver of second and/or third reading and adoption

Haire stated this ordinance is requesting for us to accept a piece of property that's in the ODOT highway easement, this is a remnant parcel that is in the U.S. 33 highway easement. We have been working with Mrs. Evans who owns a hundred-acre farm on the north side of U.S. 33 on the possibility of annexing that

site; state annexation law will not allow you to annex a site where you are creating an island parcel, which is basically a parcel that is in the unincorporated township that would be surrounded by the corporate limits of Canal Winchester. Because of that we got in touch with Mrs. Ruff; she is one of the developers of Winchester Trace and of Beaty Court and Mrs. Ruff is 88 years old and is still living in that home but living in Florida at this time of year and we inquired about having her sign an annexation petition, she was not aware that she still owned that piece of property, it wasn't transferred with any of the other parcels that were transferred around it and in consultation with her and her son they thought it would be more advantageous just to deed the property over to the City of Canal Winchester and we can take title of that piece of property then since we would be the owner we would be able to file any annexation petitions for that site. What we are asking is for the authorization to accept this parcel and to accept it as road right of way. Lynch asked if this piece of property is to connect to it or will it be used for any type of utility easement to connect into that property. Haire replied it wouldn't be used for any utility easement at this time that we know of; it's already subject to the ODOT highway easement, they are pretty particular about utilities running through that; if the Evans property were to be served with utilities it would likely come from the east from Canal Pointe. Lynch said ok, that makes sense. Lynch asked is there a lot of land up there along 33 that is privately owned that is within ODOT's easements, this seems kind of odd. Haire replied that most of U.S. 33 was developed with highway easements and not fee simple ownership of the land underneath it so we are running into this more and more often as we develop properties; Casto just deeded over the portion they to Opus to ODOT so ODOT now has that as road right of way but the last parcel the Mountain Agency, which is Wyler Chevrolet, they own probably ten or more acres in the ODOT highway easement and so it's become common. Lynch said got it; and just for the record then there is no cost to the city other than shuffling paperwork on our end, correct? Haire replied \$300 is the cost. Lynch said so in other words it really doesn't cost you much, okay thank you. Walker said thank you; are there any other discussions; and this is to declare an emergency? Amos asked the reason for the emergency, is it just to get it done; Haire replied yes, we would like to file the annexation petition for Mrs. Evans and that's about a four month process to get that done and with the uncertainty of not knowing I wanted to get this on the previous agenda and the uncertainty of not knowing when we are going to have another meeting and also not knowing how long this process would take or how long the annexation process will take we would like to get that filed as soon as possible. Amos said ok thank you.

***Motion to waive the second and third readings on ORD 20-018 made by Clark; seconded by Coolman***

***Motion carried by the following vote:***

***Yes 7 – Clark, Coolman, Amos, Bennett, Lynch, Milliken, Walker***

***Motion to adopt ORD 20-018 made by Clark; seconded by Coolman***

***Motion carried by the following vote:***

***Yes 7 – Clark, Coolman, Amos, Bennett, Lynch, Milliken, Walker***

**ORD 20-019**

*Development*

An Ordinance to Authorize the Mayor to Enter Into a Lease Agreement with James N. Stevenson for a 30 +/- Acre Tract of Land on Parkview Drive and Declaring an Emergency ([Ordinance, Exhibit A](#))

*- Request waiver of second and/or third reading and adoption*

Haire said this is a continuation of the lease, the city back in 2014 entered into an initial lease agreement with James Stevenson to farm 30 acres of Walnut Park and so that area had grown up quite a bit over the years and we were mowing it randomly on and off but it's starting to grow up significantly and we decided to lease it to Mr. Stevenson so he can improve the drainage and also keep it mowed and keep it maintained and we can reserve it for future athletic fields if necessary and so we continued that lease once in 2017 and that lease expired in March of this year; we don't have a current need to expand the athletic fields in that area but we would like to see the property continued to be maintained and continued to be farmed so this will continue that lease for an additional three years at the same terms with Mr. Stevenson; if you look at the map that was posted with that...this is the area directly north of the gravel parking lot there where the soccer fields are and so it's the area that goes directly north of that going all the way back to the creek, it's kind of crescent shaped. Bennett asked when do we, and maybe it's on the five-year CIP, is there any timeline for when we finish the development of Walnut Creek. Haire replied when we did the park's master plan it wasn't ranked as a priority of anyone through that process so the priorities for this park I believe were improving the walking trails along the creek and looking at a disk golf or frisbee golf course being incorporated out there and improving drainage on the existing athletic fields; this is an area we have looked at in the past; if there is a time when another school is built on the site where the current soccer fields are there on the school grounds, there may be a need to add additional soccer fields in this location. Bennett asked if there would be issued with flooding in that park, is that part of the reason we have not pursued developing that or is it just priority, we think there should be a frisbee disk golf field there, but it's not high on anyone's priority list. Haire replied it's all within the one-hundred-year flood plain, so the initial plans that were put together for that park years ago included a number of improvements to the site that would have been problematic with it being within the flood plain; athletic fields are generally easy to develop within a flood plain especially soccer fields where there is no fencing or permanent infrastructure that is put in. Coolman said to Haire that over the years you said Mr. Stevenson has maintained the property; is there tile back in there to help with the drainage. Haire said there are a few areas where Mr. Stevenson added farm tile that improved the drainage and prevent any type of wetlands that would develop; if you are familiar with the middle school site, behind the middle school there is a large wetland there, that has expanded significantly over the past few years and we are not really sure why...all the drainage that goes into that site or what's tiled back there, but Mr. Stevenson; there is a large swale that runs down through this property and you can see it in the area photo with exhibit A that I put in there you can see that drainage swale through there were nothing is growing, that portion is left un-farmed and the drainage tile actually runs to that and runs down to Walnut Creek. Hollins said just to be clear we own about 75 acres and he only farms about 30 of it. Haire said correct. Hollins said the other 45 is still park area. Lynch said he looked on the auditor's website and everything on the north side of Parkview up to Lithopolis Road is that correct? On the east side of Parkview, excuse me...the city owns everything on the east side of Parkview Road up to Lithopolis...between Parkview and the creek. Haire replied no, that is all owned by the Canal Winchester School district; Lynch said ok, up by Lithopolis Road is school district land; Haire said we basically own the dead end of Parkview Drive where the pavement ends and gravel starts, we own that portion and then we own all the way north to the Canal Winchester elementary schools. Lynch said ok, I saw that on the auditor's website, it is pretty clear but I had it in front of me, thank you. Walker asked if there are any other questions or discussions; this is an emergency as well. Haire said I am requesting an emergency, Mr. Stevenson would like to get that field planted this year but doesn't want to do any fertilizer or anything at this point in the season if he doesn't know if he can continue to lease that property. Walker asked for a motion. Amos said Mr. Haire.

***Motion to waive the second and third readings on ORD 20-019 made by Milliken; seconded by Clark***

***Motion carried by the following vote:***

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

***Abstain 1 - Coolman***

***Motion to adopt ORD 20-019 made by Milliken; seconded by Clark***

***Motion carried by the following vote:***

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

***Abstain 1 - Coolman***

**ORD 20-020**

***Development***

An Ordinance to Authorize to Mayor to Convey a Tract of Land Consisting of Approximately +/- 0.63 Acres on West Waterloo Street to the Canal Winchester Industry and Commerce Corporation to Provide for its Subsequent Conveyance to Waterloo Investment, L.L.C., Pursuant to an Agreement for Purchase of Real Estate and Declaring an Emergency ([Ordinance, Exhibit A](#))

*- Request waiver of second and/or third reading and adoption*

Haire said you should all be familiar with these properties, we have had a number of pieces of legislation in the last year to basically take these remnant parcels that were left over from larger pieces that were within an ODOT highway easement and get fee simple ownership of the property underneath. These are pieces of what was formally Waterloo Street; it's the dead end of Waterloo in front of Aldi and in front of the Hampton Inn, and so we have been working with Casto, who owns the property to the south on looking at potential developers for these parcels so what this ordinance would do is allow the mayor to enter into a real estate purchase agreement with the developer, the developer would be purchasing the property for \$30,000; the property would still remain encumbered with all the utility easements that cross that existing right of way, but the right of way would be vacated...not necessarily vacated...the highway easement would be extinguished with this ordinance and it would leave us with a piece of property that we could then sell to encourage economic development on the adjacent parcel. Waterloo Investments, LLC, is controlled by a developer out of the Detroit area of Michigan; the developer wants to build a multi-tenant retail center on this site, about a 5000 square foot building; if they were not to have this parcel, the piece adjacent that Casto owns, the .6 acres, it could accommodate about a 1500 square foot building because they just don't have enough land for parking on that parcel. So, this developer would use the parcel that they are purchasing for us to add a parking lot to the rear of the building...the building setting in front; very similar to other parcels we have had developed along the Waterloo Street corridor. This particular developer is also a franchisee for Smoothie King and so Smoothie King would be one of the tenants in the building taking up 1200 square feet and then the remaining portion of the building would be marketed for other retail and restaurant users. Lynch said he wanted to point out that particular piece of property in proximity to the hotel is kind of an advantageous are to put a restaurant because of the foot traffic from the hotel, is that correct? Haire said agreed. Lynch said this allows for a much larger building and more functional parking around the building with the use of this property; and we are selling this for \$30,000 that's what is proposed. Haire said correct; it's encumbered by a significant amount of utility easements so the only thing that can be developed on the parcel is parking and we

don't necessarily have a buyer for the parcel unless they are willing to cooperate with Casto and what they are looking to do there; yes, we are looking at \$30,000 which would be approximately \$50,000 an acre. Lynch said ok and when we assumed ownership of said property from ODOT through all these easements what did it cost us when we purchase property? Haire replied we paid \$300 for each of those parcels. Lynch said so ok, we are coming out \$29,700 ahead, if my math is correct. Haire said there are two separate parcels there that we paid \$300 each for and we have a significant amount of survey cost involved here, we are probably close to \$10,000 in costs associated with the surveying and different items we needed to do to get to this point, appraisals and all of those things; and the other portion of this is the remaining would be transferred over to the hotel at some point in the future. Coolman said with the developer being up in Detroit...does the developer have experience with small? Haire said the developer is the franchisee for all Smoothie Kings in central Ohio and a large area of Michigan and this is what they kind of do is lease buildings they develop so it is owned under a separate entity but they can anchor the small retail centers that they develop with the Smoothie King franchise that they own; so there is a number of these around; one of the things we are doing in this contract with the CWICC is we are retaining the right to approve all the site plans and the architecture of the building which will hopefully assist with making sure we have a much nicer building on this lot and really help control what is being developed there. What we don't want to do is just sell this property and let whoever come in and re-sell it again without having any control over what happens there, so that is one of the things that we are retaining the rights to, they would have about 50 parking spaces with this, Smoothie King only requires five spaces for their 1200 square feet, so it will be a heavily parked site which is one of the issues we have run into with some of these strip centers and try to relieve...just don't have enough parking, a specific case nearby here is the Starbucks, when the Radio Shack went out of that building, there was a number of people who wanted to go into that space but there wasn't the parking there to do it. This will have an ample amount of parking which hopefully will attract another restaurant user to the site. Coolman said very good thank you. Bennett said he is having a hard time picturing the configuration of that site and I see the property we would be annexing but I am having a hard time visualizing how that would be used for retail purpose. Haire asked Bennett do you have your packet open...on page 66 it is delineated in blue the area that we would be selling that is currently part of the roadway, so the building would kind of parallel the text to the south of that it says Waterloo Crossing OP; the building would primarily set kind of in that alinement and the parking would be to the west and also to the north; the only access would come from the existing roadway stub that is there, Aldi's to the south side, there would not be any other access point on Waterloo Street. Lynch said the storefronts would actually face Goodwill is that correct. Haire replied there would be one on that side and basically dual frontage with a door also facing Waterloo Street, a back door that looks like a front door, a dressed up back of the building. Haire said the primary tenant would face out towards Goodwill. Lynch said ok good.

***Motion to waive the second and third readings on ORD 20-020 made by Lynch; seconded by Milliken***

***Motion carried by the following vote:***

Bennett asked the purpose for the waivers. Haire replied again we are in very uncertain times right now especially with any type of investment or real estate we have a ready and willing buyer at this point, I would like to speed up that process as quickly as possible, they would like to actually be under construction with this by summer which hopefully would be advantageous for us with the amount of other activity we have going on. Walker asked Bennett if that was good; Bennett replied yea, thank you.

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*Yes 7 – Lynch, Milliken, Amos, Bennett, Clark, Coolman, Walker*

*Motion to adopt ORD 20-020 made by Lynch; seconded by Milliken  
Motion carried by the following vote:*

*Yes 7 – Lynch, Milliken, Amos, Bennett, Clark, Coolman, Walker*

## I. Reports

*Mayor*

### Report

#### Mayor's Court Report March 2020

Jackson said the Mayor was not on the call tonight and asked if anyone has any questions or comments to the Mayor's written report. Lynch asked about the meetings of the Charter Review Commission, since we are trying to get this thing pushed forward to get something on the November ballot, are there any plans to basically do what we are doing here to use Venmo or something to keep these meetings going forward; I know Mr. Stobart, who is chair of the commission, I am sure uses that on a regular basis at his everyday job so is there a way we can get this set up to help them out or are there plans for that. Hollins replied we have over the course of the last week formally canceled for the time being the in-person meetings and we are trying to get a hold of Mr. Stobart and the rest of the commission to see if there is an appetite to try and do that and have a process by essentially June that would allow items to be on the November ballot or consider...by charter their charge is to report to you by the end of the year but with the strange times that we are in at this point they may take advantage of the time period that they charter gives them and not try and rush it through, but that is completely up to them and we will work with whatever their desire is to get a meeting set; if an electronic meeting is done between now and June we can certainly work with them on that as well. Lynch said outstanding, thank you.

*Motion to adopt the Mayor's Court Report for March 2020 made by  
Coolman; seconded by Milliken  
Motion carried by the following vote:*

*Yes 7 – Coolman, Milliken, Amos, Bennett, Clark, Lynch, Walker*

*Fairfield County Sheriff*

### February 2020 Statistics

Jackson stated the Fairfield County Sheriff Deputy Hendershot is on vacation, and his report is in the agenda packet.

*Law Director*

Hollins commented about strange times and trying to hold meetings electronically; thanked the state legislature for the guidance about how to do this meeting; we will continue to work on how this functions best and do the business we need to get done. A couple of things...I sent out an email seeking some input it's attorney client privileged working on a real estate transaction and it is awfully hard in my opinion to try to pull off an electronic executive session so if you would provide my the leeway if we can do that through the email attorney client privilege we would be happy to do that, and if the desire or the

consensus of the group here we can move ahead with negotiating the deal, the transaction, and then we bring it back to a work session for a vote on any potential contract. As well, I have been corresponding with Jackson and Haire, we do currently have a public hearing set for next Monday, and I believe it's at 6:00 o'clock next Monday the 13<sup>th</sup>, we have sent out all the notices, we don't anticipate a whole lot of public responding to that public hearing notice on this particular rezoning; we can give you more details on the rezoning if that would be helpful; in absence of one additional office building on Winchester and the reason we need a public hearing is because one of the tenants that desires to go into the new building is a special needs school which unfortunately the current zoning is not permitted as conditional use however the parcel just south of it right next door is planned commercial, and the planned commercial building we could look at...it would allow the use; again we don't anticipate a whole lot of public participation on such an issue, but we did a public notice for the hearing; if I could possibly get four council folks to show up at six next Monday to call a public hearing to open it, make sure nobody is there to speak, and close it, I think we could be done in about fifteen minutes and still comply with the timelines in our code. I wanted to throw that out for your consideration so we don't have to put off the public hearing; a public hearing is very hard to do electronically; just throw it out for your consideration I need four volunteers who are willing to show up. We are looking around the room here, I think the four that are here in person can be there for the public meeting; thank you that really helps so we don't have to reschedule it. Other than that, I don't have any other formal report, and thank you for your flexibility to work through this.

*Finance Director*

### Report

Jackson highlighted the items from her written report in the agenda packet. As you all know the federal tax filing deadline was extended and the state follows suit and the municipal income tax deadline also gets extended, it's been put out on our Facebook page and our website; the RITA website also has all of the extension information on there, so July 15 is the new tax day for 2020. Also, the Dr. Bender Scholarship applications were originally due April 1; we have only received two by that date and unfortunately one of those is not eligible; so we decided that given with the schools being closed and the kids not being there that we would extend that deadline, and the new deadline is May 15 on that; I guess that is working under the assumption that the kids will be back in school sometime in May and if that doesn't happen we can reevaluate as we get closer to that. We did receive a third application over the weekend, so we now have two that are eligible, but hopefully we'll see more than that. I know you are probably all wondering what we are doing with our budget. Given the situation that we are in a lot of our employers in the city have had to make some cuts, laying off some people, production has stopped in some of our bigger businesses so we are taking a look at our budget and we don't anticipate having to cut anything but we are going to look at the project we had planned for the year deciding what we are already committed too that we need to move forward with and what can be held off until we feel more comfortable in our revenue. Our fund balance is healthy and we are not in any dire situation by any means but obviously we are going to do what is fiscally responsible for our community, so we have just started looking into that, I will have more information as we get farther along in that process; I don't think we are going to be cutting anything, we run I don't want to say bare bones, but we are very good at what we do here with minimal staffing and we are hopefully going to continue down that road. Lynch commented thank you for the clarification, you answered all the questions that I was going to ask; want to say the city is doing a great job with the social media as far as getting information out to residents, I believe Amanda Lemke spearheads that and you guys are doing a great job with it so thank you.

*Public Service Director*

[Report from Construction Services](#)

[Report from Public Services](#)

Peoples said a few items from his written reports; on the Winchester Park improvements the contractor has completed installing all of the playground equipment, the shade sail and the shelter house and the concrete in the shelter house is done as well; the only thing left is a little bit of restoration and then some of the furnishings we have to put out there; if you haven't driven by that it looks really nice other than piles of dirt and mud everywhere. The distracted driver signs went out last week, were installed at the eight entrances to the city so those were put out, I believe it was effective on the first. The pergola at Stradley Park was starting to show its age and we had a contractor staining that over the last week or so and it's about wrapped up on it. Then the spring mowing has started. At the water plant hydrant flushing will be started here directly; and lastly if you noticed we were out on Gender Road over the last two weeks doing valve bolt replacements, we have done that every year following a catastrophic failure of bolts rusting out, when you get a chance please take a look at page 82 in the agenda there is a picture on the bottom of Joe Taylor's report that shows the bolts we have taken out of there and as you can see that is why we do this, that we spent about couple hundred thousand dollars on this over the last ten years or so, but that was a preventive thing so we don't have a catastrophic failure. Lynch said with everyone staying at home and we have had these problems in the back are we getting any wastewater backup with flushable wipes or foreign objects that should not be in our wastewater system, has it been a problem here lately or have residents been pretty good about that. Peoples replied that we have not had a backup caused by it, I can say we do continually clean these out and Steve is very proactive to clean out all the pumping stations we have, we clean everything at the pumping stations quarterly and that definitely helps out; we have had some major pump failures, specifically at South Gender that were caused by the flushable wipes; Steve got with Amanda Lemke and they put out a public service announcement, but it is definitely causing problems throughout the world, London had some problems, there was an article in The Dispatch and the U.S. EPA has sent out quite a few press releases about it as well; if there is no toilet paper and people are grabbing wipes, the last couple times I have been to the grocery store there has not even been wipes so you know they are being used. Lynch said yes, communication and education are probably the best things we can do; yes, just keep up the efforts to keep people educated and informed and hopefully we can prevent these problems from happening in the future. Peoples said just because it says its flushable on the package, please do not flush these, they will go down the toilet but they will cause a problem somewhere else; please don't use them and if you do use them throw them in the trash. Clark said good to get the work out, thank you. Coolman said in your report you talk about the Gender Road signal synchronization project and you plan to review with ODOT; can you give me a little more detail on that please. Peoples replied we are partnered with EMH&T they have their traffic engineers looking at the traffic synchronization model that ODOT's contractors put together and we just had a couple of minor comments on that and they thought the model that was put forth based on current traffic counts will be beneficial to the corridor. Coolman said so no surprises on your end result and what you re-submitted back to ODOT then. Peoples said no, the EMH&T traffic engineers did not have anything major. Bennett said he saw an email about we were going to discuss waste management, but it's not on the agenda, will it be covered under old or new business; Peoples said yes it was supposed to be on the agenda, but must have been some miscommunication; it will be discussed under old or new business. Clark asked about the Northpoint utilities extension, with the

current situation on that project, are we watching that and how far down the road are we going to get with costs and things like that if that project doesn't get moved forward at some point. People said we have not awarded the project yet, there is a specific timeframe that we either have to award or decline, we have not reached that yet; on the other side we also have a contractual obligation with the developer to provide the utilities for that site so we are balancing those, too. Clark said his contractual agreement was delayed on his building, right? Peoples replied yes on the developer and that's why we are holding off on approving the contract for the utilities so if it comes a point where we still don't have anything from the developer, we'll decline all of the bids and work with the developer and see what their timeframe is and possibly just re-bid it. Clark said ok, makes sense, thank you.

*Development Director*

### Report

Haire said to echo what Amanda said earlier, we are definitely keeping a close eye on the businesses, I have been in constant communication with a number of our larger employers specifically our manufacturers, I am trying to assist them to connect to any resources that can help out them or their employees; Honda announced today they are extending their shutdown until May 1; we are really reliant on the automotive industry as three of five of our largest employers are in the automotive industry, so they are essentially almost completely shut down in terms of any production, only Nifco has a small portion that they are running; HFI and TS Trim are essentially shut down at this time. Also, I have been communicating quite a bit with restaurant owners in the community and just talking through options for them and connect them with resources as well. I think everyone needs to be prepared that a number of the businesses that have closed down are unlikely to come back after this is over depending on how long it lasts. So, I would just ask for you all to consider supporting local businesses that are here and encourage others to do the same so they can make it through these uncertain and unprecedented times. As Mr. Clark mentioned about Northpoint we were scheduled to close with them on March 19th, but they notified me on the 18<sup>th</sup> that their lender had pulled their financing for this project due to the uncertainty in the economy. They seem confident that they will find another lending partner to move this project forward, they just need more time; their primary tenant's in their buildings are in e-commerce and I think the situation we are in now it only advances e-commerce to become more widely adopted by the general public so it will actually increase the need for e-commerce warehouse space; that is kind of still baring itself out in the market, there is still a lot of activity for industrial leasing for e-commerce tenants in the Columbus market. The CWICC did extend their contract until July 2 to allow them to find a new financing partner for that project. We also received notice from Gideon Properties who put the property in contract the 1.77 acres in Canal Pointe that they were terminating their contract with us for that project, not specifically related to the current economic situation we are in because that is not a clause they can terminate with so I am not sure or not it was due to an easement they didn't like on the property that every other buyer has gotten around in the past. So, that buyer is no longer in contract for the 1.77 acres in Canal Pointe. I have been checking on all the other construction projects and the developers of those and it seems like everything else is moving forward at this point. Winchester Office Park, the re-zoning hearing we are having next week, that is still moving forward, the 16,000 square foot office building, Shooters restaurant is still moving forward with their engineering plan reviews, same with Panda Express, so that activity is going strong. Still continuing to see strong activity in residential development, we issued 25 permits for new single-family homes in March, probably the highest in any month since I have been here, and I have been here nine years now, the activity is as strong as we have seen in the last decade in terms of new single-family residential housing. Planning and Zoning is intending to have a meeting next

week, but still working on details of how that meeting is going to be held; on that agenda we are continuing the Greengate Condominium development from the last meeting due to some outstanding issues like a traffic study, it will be on for a final development plan approval and Winchester Veterinary Clinic on Thrush Drive, I know that is project many of you have heard from your constituents about, because it sat vacant for so long, they have redesigned that building and redesigned the site and they will be back before Planning and Zoning for a conditional use application and a site development plan application. Everything else seems to be moving along and I will keep everyone updated as we learn more from our employers about what their plans are, not slowing down any major grocery store retailers.

## **J. Council Reports**

*Public Meeting Regarding Rezoning, Monday, April 13, 2020 at Town Hall starting at 6:00 p.m.*

*Conversation with Council Town Hall Meeting - Tuesday, April 14, 2020 at the Community Center starting at 7:00 p.m. (CANCELED)*

*Work Session and Full Council Meetings - Monday, April 20, 2020 starting at 6:00 p.m.*

### ***CW Human Services - Milliken***

Much like everything else things have slowed down; but still driving clients to medical appointments, still operating the food pantry, in need of personal care items.

### ***CWICC - Clark and Coolman***

Clark said the next meeting is April 29 at 11:30; Haire said it will be a call-in style meeting

### ***CWJRD - Bennett and Amos***

Bennett said we have an emergency meeting tomorrow at 7:00 pm and discussing a refund policy; informed recently the lacrosse league has canceled its season, no official word from the league yet for spring soccer, middle school kids and younger divisions usually the ones to play against each other; also exploring idea of a shortened summer league or do we just wait until fall, but checking numbers and cross registration with baseball in summer to decide about any option for summer soccer, both soccer commissioners also participate in the baseball league so there could be some challenges with that. Trying to keep residents' updates with what is going on and answering their questions. Back to youth soccer, working with the Pride league, they have facilitated some kind of online training for their participants and looking at extending that to everyone in the joint rec that has registered for soccer so we might be able to offer that service to them at no cost to the joint rec; so even though the kids are stuck inside and can't really play soccer they might have some training things they can do, again at no cost. This is another thing we will be discussing tomorrow at our emergency meeting. Amos said we do have a meeting scheduled for April 16 and will do online.

### ***Destination: Canal Winchester - Walker***

All future meetings are on hold, Art Stroll is canceled, Farmer's Market is on hold, and Blues and Ribs Festival is on hold.

## **K. Old/New Business**

20-101Canal Winchester Lacrosse Association Bed Tax Grant Letter ([Letter](#))

Jackson talked about the lacrosse letter that was in the agenda packet; she said we had awarded the Canal Winchester Lacrosse Association \$1000 through the bed tax grant at the end of 2019; about a month ago I was contacted by Joe Malone who I believe is the commissioner or president, but they did not have the registration and interest they were hoping for and he inquired as to what to do with the funds. He has written a letter asking if council would be willing to let them modify their project, it is outlined in the letter in your packet, I'll let you all decide what you would like to do. He also understood if you didn't want to do this they are willing to send the funds back. So, I just need to tell him what you have decided. Bennett asked if he may go first as head of the joint rec; it would be my feeling on this with the learn to play that should follow the joint rec view with our relationship with them I personally would not want to proceed with awarding those funds for a learn to play program, I feel it should fall under the joint rec; if they are going to run a club style program that is one thing, but to support them developing players we want them to come through the joint rec then go to the clubs and the school program, I think that should be the model we are looking towards. To give them resources to develop their own programming I think is problematic. Coolman said my input is that we have already set the precedent and their application for the money was for one purpose and now they want to modify; previous to this we had two occasions requesting to modify our standards on the bed tax grant program, one was with the chamber where they missed a deadline and they wanted to know if they could apply late and we upheld our rules of the grant program and did not allow them to do that; and the other one was the rotary and whether we should allow them to use that money towards those books and we evaluated whether their project was good enough or not; bottom line is I think we have some rules in place, we have a previous precedence we have already set, so I as well would not be in favor of allowing them to modify. If they need to modify they can come back next year and reapply and I think they should return the money cause it doesn't meet what they put on their application. Clark said he agrees with both Mr. Bennett and Mr. Coolman and I would add that at the end of their letter they basically said they were buying sticks and balls for each individual child and they get to take that equipment home and it's theirs and I thought my understanding was to buy the stick and have it to use year after year to reuse. Jackson said I think their original application was for uniforms...Clark said and they were going to reuse them and not assign them...I am ok with that but it sounds like they are changing from that and going to having some sort of camp and having these kids...give them all this stuff and they get to take it and go home; your one and done. Jackson said so what I am hearing from those that have spoken is that we are going to tell them no and ask them to return the funds...is that the way that we are going? Amos said that is what appears to me. Coolman said I would prefer it that way so we can be consistent and have a strong basis on how we make these decisions going forward. Jackson said alright I will let them know, thank you.

Walker said before we move on, Mayor Ebert has joined us. Ebert said I have heard everything from the very beginning, I don't know why you couldn't hear me. He said he just wants to add to his Mayor's report and say the entire staff from the directors all the way down to the and including the hourly employees have done a great job, all gone above and beyond working odd ball hours and odd ball days that they are not used to working and nobody has complained a bit about it, so I just want to commend all of them and publicly thank all of them for everything they have done. It looks like we have a little more way to go yet, we have not had any illnesses yet, starting from the first day we were going around sanitize all the buildings every day at the end of the day, I think that is something that has helped us immensely, we have had no illnesses so hopefully it stays that way. That is all I really wanted to say. Walker said thank you Mayor Ebert, does anyone have any questions for Mayor Ebert?

Peoples said there was an email sent out this afternoon with some highlights from a proposal from Waste Management (WM), I will go through that line by line to make sure everyone understands. This is a discussion item only at this point but we will need some direction and I will explain that a little bit later. So, I will go through the highlights now. This is a five year and two-month contract, we are currently finished a ten-year contract and WM wanted to make sure we change that up due to things that change during a ten-year period. The two-month added because the end of the contract is right before Labor Day and if we were trying to do anything it would not be a good time for us to try to be changing right before Labor Day so that is why it is five year and two-month proposal. It is weekly trash and every other week recycling. The city would be split into two, the truck would be on half the city one week, the other half the other week. This is an automated pickup which means everything has got to be in the containers, they will not pick up anything lying beside unless it is a bulk item and I will get into that a little bit later. The proposal is for \$22.50 a month, the rate includes a 90-gallon trash cart that WM provides and a 65 gallon recycle cart. Bulk pick up is up to two items per home once a month and they do need to be scheduled. There is a 4% annual adjustment. There is a 10% senior discount for those 65 and older. The franchise fee to the city remains at \$25,000. The fuel charge that you currently see on you bill has been eliminated. An additional trash cart can be rented for \$14 a month, the rental is not \$14, but to pick up the cart is the additional cost, and an additional recycle cart is \$9.50 a month. Bulk items can be scheduled for pick up with additional charges. There is unfortunately a fee to index recycling charges and that is based on whatever the recycling processor is charging for drop off at their facility. I don't have a whole lot of information on this but in a roundabout way it is a ten-cent increase for every five-dollar increase in the cost; if it stays under \$60 its ok, but we can get into that a little more at a later time. There would be additional recycling pickup around Christmas and New Year's Day for all of the recycling that comes from the Christmas holiday with boxes and stuff. The collection day will be changed to a Wednesday or Thursday, they requested this with some of our neighboring communities if they already have Monday pickup, plus there are a lot of holidays on Mondays that they have to try to work around in their schedule. Also, WM will supply recycling education materials to city residents. We have been working with WM on this about a year and longer than that on the recycling as you all know; we have been working with SWACO in their consortium and one of the decisions that has to be made is that WM...if we are included in the SWACO consortium public bid they will not be able to continue to negotiate with us and the reason is they do not want to have a negotiation out there and also do a competitive bid, so anything we do with the current proposal will stop and they will be looking at bidding on the consortium contract. I don't know if that is a guarantee that they will but they said they will be looking at it. The consortium two contract will go out for public bid on May 14, so we will have to make a decision whether we want to continue with being in the consortium or continue negotiations with WM. So, with that if you have any questions please let me know. Milliken asked what is the reasoning for the every other week for recycling? Peoples said from an efficiency stand point, it's a 65 gallon recycle cart, the consortium two contract are 18 gallon totes, the little open top bins if you have seen those along the road, that is what I know Madison Township has and the majority of the consortium two communities have that as well, so one 18 gallon tote once a week, you can put roughly four of those 18 gallon bins into one 65 gallon cart from a volume standpoint. City of Columbus has a 65 gallon recycle cart and they are every other week as well and I think they are in the seventh or eighth year of their contract, I think it's pretty well vetted out that way. Amos said I want to make sure I understand that recycling that everybody would get the containers for trash and recycling; Peoples said that is correct. Bennett asked Peoples if he was going to elaborate there. Peoples said everybody gets one recycle cart and one trash cart. Bennett asked how are they breaking that out, I know it is included in the cost and there are grants where we can off-set the cost, the question is that a hidden fee to our residents that they are baking in. Peoples asked what are the grants that you are speaking

of...is that the cart grants? Bennett said yes there are grants with Ohio resources and SWACO does some...there are multiple grants out there. Peoples said that would require the city to own the carts and maintain the carts; the SWACO grant I know you said there are several out there; us owning and maintaining those carts is not something that interests us when we were going through that; I guess to keep in mind, to elaborate on that a little bit, right now 63% of our residents are currently renting the carts, so as far as some hidden costs in there I am not real sure, I just paid my bill and I rent a cart and with the cart rental and the fuel charge it was \$60.15 something like that so with recycling added and the additional cart added its going to be \$67.50 so it will go up \$7.50 a month for the 63% of people...residents...who are currently renting a cart, our residents who are renting. Mayor said and there will be a ten percent discount for seniors. Bennett said I will include for comparison my WM bill the most current one was \$52.11 with everything included. Peoples asked with the cart included? Bennett said his bill doesn't show renting a cart...Amos said she doesn't rent a cart either; Bennett said he does not have a cart attached to his bill. Mayor said it is going to be mandatory for all waste haulers in the very near future that everybody has at least a trash cart; we have been reading so much about this, the drivers are getting sick every day, they are losing drivers every day, not to death, but to illnesses and it's going to be mandatory by the end of this year anyway if not sooner. Bennett said he understands they are trying to automate the process and they are going to require that at some point; I just wanted to point out that while People's bill will go up \$7.00 a month my bill will go up about \$15.00 a month...quarterly, not monthly. Mayor said so you have been getting a free cart...Bennett said yea, but no, not if my bill is going to go up...Amos said no, we own our carts, I purchased my own. Peoples said that is the biggest change that is part of this other than adding the recycling it is the automated pickup; this is from an efficiency standpoint, I did ask them to provide a quote for non-automated service and they said they are not doing that any longer on new contracts or re-negotiated contracts. Obviously there are some advantages not only for them, but that is the number one biggest change is that everything has got to be in the cart; and there are people out there...it was interesting that this 63% of our residents are renting a cart, and that number might be more if people are not being charged for carts or that type of thing, but 63% are doing that and of the 63%, 5% of those are renting more than one cart, so from a trash volume standpoint there is an additional charge, it is more significant than what it is now but as the Mayor said there are a lot of things changing in the waste business from a safety standpoint and the automated is...again going back to the drivers, their workers comp claims are astronomical with them picking up and throwing bags full of whatever; that automation is part of an industry wide type of thing that they are looking at; I have spoken to a few of you over the past year and while we started getting into the consortium contract I don't believe it is required in the consortium contract it was discussed as part of that and currently Groveport and Whitehall, they got a little subset of the consortium two contract and they are currently out for bid for essentially the same service, the automated I should say. Amos said I appreciate the fact that recycling was included, obviously that is something we have been pushing for, the community recycling events have been a huge hit and are already missed and we have only missed two of them so I appreciate the fact that it is in there; so Matt what you are saying is we need to decide whether we are going to pursue the consortium bid or stop now and accept the WM. Peoples said well we wouldn't have to necessarily accept the WM, we have gone a couple of the terms on here that we didn't like, we can continue to negotiate with them, obviously there is going to be a drop dead date; I did speak with SWACO and that drop dead date is May 7, which is after our first council meeting in May, so that is why this is a discussion item only, we have plenty of time to look at that and ask any questions. When we first started talking to WM we really wanted a decision in May anyway to get the process started so they could get carts out and get through the transition period. Amos said a question she foresees is if a resident already owns the cart, because I did purchase mine from WM, if they already own the cart, is there a difference or is that

negotiable or are they going to just drop you off another cart and that's it. Peoples I guess I am not aware of any program where you purchase a cart through WM, to me it has always been a rental fee, have a recent email that says a resident will not own their cart, they belong to WM, the resident is renting them, the rental fee is built in, it is not an extra charge like it is now. Bennett said he wanted to call out a couple of items since we are in the early stages here, the annual adjustment rate would be 4%, but our current adjustment rate was 2.5% but then added the fuel charge. Peoples said the fuel charge was all over the place indexed to a government formula, and since that is eliminated it would stay a little bit more stable. Bennett said he would like to know how they are determining a 4% annual adjustment, from the current adjustment, I understand they are banking in the fuel charge, but I guessed they were banking in the fuel charge into the \$22 per month charge; I believe the fuel surcharge falls outside of that. Peoples said it is 2.5% plus the fuel surcharge. In their first discussion with us it was a 5% annual adjustment and we did talk to them and it came down to 4%, it will offset the fuel surcharge a little bit. Bennett said the additional cart cost seems extremely high as well; Peoples said I agree, that is another one of the items that we talked about, they are basing it on...so it is another cart, take current rate of \$3.00 a month and back that out of \$14 basically it's an \$11 a month charge and that is for the trash itself. Bennett said so the increase is to pick up the additional cart; Peoples said yes they provide the cart and have to dispose of it; Bennett said this is an incremental increase if you are a high trash or high recycle volume home; Peoples said right and with the automated pickup that will effect some people, I have seen some people who put trash along the side of their bin if they have a little bit extra, at my house with the recycling I don't see us having a problem, for an average homeowner family of four type of thing, you know just base it on that. Mayor said he has one cart and has had a rental on it for umpteen years and his cost for three months is a few cents over \$60 but with not much more cost we would be getting recycling, it's a heck of a deal I think. Bennett commented about the franchise fee...would we lose that if we go to the SWACO consortium; is there a benefit to conceding that and giving that back to the taxpayers; Peoples said the franchise fee is worth .85 cents a month. Mayor said there are a lot of benefits to having them here in Canal Winchester, they help us with the all of the festivals, they will bend over backwards if you need cardboard containers, they will give you what you need. Bennett agreed they are a great partner; considering how to do this outside a consortium, if everybody moves to a consortium then we start creating monopolies within that sector; everything in here and the sort of breaks that we could ever concede to someone and the price still seems to be going up; and my question about the franchise fees as a city want to keep it local for income tax and the tax incentives; I know it's minimal but should we consider any type of benefit of the franchise fee we can give back to the residents even if it is .85 cents per month. Mayor said the franchise fee is used for road repairs from the trucks and wear and tear on the roads and that's where the bulk of that goes to as well as those types of things. Bennett said from a city council perspective it seems like our road funds are healthy and it seems like \$25,000 is a drop in the bucket to that kind of fund, we are looking at a million dollars in street programs, and if anyone on council feel free to jump in...who thinks keeping the \$25,000...he would like to show residents the benefits of keeping WM here and doing this contract outside of SWACO, even if we conceded .85 cents back to a resident and it got the bill down, it's not even 1% of the next increase they are going to face; the last thing I will call out is I would like to see them do more than provide educational materials for recycling, maybe do a seminar or an event, or a video, something more than printed materials, more ways to engage that, something more robust than limiting it to a flyer. Peoples said they talked about having fridge magnets to remind of the pick-up date every other week and what items can be recycled. Lynch said cardboard seems to take up a lot of space in every recycling bin, and it piles up, is it possible to have WM have a designated bin at their location outside the fence for people to put cardboard in 24/7, does that make sense. Peoples said they have one out there now and it will take anything, it is separated into three sections, there is still one out there, they

were also getting a lot of dump stuff, not the toilets like we did, we have not discussed whether it will stay...for cardboard only. Lynch said he thinks this would be good to explore for cardboard, I think it would go a long way, I just took a pickup truck load to recycle, just my two cents; I think the rest of the proposal looks good, I think it's fine; concerned that they will drop this if we pursue SWACO, like the idea of keeping it local if we can. Peoples said they won't drop us, they just don't want to bid or negotiate against themselves in the public realm, it's not anything that they would want to drop us or continue working with us, it just they don't want to bid against themselves; Lynch said that makes sense. Bennett said he sees the term is five years; he would be interested in a shorter term maybe three or four year and look at SWACO's consortium and maybe lining up with a different consortium that maybe we are a better fit for. Peoples said the consortium two is our fit and we align with consortium two from a contract standpoint they will be starting five years starting 1-1-2021 just a little overlap with the dates; Bennett said thank you. Mayor said there are issues to shortening the contract too much, possible increase sooner; Clark asked what the Mayor was saying about shortening the contract...an increase; Mayor said if you have a five year contract you are locked in for five years, plus the 4% increase; if you have a two year contract to me you are asking for an increase after two years, I don't think it's going to go down. Peoples said keep in mind they would be making an investment in the carts, we have roughly 2500 households that will get a recycling cart; the SWACO grant for recycling carts were at \$47 per cart so that would be \$117,000 investment just in the carts, if they can get them for \$47 if SWACO was doing a volume deal as well, which I am assuming WM would get; if you can understand the investment they would be making, additional investment in their automated trucks, switched their whole fleet to compressed natural gas, will have to convert some existing trash trucks to recycle trucks, so the investment is there and I think the five year contracts do make sense and again it is aligned with the consortium two contract. Bennett asked about partnering with WM and seek additional grants through other resources...we would have to wholeheartedly own those carts outright to get a SWACO grant not if we partnered with WM or anything like that; Peoples said he is only aware of the SWACO grant and that one is so we would have to own the carts. Bennett said he thinks there is a grant through Ohio Department of Resources, as well. Mayor said we would have to maintain a cart inventory somewhere for new people moving into town and new houses being built and somehow in order to get grants; Bennett said he understands we don't want to manage that, he was just trying to see if there was a purchase we could work with them on making and then shift all of the responsibility over to WM...donate them or hand them over to WM for future management and basically turn it over to them after that initial purchase, but again that was just a question, it may be more complicated than it is worth. Coolman said in talking about these trash receptacles I think about throughout the year they have to have a cart inventory to replace ones that residents damage, automation damage from the trucks handling them, they can shatter those containers or break an axel on them or from weather damage, they have quite an investment in them; a question I have is the \$22 a flat fee for each household or is there a consideration for the size of the household; Peoples said it would be the same for every household, except for extra 10% discount for seniors or if household ordered additional carts. Coolman said they recycle his office business cardboard at the WM location, also, they get a lot of cardboard boxes when they receive office supplies, and he would like to see that bin stay out there, and maybe for local businesses maybe others do that, offices like mine, maybe they don't, but for me personally I like to see that out there. Mayor said they would keep doing it as long as people don't pile stuff up around it like they did here, like the issue we had. Milliken asked about the 4% annual adjustment and maybe after five years we outpace the market rate, would we contract over our starting point, does that make sense; Peoples said we moved it down from 5% from the initial discussions; whole waste industry is changing, discussions of China shutting down recycling and recycle commodity prices have plunged and they are just not making enough money off some of the recycling especially when it is contaminated with a lot of

stuff that is just not recyclable even though people fill stuff up it is just not able to be reprocessed. Milliken said his concern is we come to the end of the contract and we are paying so much and somebody else is going to come in and...Peoples said to undercut the price...Clark asked where do they come up with their 5% figure, is the inflation that much in this business or cause it is clearly not the inflation rate, the CPI; Peoples said it is on their proforma that they have done, there is volatility in the market but with SWACO here there is stability from a local standpoint but the recycling is kind of up and down type of thing, there is a huge amount of investment that I talked about before; just from a reference standpoint New Albany and Blendon Township are part of SWACO consortium number one and they just went out in the past year, starting this year at \$20.78 and that does not include the trash cart at every home or does not include a discount; Madison Township is at a little less than \$19.00 a month, they are in consortium number two as well, and are rebidding out, they opted for a three year contract with the ability to extend it to the full five in the consortium, their original first three year was roughly \$14.00, their most recent they only got two bids on basically bid it out for another two years it went up to \$18.75 something like that and that is just the 18 gallon bin, their only other bid on that was upwards of \$25.00 a month, so it was surprising to see that big of a difference, just SWACO staff that runs the consortium was surprised with the gap between the high and low bidder on that and there being only two of them. Walker asked if that increase is consistent with other communities every five years; Peoples replied I don't know, I don't believe so, the consortium contracts are so they pay one rate for those five years, other than Madison Township had decided on the three year, so the consortium number two who are in that they are paying right now \$14.00 and change a month so as we were sitting in the meetings about consortium two the attorney that is representing SWACO he represents all of the consortiums, represents SWACO, he was warning everybody to look for a \$20.00 and up monthly rate and he says that is just the way it is so obviously with New Albany and Blendon Township at \$20.78 that is probably where he is getting that information. Lynch asked who did you say was at \$20.00 a month right now? Peoples replied \$20.78 is New Albany and Blendon Township; Lynch said ok got it thank you. Coolman asked if the rate is for the current population of Canal and how do we go forward as we continue to grow and where do we look in the future for these rates, do we do an age study of who is over 65, how do we move forward, the \$22.50 is ok if we don't have anything to compare it to; Peoples said he is comparing it to what we are paying now and again I will use himself as an example my residence is \$60.00 a quarter and I rent a cart for another \$2.50 a month we are adding recycling and another cart with it, now it is everything in the cart, keep that in mind, when we have talked about recycling all these years it was always based on that we had rates of about \$4.50 all inclusive...to be added to the base rate, at that time I believe they were the 18 gallon bins and not the 65 gallon carts like they are now, so at \$4.50 added to what we were paying at the time we were far outpacing our neighbors in Madison Township at \$14.00 a month for recycling, we would have been at the time about...trying to do the math at the same time...Bennett said one other concern as we talk through this you were talking about Blendon Township the ones that just got requoted \$20.75 are they paying that much additional for an extra cart; Peoples said he doesn't know, this was just information he has received, basically for a comparison type of thing; Bennett said his big concern and question is that those folks who are putting out two trash cans per week I am concerned they will start to leverage their recycling and contaminate the recycling to save costs; Mayor said WM will monitor that, all the waste haulers will be monitoring that pretty close; Bennett said so they will monitor it and flag a resident who is doing it and say sorry we are not going to pick this up, okay I want to make sure we have a solution for that; but I would be curious if consortium one is paying that much for additional trash volume because it seems like there is a hidden fee in there if I am a large trash producer and I am sort of okay with penalizing large trash producing homes and getting them to think about how to decrease their volume; Peoples said there have been some thoughts that they bring in trash from friends or family so that person doesn't have to

pay for it as well so if they live out in the township they just bring their trash to their parent's house and throw all of the trash into one person or if there are multiple families living in one house so I wouldn't call it penalizing someone who is a high user but if that is just their situation that they have multiple families in one house then they are going to produce more trash and if they are producing more trash and it is by the ton and the more you put in the more it's going to cost. Walker said okay is that all of the questions and discussions tonight. Bennett said do we need to provide Mr. Peoples any direction or is he going to continue to negotiate with WM in the interim; Peoples said there were a couple of little items that we were working with and we kind of left it along until we had the discussion so we weren't adding and changing things as we were continuing to discuss I don't want too much to change, it would be great if the cost went down, but we are working on a couple of things after talking to SWACO there were a couple of things that are in the Groveport/Whitehall bid that is out right now, a couple features that we would like to add in there and so obviously any direction at this point, this was always for discussion only this evening, we have a month to go before we have to make any decision and like to take that time and digest this and I have a couple notes here that we can go back as well so I would save direction until the next couple of meetings; Bennett said his question back would be about a reference earlier about whether we were sure we are going to continue to have meetings moving forward or when our next meeting was going to be; Peoples said it was the next meeting and concern about whether to take it down, not sure how formal a discussion, but to have just one meeting a month as we are going through this, but that was before we came in with this format and we'll take a step back and see how this process worked and decide before the next normally scheduled one. Mayor said can also have discussion by email as well, send it out there to all council, Matt, myself and Amanda as things to work on with them. Walker asked if there were any more questions tonight.

Bennett asked about Audra and her part-time position and obviously she is not with us tonight, do we have a set schedule for Audra moving forward or should we be sending all of our clerk of council communications to Ms. Jackson, how are we handling that in the interim; Hollins said to send to Audra with Amanda copied; Jackson replied Audra is basically working as needed so all of that will depend on council's schedule for meetings, she will be in tomorrow to do the minutes and that is as far as we have gotten, so you can still send it to Audra but I would make sure I am copied on it just so make sure it gets where it needs to go; Amos said just out of curiosity was there conversation that took place that furloughed her because I don't recall seeing anything in our email where it discussed what she was doing; Jackson replied we furloughed all of our part-timers, well we didn't really furlough them we just kind of put them on modified schedules; Mayor said everybody is on a modified schedule; Amos said I get that, I am totally fine with the modified schedule I guess with it being a council position I just thought we would have all been invited into the conversation prior to finding out by word of mouth; Mayor said which mouth; Jackson said we are trying to avoid having too many bodies in our building and logically speaking it made the most sense to start with the part-timers and when that second council meeting in March was canceled there was no reason for her to be in the office so she didn't come in again until right before this meeting to put packets together; Amos said her request would be for Mr. Walker serving as president that you please keep us informed when decisions are made, not that that would have changed my opinion at all, I completely agree with what was done, I would ask the president to keep us informed about decisions being made because I don't think the information is getting relayed back to everybody, not that I don't agree, I just want to be kept in the loop; Jackson said just out of curiosity was there anything that sent to Audra that was not taking care of because the first communication that I got from council or that I was made aware of was probably Wednesday of last week; Amos said you cut out for part of that, I think what you said was...was there any other communication that was missed that went to Audra only; Jackson replied yes, anything that has happened since the beginning of March, because

last Wednesday was the first I had heard from just about everybody on council; Amos said I can't think of anything, I would have to go back and look, I can't think of anything that was not a conversation by phone but I would have to go back and look, with everything going on there hasn't been much going on; Coolman said Jill, I know I am fault for some of this because I promised everybody on council that we would meet; we all recognized that Audra needed to have her job outlined cause it was never done when we hired her and as of January she has been on the job about three and a half months and nobody ever gave her any direction other than Amanda and other gals at the city on how to put the packets together cause that was the main focus so I can put together an email for you that I outlines the meetings that I have had that I told you guys in executive session alluding to the action to be taken with Audra to bring her up to snuff, she is our employee, so I apologize for that, I will put that together and I will send that out to everybody as far as what we have covered in her job description, I also have an additional job description that defines her duties and going forward as Amanda alluded to earlier it was just a move that was made with all part-timers; Amos asked is the job description that you are referring to different than the original job description, has there been a change to that that we are not aware of; Coolman said I have no idea because I never saw the original one, so I will send out the one I have and you can tell me; Amos said sounds like a plan; Coolman said seriously I never seen on until I got to the task of meeting with her and going through things with her regarding her job outline, that is why it seems that different hands are in the cookie jar because Audra has been kind of out there by herself since we hired her because a lot of things were going on at the end of last year and she never really got the attention that was needed to outline her job duties, so I took that upon myself in January and I did meeting with her with Mr. Walker and we covered some items that were needed to get her up to snuff, how to use the software for putting the packets together, I don't know about the rest of you but I think it is pretty telling when she is not up to snuff because we have had packets put together that were incomplete or incorrect, we can sit here and name all kinds of examples, but the bottom line is for her she is governed on a daily basis by Ms. Jackson because none of us are in that building so it really is not fair for us to determine when she comes and goes to work when we don't even know her workload; Amos said I don't think that is up for debate; Coolman said I think everybody needs to be on the same page, and I will make sure we all are. Walker commented that the Ms. Jackson, Mayor Ebert, Mr. Peoples, they have all done a great job of getting the messages out...if you will go ahead and email Audra and copy Ms. Jackson and the rest of us and we'll move forward, we thank you Ms. Jackson for all of the communication; is there anything more, any old or new business? Hollins said there is no need for executive session.

**L. Adjourn to Executive Session (if necessary)**

**M. Adjournment**

***Motion to adjourn made by Milliken; seconded by Lynch  
Motion carried by the following vote:***

***Yes 7 – Milliken, Lynch, Amos, Bennett, Clark, Coolman, Walker  
Adjourned at 9:15 pm***