

Canal Winchester

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



Meeting Minutes - FINAL

July 29, 2019

6:00 PM

Committee of the Whole

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

A. Call To Order

Jarvis called the meeting to order @ 6:01 p.m.

B. Roll Call

Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker

C. Also In Attendance

Mayor Ebert, Amanda Jackson, Sergeant Cassel

D. Items for Discussion**19-065**

Hands Free Ordinance ([Canal Winchester Ordinance](#), [FrostBrownTodd Memo, Section 331.44 Redline](#), [Bexley Ordinance](#))

Jarvis: Mr. Hollins' office has been kind enough to do a crosswalk between the Bexley ordinance and ours, and identified some of the areas that were different; some of them were significant, but we never had a chance to finish that discussion, so we pushed it off to today; I guess what we are looking for is some consensus on what the direction ahead is; leave it alone, meet the state ordinance, go toward the Bexley ordinance, or some combination?

Hollins: I'd be happy to facilitate the discussion; the structure of this – the gist of it is subsection B, 'don't operate a motor vehicle while using a handheld electronic, wireless communications device', which is a defined term; there is a number of exceptions to that in subsection C; the one thing I would encourage – there's probably been some thought put into this since the last time – a discussion with Sargent Cassel, and I can tell you what I know from the Bexley experience, but some other folks may have talked to Bexley as well.

Bennett: I think at the last meeting, Sargent Cassel relayed his conversations with your counterparts at Bexley; Mr. Hollins, did you have conversations with the folks in Bexley? Hollins: My office is familiar with, and has talked to the Bexley folks; what we understand is the – at the get-go, they weren't handing out violations, just warnings; the other part was that I think they've considered whether, on a going-forward basis, they will enforce this only against residents, rather than residents and non-residents; the discussion there is simply whether people that live outside of Bexley are on notice of this ordinance; the concern that, since it is different from state law, would it be fair if you're just driving through Bexley, and happen to be on a telephone call? Would it be fair to enforce this ordinance against you? The other is obviously the issue of trying to prove the element of a functioning, electronic, wireless communications device, but the additional phrase of 'to write, send, or read a text-based communication' – how do you distinguish between a device that may not be functioning or on at the time, and one that is both on and being used to write, send, or read a text-based communication; that proof issue exists also with the state form of the texting while driving; we'll have that proof issue, no matter which way we go with this.

Lynch: I have a question – under C4, it talks about the person reading, selecting, entering information; basically, you can enter a telephone number, or receive a call on a phone, but this is saying up above, in section B that you just can't text or do emails, is that correct? Hollins: I think the idea there was that it's not – if your car is setup so that you can have hands-free communication, there is still a concern with dialing the number somehow; they carved an exception for dialing a number, and then you're supposed to put it down; Lynch: My question is, from a police standpoint, how do you tell the difference to

whether they're typing a number, receiving a call, or texting? I don't think you can, that's my point; I'm looking at this from a functional standpoint, and if you can't pull someone over just for texting on the phone – it says here you can't – when does this really apply? You're not allowed to search a car, based on what I've read here; how can you possibly enforce this?

Jackson: Can I interject – I just want to make sure that everyone is following the attachments that are in the packet, because there are actually 3 in here, on top of the memo; the first one says 3-1.44, it does not have any red-line or anything – that is our current code, Canal Winchester's current code; then it's followed by the memo, which I believe included the revised code section, the Ohio revised code section; the next one is 331.44, which is a red-lined version that Mr. Hollins had previously given out to council to review; this would just be another version of our current ordinance; our red-lined version is with changes to our current ordinance; the last one is the actual Bexley ordinance that is on the books; I just want to make sure you're understanding which one each one of you is speaking of; Lynch: I was referring to the 331.44 red-line version; like I said, under C4 it says you can make the call, up in B it says you can't text or anything – how do you really know the difference; I see this as being an extreme challenge from a law enforcement standpoint; Bennett: That's the Canal Winchester one, do you have that same opinion of the Bexley ordinance?

Bennett: Mr. Hollins, one question I had for you was the legal discussion over – has Bexley had a lot of challenges to their ordinance on the books? Did you happen to have any discussion? Jackson: I have that information; I had emailed the Clerk of Courts at Bexley, I do believe she said they've had one challenge; Bennett: So most people just take the ticket, and pay the fine; Lynch: How many violations have they had? Jackson: They have had less than 100 filed; Amos: 2016; Jarvis: The first 30 days were warnings; Amos: Sargent Cassel, in my mind, I don't see you going down the route of going after people using their cellphone; you can usually tell the people who are driving down the road, and looking at their cellphone; those are the people you can clearly see.

Cassel: It's going to be officer discretion, but in my mind, if I'm going to stop someone for being on their phone, I'm going to be able to see it in plain view; if I write them a ticket for it, and they don't agree with it, they have due process.

(Discussion ensued)

Clark: I wholeheartedly agree, and it's already on our books that you see somebody looking down, and not looking at the road, trying to type and drive; Amos: It's a secondary offense, this would make it a primary; the problem is that you see so many – especially around the high school, and that phone is in their hand, and they're not paying attention; most of them do have the option of hands-free, most of them do have that in their cars now; I realize that there are some people that don't, but that's when speaker phone comes in handy; Cassel: In my opinion, if we are going to cite the guy in Canal Winchester doing it, we should cite everyone doing it; I don't know how the mayor feels about that – maybe a sign here or there saying we have a hands-free ordinance; Amos: In Bexley, they do have signs around that say they are a hands-free city.

Clark: Gene, you're saying Bexley is letting non-residents go? Hollins: They considered of whether that is a fair way to enforce it – we are aware of the conversations that are taking place; it's from an enforcement angle, but they bounced around the idea; Mayor: Part of the issue with Bexley is just on Main Street or Broad Street, you can drive through 4 different cities within a 5 mile stretch, and sometimes you don't know when you're going from one to the next; Walker: Something to consider, too

is that we are Destination: Canal Winchester, we want people to come here; we want people to know, and they're going to get cited if we do this – I'm for at least bringing it up to state level, but if we do this, and charge people to come in from out of town, they don't know – they're not going to want to come back.

Hollins: It could be a combination of it being a stricter ordinance, plus making it a primary offense; you can get pulled over for this, and nothing else; if it was just no handheld devices, and it was a secondary offense, it may not be that unfair – if you're involved in an accident, therefore we are going to hold you to the same standards; Amos: I truly believe this is for the sheriffs, we have to put our faith in them; if we do have a visitor, and they aren't driving erratically, they can issue a warning; Cassel: Right, it's officer discretion; myself, personally, if I saw somebody driving and the ordinance is intact – if I stop them, and they are from out of town, I'd say that Canal Winchester has an ordinance, and you can't do that again; with this ordinance, I would stop and warn you – the only tickets I myself would be writing are for the ones who are driving reckless, and endangering other people; I have no problem stopping you, and telling you to knock it off; but if they are left of center, yeah I'm definitely going to write you a ticket; our job is to inform and educate people, and I agree with Mr. Walker said – we're not going to be out there a ton of these willy-nilly.

Mayor: We also have to think about what the purpose of the law is to begin with – is it to stop people because they're texting? Amos: Distracted driving; Coolman: It's to reduce the amount of property damage and personal injury claims that insurance companies have to pay for; here is the other question I have – these are all great points, but when you are talking about citing a resident or non-resident; what about all of the hourly workers that are here in town that don't live here, but they work here; Cassel: In my opinion, the only way that I would be enforcing this law – stopping you is one thing, but giving you a ticket is another thing.

(Discussion ensued)

Walker: We already have reckless op – you would pull somebody over for reckless op either way; Cassel: I've seen deputies write up people for that, being on their phones and texting; you guys want to pass something that keeps people from talking on the phone, and things of that nature; that is how we would enforce it, whether it's a primary or secondary offense – if they are driving reckless, and the officer thinks they need a ticket, then they are going to write them a ticket; Clark: I don't see how if you pick up a phone to receive a call is any different from picking up a drink; Walker: I agree; Cassel: You're splitting hairs, so you have to decide what you're going to do.

Walker: Just bring it up to the state level, and if someone is driving reckless, pull them over; Bennett: Is that the state standard, Mr. Hollins – that it's a primary offense? Hollins: Secondary; Bennett: So Mr. Walker, that would be beyond the state standard; Walker: He said he wouldn't pull them over unless they were recklessly driving, anyways, so they can pull them over for reckless op.

Jarvis: What about the situation about if someone is sitting at the light, and they are oblivious to the light changing and they block traffic? Jackson: That's addressed in Bexley's ordinance; it says that you have to be out of the flow of traffic.

(Discussion ensued)

Lynch: C3 says that communication devices are prohibited unless stationary and outside of the lane of travel; Jarvis: Mayor, after looking at all of this, what are your thoughts? Mayor: I think you have to

strictly define, or you guys have to know in your minds what the purpose of the law is; is it just to have it on the books, just to have it? Or are we going to use it, and how are we going to use it?

Jackson: Gene, I have a question for you about the points, because Bexley's Clerk of Court pointed out to me that theirs is 0 points on their license, which is why a lot of people just pay it; all it's doing is hitting them in the pocketbook one time, when they write that ticket; it's not going to show up as any points on their license, and potentially hit them again; Hollins: The point system is administered by the BMV; they would assign points to the state version of the texting while driving – it would surprise me if they have assigned that 0 points, because they'll assign points basically to any moving violation, and obviously these are any operational-type violations; the only thing that don't get points are parking violations, and equipment violations; if she is saying that they are assigning 0 points, that would be strange to me, because the concern is that it is a moving violation; Jackson: Her email said that most of them are okay with it after learning that it's 0 points.

Hollins: There should be a resource that our court can tap into to see what the state assigns to the texting while driving violation; Amos: Sargent Cassel, is there a set number of points for reckless op? Cassel: 4; Hollins: That's the enhanced reckless op, isn't it? Cassel: Yes; Walker: Mr. Bennett, I am glad that you brought this to our attention, because we aren't even up to the Ohio Revised Code; I think it would look bad if something happened, and we weren't; to have it on the books, at least that for now is where I would be with it, at least for now; if Ohio changes something, and they do another – we can move further with it, and press it a little bit more; in the meantime, you're pulling over people that are recklessly driving, anyway; I am just happy that you caught that; Bennett: No, that was not the point – the main question when I brought it was should it be a primary offense? If it should be a primary offense, how far do we want to go? Bexley goes pretty far – part of it is enforcement; I would guess it's 0 points by design, less people challenge it, and pay it; it's an awareness to the fact that you are distracted when you are driving; I would guess that that's the main purpose – there is more attention being called to it; how many cellphone companies have promoted 'put down the phone and drive'.

Cassel: My opinion is that if you're going to create a new ordinance, and you want it enforced and to have teeth, it needs to be a primary offense, and it should have 2 points attached to it; if it's a secondary offense, it's not going to get enforced that much, because they have to have some other violation for me to enforce it.

(Discussion ensued)

Mayor: Mr. Coolman, how does the insurance industry identify texting and driving? Coolman: If it's a citation on their record, then they recognize that it is a non-moving; the insurance industry has their own point system, separate from the BMV's point system; the BMV's point system is for the luxury of being able to keep a driver's license; the insurance point system is for the luxury of what kind of discounted pricing tier you get into, based on accidents; when a speeding ticket could be just a 2 point ticket according to the BMV, it could be as many as 3-4 points with insurance based on how far over the limit you were; that's what insurance is doing now, is dissecting things like that; right now, with distracted driving and it's ticketed, the community is recognizing it as a non-moving violation.

Lynch: We are talking about how dangerous it is – this article says that in the US there are 1.6 million car crashes a year involving cell phone use; 5,000 caused injuries and 6,000 were fatal; throughout the country, there are 11 teen deaths every day to do with texting and cell phone use.

(Discussion ensued)

Jackson: Gene, I sent you a link that includes the points from the BMV; it's on the very last page – it does show texting while operating a commercial vehicle, driving while texting, and driving while using an electronic, wireless communication device; they are all moving violations, but they all have 0 points.

Hollins: That may be because they are secondary offenses; Coolman: For insurance purposes, if there is a code that comes through, we pull a BMV report that says whether it's a moving or non-moving – we look for that symbol; it's relative to the community if they recognize it as a moving.

Walker: I'm in support of bringing it up to the Ohio Revised Code; Jarvis: Would you support making it a primary offense? Walker: At this point, I would like to see it come up to the Ohio Revised Code; Clark: I'm okay with making it a primary offense, if we take out just being able to hold a phone and talk; Lynch: That's how it's written in our red-lined version, right?

Hollins: It's never quite defined – we used the term as the state law does, as using a handheld, electronic, wireless communication device; they don't define the use; Walker: The thing is that you can verbally text; Jarvis: Maybe I'm misreading this, but what is it saying in Section B in the red-lined version – 'no person shall operate a motor vehicle on any street, highway, or property open to the public for vehicular traffic while using a handheld, wireless communications device to write, send, or read a text-based communication'; it doesn't say anything about talking; Hollins: That's definitely a texting while driving ordinance; Lynch: It prohibits any kind of text or email, but on the other hand it allows talking – it doesn't say anything that I can see in here that you can't hold it to your ear.

(Discussion ensued)

Amos: I have seen people drive down the road with laptops, watching television; I've seen them with iPads and phones situated and watching something; I personally like the way that Bexley is written – it allows for it to be a primary offense, and then we can put it in the hands of the sheriffs to say use your best judgement; Lynch: What is the primary difference between our red-lined version and Bexley's? Hollins: Our red-lined version only addresses texting; theirs addresses texting and talking on the phone; our red-lined version is a primary offense, and theirs is also.

Bennett: What would we set as the fine? Cassel: Their fine is \$115; Hollins: This is defined as a minor misdemeanor that is now a max of \$150; in terms of a payable offense, the Mayors Court establishes its own payout amount for payable offenses through the Traffic Violations Bureau; that would be an executive order from the mayor, setting that amount; if you didn't want to come to court, and just pay it out; there would be a fine portion of that, and a cost portion of that, usually it's right around \$100; Jackson: If I could ask one question about this to the group in general – Bexley's is not necessarily, that I can see, addressing public safety individuals, and their ability to use their phones while they're working; I don't know if that's – Hollins: They have emergency vehicles; Amos: I think less is more, it covers multiple components, but it's very clear in what it is saying.

Mayor: I guess that's my point, going back to what I originally said – what's the purpose of this? The purpose is public safety; it is to protect pedestrians, it's to protect other drivers, and to protect yourself; I think, if we do this, we should inject somewhere in there that those are the reasons of why we are doing this; Coolman: This is a tool that we can use to grow our community, and grow it safely; Amos: I like to look at it from the mom side of it, too; I have 4 children, 2 driving, and 1 learning to drive; from my side, I tell my kids all the time not to pick up their phone; if they got hit with a \$115 ticket, I'd say to break out

their checkbook, because this is what happens; it's protecting my kids because this is the rule; Mayor: I tell my grandson that, he got his driver's license a year ago; I tell him all the time not to talk while driving; he won't – I will call him, and he won't answer his phone.

Hollins: It's interesting that basically what Bexley did is take the law that applies to those under 18 and just made it apply to everybody; they just say not to use in any manner an electronic, wireless communication device; it makes it a primary offense.

(Discussion ensued)

Coolman: What the insurance companies do now is charge additional premiums for those kind of tickets, but they also have promotional pieces for youthful operators to keep their rates down, where they can download a program into their cellphone that tracks their driving tendencies; they do that for adults as well, and it can save you up to 25%; savings is only assessed at your renewal, but they have a log of tracking your driving habits; they do give you debits for erratic stops and starts, fast turns, hard turns, short-stopping and starting repeatedly; they tend to favor the nice, smooth highway travel; they tend to favor the speeds between 45 and 50, versus 25 and 30, or 70 and 75; it's setup that way, and they continue to modify it; that's one thing that they do use.

(Discussion ensued)

Amos: We have to encompass everybody, we can't just target our youth in the community; Coolman: Crossing the street tonight to come to this meeting, there was a car down on Trine that pulled out, came up, and stopped to let someone go into the Sticks & Stones parking lot, and 3 other people were behind them; they stopped, cars came through the intersection, and they sat there; I watched for about a minute, to the point where the light changed, and cars are starting to go around them; finally, they looked up and realized – they were on their phone; they pulled up to the light, and it was a middle-aged woman; even though she was nice, and let someone in front of her, she also held up traffic because of her phone.

Jarvis: It helps to look at things from a holistic standpoint, and I tried to list a few – if we go overboard with this, we run the risk of having an unfriendly image; we also could confuse residents about what the rules are, and they'd have to be repeated a lot, and often; we're trying to figure out scenarios where it would seem like a perfectly innocent thing; if we are too heavy-handed here, we could end up blocking something that shouldn't be; Amos: I think that's my whole reason behind wanting it to be spelled out a little more; if we make it too vague, somebody could potentially contest it.

(Discussion ensued)

Amos: Sargent Cassel, would you be willing to have the school resource officer – they do an opening day with the kids – just to give an FYI? You're reaching your target market right there; Jarvis: Going back to the mayor's point – if there is a provision for the purpose of the ordinance; Clark: You know that Sargent Cassel isn't going to be writing another speeding ticket after we pass this, because he is going to be issuing handheld devices tickets; the speeding tickets might go down.

(Discussion ensued)

Jarvis: Just to get things going, the last one in the packet is the one that seems to make the most sense for me – it may stop short, but I think we can always increase it, but coming down just doesn't look

good; Clark: Which one is that? Jarvis: The last one in the packet, our ordinance modified to reflect the state – if it does not state it as a primary offense, with that modification; Hollins: That is the red-line.

Walker: I'd certainly like to see it up to the Ohio Revised Code; Jarvis: Primary or secondary? Walker: Up to the Ohio Revised Code.

Clark: I'm good with keeping the red-lined version, so somebody can still hold a phone.

Coolman: My personal opinion is to make it a primary, I think it should be enforceable on all licensed drivers 16 and up; the verbage should state to not allow handheld, it should be all wireless.

Amos: Mine would be to reflect Bexley's.

Bennett: I think I would follow that sentiment, even moreso now that Sargent Cassel put himself in that corner as well.

Lynch: I do like the red-lined version, a primary offense, I'm good with it applying to all ages; I'm still up in the air with the handheld, at least talking; although I do use my phone when I drive, but I put it on the seat and I have Bluetooth in my ear; I see a lot of people moving towards that Bluetooth; holding it does distract, I know it has for me in the past, before I got this wonderful technology; I would go with the Bexley one, where it allows no handheld at all; if people have a problem with that, they should just get with the technology, and use Bluetooth; more and more people are doing that, anyway.

Bennett: One of the main differences, too, with the legislation – look how many pages it takes to spell all of this out, that it's Ohio Revised Code, and it's a primary offense; look at this third of the sheet that's Bexley's code, and it takes 10 minutes to read and understand; it feels more lament to me – sorry, Mr. Hollins.

Jarvis: There you go, Gene; I think we will have to flip a coin, and write it up one way or another; I'm open-minded enough to say that I might come that direction, as well; I guess I need to go back and think about it again; I thought from the start that Bexley was so stringent that it was going to be a straightjacket for us; I also, in the course of this discussion, I agree that if your standard is high, and you enforce to some point that is lower than that, based on common sense, then it can be made to work; Bennett: I think, to Sargent Cassel's point, you call it out and say why you're doing it – it goes back to the awareness of it; it's not just so that it's an enforceable law, it's really to bring us as a city to care about this, and think it's important; Sargent Cassel may not enforce it all the way up to this high standard – if we write 100 tickets in 2 years, that's not a lot of tickets; Lynch: I have to agree with Mr. Clark that people will always be talking on their phones while driving – I do a lot of business in the car while driving from here to there; this helps me get a lot of work done; technology is really, really increasing; it's getting to the point where people won't have to; Clark: I think you're hurting the person that doesn't have the car that has the Bluetooth; Bennett: It says that all you have to do is cradle it.

(Discussion ensued)

Jarvis: We will have 3 readings, we will table it if we have more information coming in; everyone will have a chance to say what they need to say; we have to pick a direction; like I said, speaking for myself, I might have a difference of opinion a little bit; Clark: I'm not an automatic no – it's going to be tough to oppose; Bennett: Just to clarify, Mr. Jarvis – the 4 are closer to Bexley than the red-lined version; Hollins: I'm just going to compare real quick – the Bexley ordinance with the under-18 in Ohio, they are basically the same; I will draft something, it will look substantially closer to Bexley; Bennett: I think there is some

communication points that we probably need to discuss, too, moving forward; I don't know when the appropriate time is to discuss the strategy behind that; Jarvis: If the ordinance is passed, it could be a 90-day delay before it is enacted, to give some time to do a little bit of education if needed; Bennett: I assume potentially that the mayor might include it in a newsletter; Amos: We can use the big sign out by Walmart; Coolman: There should be a sign at every entry point; Bennett: My point is when we set the appropriate time for how we initiate that law; if it's in the first committee meeting where we bring it forward, that's fine; Jarvis: We've got 3 readings, we can table it if we're still working on this a little bit; just trying to get off the dime, here.

Bennett: I think there is potential for this to backfire, if you don't have everything lined up in the proper direction; I want to make sure that we have all the ducks in a row; Clark: This is pretty heavy-handed; Coolman: It's not that difficult, it's from a safety standpoint; Clark: You still have to prove that a handheld is that much different from a drink; Bennett: I don't know that I could prove that to you, Mr. Clark; what I can say is that I do work with a gentleman who works in Bexley; he is aware of that ordinance, and for that reason he doesn't touch his phone in the car; Coolman: This past weekend was our 10th anniversary of the Blues and Ribfest, and when Mr. Walker was up there, I was going to say the other anniversary of 10 years is also Samsung; 10 years ago, where were we with cellphones? Go back before cellphones; we've become such a society of urgency – there are certain things that we are willing to compromise; I am not willing to compromise my safety for urgency; Clark: I agree wholeheartedly with increasing the penalty for texting, and something that really distracts; I'm just not convinced of the difference between a phone and a drink.

19-066

Community Coffee

Jarvis: I'd like to make a couple of comments and observations – first off, this Saturday was the second Community Coffee I've attended; the first one was good, the second one was great; it either grew on me, or the process has matured enough that it really clicked; it was a difficult thing, the case has been made that if we had an open mic here, that it would satisfy the same issue; I'm not sure it does, there is something about the dynamic of everyone sitting around a table where people are making comments, and everyone was polite, it was positive; I don't think there is a person here in this room that doesn't feel the value of having public input, and respect for that as a process; in the course of all of this discussion, everybody has a desire to participate, regardless of how it's been portrayed in the papers and such; I think the problem was things like the day it was happening, availability, and signup; those are all start-up kind of issues, except for the day; I don't know whether that's something that we can talk about, whether there's any flexibility; that's the other thing I wanted to mention – at one point, I asked Gene 'are we really violating the Sunshine Law, if all 7 of us show up?' if we are not making decisions, and there to listen more than anything else, are we violating it?; he did look into it, and maybe I should have him address it; the gist of what came back was that it's a gray area; it could have the perception, and that alone is not in violation; Clark: That's not the information that I got; I got that it could be done and other councils have done that; Hollins: The exception is all 7 can be in the same place, at the same time, without it being public noticed, without it being a public meeting, if all it is information gathering; that's hard, because information gathering is different than even discussion; information gathering is definitely different than decision-making; the gray area is – they haven't done a great job of defining what does and does not constitute information gathering, which is why it's a gray area; if you think all 7 of you could go there, and just listen to residents, and not engage in discussion, I'm not even sure I want to put that type of restriction on you; Clark: If we don't discuss votes, and things like that, you can't ask

questions? Hollins: You have to recuse yourself from a particular vote on council, because you're concerned about there being a conflict of interest; the rule there is that you can't vote, but you can't deliberate; similar thing here, if you're not voting, and not deliberating, and it's just receiving information, then it's probably with the exception; it gets to be awfully murky; if it really serves its purpose as a coffee with council, I think you want to engage with the citizens; Clark: What if we did an open meeting? Hollins: That's what Columbus is doing, it'd be an offsite – it's usually one of the other facilities; they public notice it as a meeting, and then they keep fairly skimpy minutes of the subjects that were discussed.

Amos: I actually talked to Rob Dorans for about a half an hour on what Columbus is doing; the way they run theirs – they have assistance; the way it works is that they will call into their person, their person schedules their room and blasts it out to the community, and does the public notice portion of it, but that is it; they show up, they talk to the people, they do not turn in notes to their fellow council – the only time that they turn in any kind of notes is when, let's say someone brought up something that would apply to Swiss; they would say that this was the vibe on what the community feels about this; other than that, his comment was that basically, I don't have time to review everyone else's, because there are 4 other people doing it; some do 3 times, some do twice, he is currently doing once a month; Bennett: Are you and Mr. Hollins talking about different things – Jackson: It sounds like they are doing this as an individual, not as a group; there is only one council person in the room at any given time; Hollins: They do both; Amos: I asked him if mine was comparable to what his is, and he said yes; he said people come, sit down, and talk about whatever they want to talk about; he tries to answer questions, and he brings it up if it applies to another council person's committee; he said that none of them share their notes; Clark: They do have meetings with all of council there, at a public forum? Hollins: They also have those, which is what I'm talking about.

Amos: Can the city put something together like that? I hear a couple of you have asked if we can look at other dates; I welcome and encourage you to schedule other dates as well; my door will always be open for you to come to Community Coffee, I hope you would reciprocate; if you decide to host an event on a night that you are free, I would ask that you reciprocate the same things you ask of us; Clark: Why can't we do this together, and have all of us in, and do a Saturday all together, and make it a public event? Jarvis: Not in lieu of, but in addition to; Clark: Right; you're fine to do whatever, but I think we could do one on an evening, because I hear some people can't do Saturdays; maybe one month, on an evening, and the next month you could do a Saturday; Amos: Onto what you're saying, this is something I had mentioned to Bruce – if we decided we wanted to do something like that, that's where our Clerk of Council could be beneficial, and help us get something together; I think it's a great idea.

Bennett: Mr. Hollins, how often does Columbus do their group, versus their individual? Hollins: Based on the Columbus website, and their dates of meetings – I don't recall; it wouldn't be any more frequent than quarterly, maybe more like half-year; I don't think it's the easiest thing to get all 7 of them together; Amos: Mr. Doran indicated to me that they do more individual press things than they do as group; a lot of council take it upon themselves; Jackson: It looks like they do it 4 times a year.

Jarvis: I would love to see that; unless anybody has any objection I think as you said maybe Gene if you would let us know of the legal ramifications of that are; what the rules of the road are; Hollins: what I hear is that you're willing to do the public notice and do minutes and everything; treat it like a public meeting; Walker: I'm all in for that; Hollins: just tell me cause we can arrange; Clark: our clerk can be at it; Amos: that's what my thoughts would be; Hollins: but we take care of the public notice for it;

Coolman: and I think that handles what the original disgruntlement was on the whole idea; because the fact that only a few of us were able to partake early on and we were worried about what the public outlook is towards those of us not there and what kind of message was being delivered; I think that takes care of all that; Bennett: but you do understand that you're still going to have the same issue; the community coffee still exists and now there's town halls; the question also becomes; Clark: but we can say that we are going to those or attending those; Bennett: do we need to hold to the same level of reporting; Mr. Clark kind of mentioned that this way we could all hear the same thing at the same time; but when Mr. Clark has conversations; well maybe he had conversations at the beer tent; I know Mr. Clark and I actually had one conversation at the beer tent but there was no recording of the conversation; no dialogue for the rest of council to hear what we discussed; I guess it becomes; what's the threshold for when conversation with any resident needs to be leveled up to all members of council; Jarvis: you guys did that voluntarily and kudos; Amos: what; Jarvis: the recording; Amos: well originally it was just notes for our self but then we were asked to provide them to everybody; Coolman: originally it was to provide notes to the city on issues that involved the city whether it would be development or streets or whatever so that the city doesn't get blindsided; Jarvis: there's a coordination in asking; let me change the start; this is kind of right in line with what you were starting to say; any one of us could be out on the street and bump into somebody and they say hey we've got too many cats running around town and we got to get rid of all the cats; you take that information and you bring it back to the hub right; which is the clerk of council who they vets it through the organization to find out what the answer is; it's nice that we all know what's going on because we may get the same question too; Bennett: but does that happen; Amos: but that's not being reciprocated; because I know my email regarding the pool was forwarded out to everybody; but I'm not seeing; Jarvis: it does if it happens in this venue; but you're right; Bennett: correct; Jarvis: otherwise no; Bennett: but is this the venue that we bring those things forward; like we download a community coffee dialogue; or instead of mountains of notes; Jarvis: as far as I'm concerned I don't care what notes you produce or don't produce but if you would just as a courtesy; if it's something we should all know; Bennett: coming out of the coffee you were at Mr. Jarvis what elements do you think needed to be brought forward; Jarvis: I think that I would report out that there's continued talk about speeding issues and concerns about traffic calming; what you had captured was short and sweet and right to the point; and Matt when he comes back will be able to address those things; and most of them are not like you know it's not like there's and emergency; it's not one of those cases in a real emergency all 911; the things they were bringing were things that have been kicked around; parking was mentioned again; I've heard that from the time I've been on council; probably if you go back 20 to 30 years before that they were still talking about it; so there's some things that are perennials; some things that were kind of new but most of it was well traveled material; Lynch: I think a lot of what the community coffee does is provides clarification for people; they don't necessarily have concerns about this or that but instead they want to understand why something was done; how did it come about; Jarvis: why do we have so many tire stores; Lynch; yeah; and the answer to that is you can't prohibit them; it's a matter of a social economic thing that drives them to want to come her; Jarvis: it's a flea market; Lynch: but you can prevent that via zoning; so it's a matter to an extent; zoning kind of controls everything that's developed so; I think a lot of what happens is providing clarification for people and getting them to better understand how a city operates; it's certainly not to try to overburden our staff here in town; Bennett: I appreciate the conversation like how does a church end up next to BrewDog; it was a real conversation; and it's simple; it's churches are allowable within residential districts; and it just so happens that this church is the size of like three neighborhoods; Mayor: a whole residential area; Bennett: right; I mean we don't prohibit the size of the church but it's a conditional use

within residential districts; Jarvis: a lot of it is education; a lot of listening too; that's where I'm at with it; if you feel there's nothing that's coming out but documented that requires action and we really need to know I trust your judgement to do that; Bennett: but see I'm not going to be at every one; it's not just my judgement; it's going to be all of our judgements; Jarvis: and as long as it's being brought into that central hub I think the information will come back to us with the same method; Amos: I just want to make sure it's being reciprocated because like I said I see my messages going out to everybody but I'm not seeing any from anybody else; Jackson: that's because I'm not receiving any Jill; Amos: from anybody else; Jackson: I went almost three weeks without getting an email that was relevant to all of you; I sent an email out last week and never got a response to a couple council members about a topic; I'm telling you if I get an email that needs to be sent to all of you it's being sent to all of you; Bennett: Mrs. Jackson I don't think that comment was meant for you; Amos: no it wasn't directed to you in general; Bennett: it's becoming a weigh station for not disseminating communication; I think there was concern that it feels like the burden of the communication all around; I don't know how to say that with tact; words are struggling on Monday's; Jarvis: this is a separate issue; it's been an issue for council; it's not an issue for city/council and I guess it's not going to be; but we're talking about adding as another layer the quarterly meetings; Amos: which I think is great; Jarvis: and then if you would be kind enough to hold those Saturdays open for anyone that could be available; like I said I had a pretty good time and better than the first time and I really get it now as far as how this could be a good thing; these are people that generally seems like leaders of the community anyway and I think they'll go out and repeat that message so we don't have to repeat it as much ourselves like why a church is next to a brewery; Amos: but at a previous meeting one of the conversations was why don't we have our own police station and we were able to use a lot of information that everybody presented at the council meeting; and to the city's thing you're right they can go on and listen to the council meetings but a lot of people don't and so we were able to just say here's some of the research that we found; and somebody said I wish we would have known that because we all thought the city was against it; we're like no this is the bottom line; we presented Amanda's financials; we were able to kind of include a lot of different info and people were like oh; Coolman: and the same is true when you have people that don't live in the community that live outside it but still frequent here, shop here, dine here. That are interested in knowing what happens and I think that there's a lot of misnomers that those folks carry that is factual data that they can pick up at the meetings too; Lynch: it's a venue for them to get set straight; Coolman: sure; absolutely; Amos: I like Bob's idea; Walker: so we're going to do both it looks like; there's going to be quarterly; Jackson: so can I ask a quick question; how does this relieve the issue that you started this conversation with about the Saturday morning meetings and the potential for more than three council members being there; Jarvis: we satisfied the Saturday morning thing; community coffee as we know it today will continue to run along that schedule; it's an independent; Clark: yeah we're not going to have as many maybe quarterly with the town hall meeting with all seven of us; Jackson: so basically are some of you removing yourself from ever attending a community coffee again; I guess that's what I'm asking; Walker: no actually I was just going to ask Ms. Amos if you would even help me please because I didn't want to send an email out because if I just can't get on it I can't but for days and days and days and probably I spent a couple hours and I even went to Bruce's house on the porch and spent about 30 minutes; Jarvis: I couldn't figure it out either; the calendar; Walker: it's not that I don't want to I can't get to; Amos: I will help you log into; if you could do that now; I cleaned my phone and used alcohol wipes on it; Jackson: Gene does this need to be added to the rules; Hollins: what I hear is the existing community coffee the commitment is they will handle it so there will never be more than three council members; Jackson: so then I'm talking about the other one; the quarterly one; Hollins: yeah that needs to be public notice; Jackson: so does it need to go

in the rules; because that's where all the other meetings are; Hollins: that would be best practices and somebody is going to need to be there to take minutes and I think they're envisioning yes the new clerk will be present; because it would be treated like a public meeting; it's a different forum but otherwise it's a true public meeting; so when are these meetings going to be held; we have the fifth Mondays in there as committee of the whole meetings; Bennett: these still could be weekend town halls; Clark: I'd like to go two Saturdays and two week nights; Coolman: I prefer we get off weekends because I have enough on my weekends; Clark: we're doing enough with community coffee; I don't mind having some on Saturday but I think it ought to be a mixture; try it on some evenings; Jackson: one of the other reasons I ask is we have a job posting out there; Mayor: and it doesn't say Saturdays; Jackson: it doesn't include evenings and weekends; Bennett: other duties as assigned; Walker: well Bruce we can't get that thirty minutes back but I thank you for trying; she said Will had the same problem and it just must have been a broken link or something; so thank you; she sent me another link; I'll be signing up for one; and again I would of called but I didn't want it to be like he cant even get on genius; I'd rather bring it to you and you tell me it was broken or it's just bad or somebody else had that same problem; so thank you; I appreciate that Ms. Amos; Mayor: just don't do that while you're driving; Walker: no sir I won't; and I'm not set on it just either; Mrs. Jackson to the concern of clerk of council and taking minutes and I haven't seen the minutes but as Mr. Hollins describes them it is a loose interpretation of items discussed; Hollins: no its what's legally required; and they've made it clear a number of times; the courts have made it clear that all you really need to have in terms of; you do not need verbatim minutes; the issue of speeding was discussed; that meets the legal requirement for minutes; Bennett: so the minutes that I'm providing currently for community coffee would potentially satisfy (you haven't seen those so you don't know); Jackson: I would say yes; Bennett: So Mrs. Jackson if needed I would volunteer to do the minutes at those town halls as required until we could onboard the appropriate person; Jackson: so these meeting will just be council and the clerk is my understanding; Bennett: yes that would be correct; Hollins: and for the time being best practices would be incorporated into your council rules at some point we can treat these as special meetings; we'd have to call it a special meeting procedure after you guys would agree on a date to do it or what not; eventually I would think Mrs. Jackson is right we want to get it distilled down to some rule in your council; Bennett: does this need to be passed by the rules committee before it would be formally adopted; Hollins: no that's what I'm saying; for right now as you kick it off and maybe get into a rhythm of some sort we can treat them as special meetings; you've already got the procedures for calling special meetings; Amos: Mrs. Jackson speaking of rules committee do we need to meet still this summer; Jackson: we can meet whenever we want to meet; it doesn't have to be this summer; Lynch: is has to be at least once in a calendar year; Amos: should we wait until you come back; Jackson: theoretically I will not be clerk of council when I come back; I will tell you as far as job applications go we've received three; two of which are probably not qualified; so it's not a huge pool at the moment; it does close tomorrow so we will see what happens there; Jarvis: did you not say that it was kind of going to be a continuous opening until; Jackson: we put a deadline on it to see how that would go; I discussed a little bit today with Nancy that we will repost it as open until filled; that's where we stand with that; yes we can schedule that; it is actually on next week for work session to talk about; Jarvis: your schedule is Mrs. Jackson; how long can you hang in here; Jackson: I wish I had an answer; I was hoping to have an answer last week and that did not work out; so hopefully I will have one for you on Monday at the council meeting; I have an appointment later this week so; Clark: when can we start talking about dates to launch this; Jarvis: the first step is we're looking to Mr. Hollins to try to look up the road to see what all we need to do in order to get this to; and we've got a number of ideas; and the next step we talked about are the dates; and we do have an issues with somebody that's going to be a key player in all this who is

not even here and we don't even know them; so there's going to be a little evolution to this; I like the direction its going in and we'll get there; Jackson: so my understanding is that you would like to start this before the end of the year; do you have any time frame in mind; Bennett: are we going to start at Q3 or Q4; Jarvis: yeah it should be started before the end of the calendar year; Jackson: we also have a fifth Monday in September that you would technically have a committee of the whole on that date; Jarvis: we don't have an answer for you right now; Clark: what if we did it in November; Jarvis: yeah I'd stay away from December and early January; Amos: I was going to say early November would probably work; Clark: yeah right after the election or something; Coolman: yeah that's new people sitting up here; Mayor: you have July pretty much open because you go in recess for three weeks; Jackson: we're talking this year Mayor; we can look at the calendar for 2020 this fall and then they can make the decision then when they would like to have them next year; Jarvis: so notionally somewhere early late or mid-November of this year if we can pull it together before then; I don't think it's going to be a lot of prep it's just making sure; Bennett: I would even potentially it's up to you consider early October; at the beginning of each quarter; I mean it's still to months out; we have all of August and all of September to flush out the details; Clark: yeah it's still far enough away from the election with people thinking it's looking like a; Jarvis: yeah that's the other thing there will be no influence for political gain; Amos: I like October; it's before the holidays; then our next one could fall in January to start the new year; Jackson: I'm also going to assume you want to stay away from Mondays because town hall is booked every Monday of the month; Bennett: I like the idea that Mr. Hollins said that Columbus does it off site; so if we were going to do it maybe it's at the community center; Jarvis: or at the interurban maybe; Amos: or at the library; Coolman: interurban is difficult; you get a lot of people in thee talking at one time it gets reverberating back and forth; it gets baffled; Jackson: Gene is there any requirement to record the audio; Hollins: no; Clark: I'm good Tuesdays and Wednesdays the entire month of October; Jarvis: if we've got all the big stuff out of the way I know we've got a lot of little stuff;

E. Adjournment @ 7:45 p.m. A motion was made by Bennett to adjourn, seconded by Lynch. The motion carried with the following vote:

Yes 7- Bennett, Lynch, Amos, Clark, Coolman Jarvis, Walker