

WHITEHALL COUNCIL COMMITTEES

MINUTES – July 14, 2020

Council President Potter called the July 14, 2020 Council Committees' meeting to order at 6:30 p.m.

The following members of council and the administration were present:

Members of the Administration

Council President Thomas Potter
Mayor Kim Maggard
City Attorney Michael Bivens
Development Director Zach Woodruff
Econ. Dev. Manager Jenna Goehring
Comm. Affairs Manager Megan Meyer

Council Members

Chris Rodriguez
Wes Kantor
Larry Morrison
Karen Conison
Lori Elmore
Bob Bailey

COMMITTEE OF THE WHOLE

RESOLUTION NO. 021-2020 – Draft # 1

AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE FEDERAL FY 2020 COPS COMMUNITY POLICING DEVELOPMENT GRANT AND DECLARING AN EMERGENCY.

President Potter said the City is applying for a grant in the amount of three hundred seventy-five thousand and no/100 dollars from the COPS Hiring Program Grant. The grant will pay up to a maximum federal share of one hundred twenty-five thousand and no/100 dollars per officer for the total of three additional police officers for the three-year length of the grant.

There was no discussion on Resolution 021-2020.

(Comm. Of the Whole – 1st reading – ADOPT 07/21/2020-Conison/Kantor)

ADMINISTRATION AND FINANCIAL MANAGEMENT

Chairperson Bailey opened at 6:31 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 055-2020 – Draft # 2

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-ONE THOUSAND THREE HUNDRED AND 00/100 DOLLARS (\$21,300.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE SELF-FUNDED HEALTH INSURANCE ADMINISTRATIVE EXPENSE ACCOUNT (101.900.51016) AND DECLARING AN EMERGENCY.

Chairperson Bailey said this was basically to appropriate monies for the remainder of the 2020 fiscal year to the Self-Funded Health Administrative Expense Account.

Mayor Maggard said last year our health insurance provider gave us an option. We could keep on doing pharmacy rebates that the City would receive or the pharmacy rebates could go directly to them and we would not have to pay the self-funded fees. So we did that, however, the pharmacy rebates are anywhere from nine to twelve months in arrears. When she budgeted, she budgeted less because she was expecting the pharmacy rebates to come sooner and they haven't. That is the reason the supplemental appropriation is needed. She does not know that this amount will be needed but she will wait and see.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 07/21/2020–Bailey/Morrison)

ORDINANCE NO. 056-2020 – Draft # 3

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE UNEMPLOYMENT COMPENSATION ACCOUNT (101-900-51011) AND DECLARING AN EMERGENCY.

Chairperson Bailey said as you know, because of the pandemic, the City has laid off several City employees and the City has to pay a portion of these employee's unemployment benefits. The City did not budget enough for this year's payments.

Mayor Maggard said for an example, an employee who used to work for the City and then they went to another job, then they get laid off from that job, they can still come back on the City. This has happened as well. The City is paying unemployment benefits for former employee's and this is based on where the employee has worked the longest. We are getting hit with those as well.

Chairperson Kantor asked if this was like a projection for the remainder of the year?

Mayor Maggard said she believes this will get them through the rest of the year.

Chairperson Rodriguez asked if they lost their position here and they lost their position at the next place, is it because they did not have enough time?

Mayor Maggard said if they didn't lose their position here but left voluntarily, then they went to another position and then they lost their job, it still comes back on the City. That is the way the unemployment system works.

Chairperson Bailey asked if they could talk about this later as his company views it differently.

Mayor Maggard replied "sure."

Chairperson Bailey said that is why he is confused and it is just out of curiosity.

(Adm. & Financial Mngt -1st reading-ADOPT 07/21/2020- Bailey/Elmore)

Having no further business, Chairperson Bailey closed at 6:36 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Rodriguez opened at 6:36 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Rodriguez said he does have a couple things to discuss. He knows that it is not a popular subject and it has landed on his lap now, and they are the issues at Robinwood Avenue and Doney Street. He has a couple of questions he would like to be addressed. One of the issues is the shopping carts and there is legislation on the books, what can be done if anything?

Director Woodruff said that legislation really speaks to the owners of the shopping carts. That legislation was enacted to require and enforce Kroger, for instance, to make sure they were picking up their shopping carts. He does not believe the intent of that legislation is the issue you are talking about but about carts that are taken off the property. We could call Target and tell them there are carts by the corner of Robinwood and Doney and to come get them. That legislation doesn't speak to people taking the carts off of the property, if anything that would be a theft issue and again that would be something that would be enforced by the division of police. He does not think that is something we are looking to enforce in this particular case.

Chairperson Rodriguez said you have f, g and j, that is a reference to carts and you have a \$20.00 fee per cart.

Director Woodruff said and again that goes back to the company to come get the carts.

Chairperson Rodriguez said gotcha, okay, alright.

Director Woodruff said again he will go back to, if we can just be candid about this, his code enforcement officers there isn't in his belief, an issue for them to enforce. The carts are either adjacent to or on the property of Target. The litter that he has seen is either negligible or non-existent. There are part-time litter folks who monitor that area on Monday, Wednesday and Friday mornings. When he drives by the area, he has received the same calls. The youth that are there are not violating any code that code enforcement would be able to enforce. The code enforcement officers do not have the ability to write minors for code violations.

Chairperson Rodriguez asked if they are all minors; do we know that?

Director Woodruff said well he does not have any reasonable suspicion to assume that they are not minors. They appear to be minors to him and to the code enforcement officers. The code enforcement officers do not have the ability to detain, they don't have the ability to ask for identification if someone doesn't want to give it, they don't have that authority either. He does not think this is an issue that, you can speak to the division of police but he doesn't know if this an issue his code enforcement officers view as a problem.

Chairperson Kantor asked if you have a shopping cart halfway to the bridge on Doney from Robinwood just lying on the sidewalk, who picks this up? The reason he is saying this is he saw it this yesterday morning. (Chairperson Rodriguez saw it also.) He spoke with the young lady in there and she stated she tells her supervisor but they don't, the kids are still coming in and taking it. There is also a trash can out there on Robinwood.

Director Woodruff said okay.

Chairperson Rodriguez said it was knocked over on Saturday.

Chairperson Kantor asked if that was the city's trash can and if the city is responsible, who empties it or any idea where it came from?

Director Woodruff replied no to any of those questions.

Chairperson Kantor said okay and he kind of figured that but he has been asked to ask.

Director Woodruff said again, he does not think that, so the shopping cart issue, when the code enforcement officers are aware of it they either pick it up or we notify the property owner, again, that is standard. Again, this particular issue, the carts being taken off the property, that is not something that they can assert someone else's rights so either Target or the property owner would have to call them. He does not believe this is a big issue, he really doesn't.

Chairperson Rodriguez said fair enough, he has been asked and (did not finish his sentence).

Director Woodruff said he understood.

Chairperson Kantor asked if he knew they were at Robinwood and Broad, we have them at Kroger's, they stopped traffic the other day, Kroger's at Maplewood and Broad, he also observed them today at Fountain Lane and Main Street? They are stopping cars.

Mayor Maggard asked if he was talking about carts now?

Chairperson Kantor replied selling water and they actually had a cart from the Dollar General.

Director Woodruff said he drives by there now one or two times a day. He talks to his code enforcement officers, he talks to the police officers and there is not a lot of stopping traffic. Does he think there is

some trash? Yes. Does he think it is being cleaned up? Yes. He thinks this is a non-issue, that especially given the larger issue that they are dealing with this is not something they are going to spend a lot of time on. It's just not.

Chairperson Rodriguez said he understands but going through there on Robinwood he saw probably, he does not remember, five, six, seven cars actually backed up to the yellow house. This is just one time. He went by yesterday and there was no traffic backed up. There were no kids there at that time either. It is (did not finish his sentence).

Director Woodruff said ironically, it is making people stop at the stop sign.

Chairperson Rodriguez said then you have the next thing because when he used to live down at the next stop sign, he remembers getting these idiots that this person stops here, then the next person who thinks well, I don't have to stop and they blow the corner so there is that potential. You have someone who is impatient, they blow the corner and that is a safety issue.

Director Woodruff said if you see traffic violations occurring you should contact the police.

Chairperson Rodriguez said stacked up traffic isn't exactly a violation

Director Woodruff said exactly. Absolutely.

Chairperson Rodriguez said he is just saying, but it does happen.

Director Woodruff said to Councilman Rodriguez that he does not believe this is his intent but some of the folks who have called him, it is hard for him to not believe this is somewhat racially motivated. Some of the people who call, it is difficult for him, in their conversations to not think that if these were five-year-old little white kids selling lemonade in front of their house, that they would have the same issues. He thinks, as he said before he does not think this is a big issue. He thinks the litter is being picked up. He thinks the kids, in his experience, along with the experience of the code enforcement officers and the division of police that he has spoken to on this issue is not a big issue and that they have talked to the kids. They have said things like, hey the shopping cart needs to be on the property and the kids replied no problem and they would take it over there. That has been their experience and that is how they are going to continue to enforce it. He spoke with a resident last Thursday. He does not believe there is anything the code enforcement officers can do to remedy this situation. In his experience, the children are in the right of way, even if they were adults, they are still in the right of way and so he does not think there is anything from a code enforcement stand point they can do and he does not think it is that big of a deal

Chairperson Morrison asked if code enforcement is doing, within code, reporting the carts off property back to the owner, Correct?

Director Woodruff said so today, he would give an example, one of the code enforcement officers notified the kids, hey that shopping cart needs to be on the property and they moved it back to the property.

Chairperson Morrison said that is totally acceptable.

Director Woodruff said that is what happened today. Given the extra attention that this issue is given, he can't speak for the division of police but his guess is they are driving by very frequently. He can tell them that the code enforcement officers are. He does not know of anyone who has driven through that area more often than his two code enforcement officers and himself.

Chairperson Morrison said to clear that up, if there is a shopping cart halfway down there block from there, that would be reported and picked up?

Director Woodruff said that is different. They are definitely taking care of those things and so, he thinks they are.

Chairperson Morrison replied okay.

Mayor Maggard said she has talked with Chief Crispen and he has actually given her a report regarding calls to that area and basically it was just the officers talking to the minors. There was really nothing going on that the officers could do anything about. The minors were polite. The police have had good conversations, good community policing with these minors. They were friendly and respected the police officers.

Chairperson Rodriguez said that was good to hear. He has not spoken to these two ladies but he has heard so at this point it is hearsay, but it is his understanding there are two different ladies who were verbally maltreated by these young folks. He will leave it at that until he speaks with these two ladies to confirm that this is the case and just exactly what happened. That bothered him because no one, especially a woman deserves to be spoken to as they were spoken to and one of them was with a grandchild. Of course that is a concern and you are not going to see that when they see someone of authority coming. They are big enough kids to realize and respect that but, still when that is not present, allegedly twice this has happened. He will check into that more.

Director Woodruff asked just out of curiosity how do you want us to address the bad language?

Chairperson Rodriguez said I can't. How are you going to do that? He is just making a statement.

Director Woodruff said he will go back to, as part of the enforcement, they are not doing anything, in his opinion, that can be enforced through code.

Chairperson Rodriguez said I understand. One thing he saw today was, Mike, I saw something you and Joy were doing, some outreach. He was thinking about something like that here and it would be kind of neat. He does not know what that would entail but he would love to talk to him a little bit more.

City Attorney Bivens said to Councilperson Rodriguez that it entails just having a heart to help the kids and that is all it is. As of this moment, he would let Council know and everyone else in the room know that they have a very good bona fide offer from the owner of Donato's, so we will be extending some of these offers to some of these kids that are not just in Whitehall but all around Franklin County for job opportunities. If the owner of Donato's said she will give them jobs, that is pretty much money in the bank. All it takes is a heart. All it takes is looking at this through the lens of trying to make a difference in someone's life instead of penalizing them for just trying to make some extra money in the summertime.

Chairperson Rodriguez said that is beautiful, thank you and he appreciates that.

Councilperson Elmore said she will remind Council that their job as Councilmembers is to appropriate money. They do not legislate conversation, they do not legislate what people say, good, bad, ugly or indifferent. Administrations job is to administer the money. Administration runs all the other programs. She knows it has been past practice and she knows she has received emails about people having complaints about issues that are out of their purview. She would caution them to stay out of those conversations and refer them back to Administration and the appropriate people in the City Administration. Because otherwise, the lines get blurred and it looks like what can appear as if we run certain parts of the Administration and we do not. We do not run the Administration. We legislate and appropriate money and to that end, what she does if she refers people who have questions regarding issues is she looks up the code, she looks up who's department it is in, she answers their question and she refers them to the appropriate people. That way we stay out of the weeds of all the things that are happening. In her opinion, this is totally out of their purview. In her belief and in reading the code and the charter and the things that apply to that, that is not their concern. Just like they look on the website for issues and the codes as they relate to the violations or alleged violations that have happened, they should be referring the citizens or the residents that contact them to the appropriate people. It is not for us to delve into matters that deal in the Administration. That is what she has always tried to do and she is going to stay true to the code and to the charter. She is not trying to do the Administrations job. That is not what they were elected to do. She knows she was elected to oversee the budget, the finances and appropriate money based upon

the Administration and how they determine what funds are needed in what areas. Anything other than that, some of it is racial complaint because those are little black kids. She is just going to call it like it is. That is the reason why they have the Ordinance that they just put into place. Racism being a health crisis because historically Whitehall has been one of those cities that has operated in racism. She is just going to keep this (?) one hundred. So it is for them to rely on the Administration that exists today to do their due diligence and operate with fairness because that is what they have been doing. For them to be pulled into these other matters that are really not within their purview, she would just say they need to be careful about that.

Chairperson Bailey said he would like to say he was asked by a constituent that he represents, that he bring up the issue at Robinwood. The two issues are; safety to kids visibly being seen running out into the street to sell water. That is a safety issue and the amount of trash that is left. Beyond that it is nothing. The other thing is, to put it on the record so that as a legislator they have addressed it. It is on the table and the Administration is aware of it.

Chairperson Rodriguez said one other thing Mr. President, he does not disagree with what was said but with that being said, he was elected to represent his constituents. We are representing our constituents in financial matters but when people come to us and ask us to look into matters, that is also our obligation. That is what he did, ask and answer. It is now in the Administrations hands; however, he would like to speak to the City Attorney about the program he is doing. He thinks it is beautiful. And for the record, color was not mentioned one time.

(Many Councilmembers talking at one time.)

President Potter asked that Councilperson Elmore be able to finish.

Councilperson Elmore said she agrees with what Councilperson Bailey said and what Councilperson Rodriguez said, she agrees to the extent that in between those times they have every opportunity to speak with anyone from Administration to handle issues. They do not wait until they get to Council to handle those things because we can talk to them at any time they want to. They can. That's what they are supposed to be doing. All of this other stuff is ancillary, in her opinion, in her humble opinion. She is not saying what she is saying to get on anybody, she is saying she has worked at every level of government at this point now and she understands the functions and she is sure everybody else does. But she would not circumvent Administration to do something and go over it without having conversation and having it being dealt with. Everything doesn't have to wait until we come to Council to have conversation. That's all she is saying.

Chairperson Bailey said it is if you want to get it on the record and talk about it in public. It doesn't make it any more than what it is and this has been talked about for six weeks.

Chairperson Kantor said it is a safety issue.

Chairperson Conison said maybe she did not communicate well with everyone and she apologized for that but she has been in touch with Public Safety on a couple of different occasions. Every time we have had a community request come in from somebody that has stated they are worried about safety of something or that they are worried somebody is going to get hurt or they have heard words. She does know that the public safety officials have been monitoring that and they have been driving around more often just to make sure that everything is fine. She also wants to say that the last couple of weekends that she has been home, she has stopped over and had a chat with them because she wanted to see what was going on. These are kids that are very smart.

Chairperson Bailey said they are not always the same kids and there's multiple (?). He has talked to them and they are good kids. (Many talking at once) run out into the street.

(Many Councilmembers talking at one time.)

Chairperson Conison said they are entrepreneurs and they are looking to make some money. If given the opportunity she is sure these would be the same kids that would go ahead and mow lawns if somebody

asked them to and go ahead and help out and do home chores. She said to Mr. Bivens that she loved what she saw online today with him going out and telling them about camps and different resources that are available for them to go ahead and get involved with. She thinks it come right back around to them being kind and them talking and communicating with people. It really solved a lot of problems and she is going to leave it at that.

Chairperson Morrison asked Director Woodruff how the timeline with Norton Crossing coming? Is it on schedule or is it running behind?

Director Woodruff said he thinks they are on schedule. He thinks they have just under forty residents that have already moved in. The Old Bag of Nails is running a little behind but he hopes to have that opened up very soon. It is still on schedule to be completed the third quarter of this year.

Chairperson Kantor asked if they were still doing road construction like right in front of the Shell station on Broad Street just west of Hamilton Road? He said it looks like the buses are really doing a job on it. The blacktop is actually pushed up the sidewalk, the curb.

Director Woodruff said okay. So are we in the process of repairing that particular area?

Chairperson Kantor said yes, when we see major problems like this.

Director Woodruff said we handle major issues, we fill potholes, we deal with all different types of road maintenance things. The area that you are talking about, we do not necessarily intend to do any major construction in that because if you recall, the broad and Hamilton intersection is going to receive about eight and one half million dollars' worth of improvements that the right of way acquisition begins next year. New construction is to begin in 2022 -2023 that will consist of a major intersection improvement and widening for that entire intersection. Given our limited revenue, we have not intended to do any major fixes over there given that it is still drivable. We would not want to invest a lot of money and resources over in that area given that ODOT is going to come back in a couple of years and widen and tear out everything that we would put down.

Chairperson Kantor said he knows that a couple years ago they did a small section further west on Broad Street and that is why he was asking.

Director Woodruff said again, what he would speak to is that they were out repairing pavement and curb and gutter and doing all that every day. That is just not an area they are not going to invest a lot of money in knowing that it is inside the project limits of the Broad and Hamilton intersection.

Having nothing further, Chairperson Rodriguez closed at 6:59 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Elmore opened at 6:59 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Elmore stated she had a concern. Per the proclamation by the Mayor issuing an executive order on July 02, 2020 regarding the spread of covid-19, wherein our community is threatened to strain our healthcare systems and local economy. Further down in that executive order it says now therefore, Kim Maggard, Mayor of the City of Whitehall as a result of the above noted condition and pursuant to the Whitehall City Code Section 509, do hereby proclaim an order an additional requirement of wearing face masks in public and in outdoor settings to reduce the number of people infected by the covid-19 virus within the City of Whitehall. On her way to City Council today, there are ball games happening at the park. There are hardly any people with masks on. She drove very slow, under 25 mph just to get an idea and to look and see what was happening. People were very close. This is a community concern. She knows that this may fall under Parks and Recreation to some degree, but the overall arching is with regards to the proclamation and order that was initiated by the Mayor and it impacts the community. To that degree she brings it up as a concern because there was no social distancing happening at the parks.

She wants everyone to be mindful that although those are games happening they should make sure that social distancing is occurring and that people are wearing masks. It says not only in public but in outdoor settings as well.

Mayor Maggard said she agrees with Councilperson Elmore regarding that. She has seen the same thing. Basically, per the Governor's guidelines and also Franklin County Board of Health new order today that when you are outside and you are not able to social distance from others within six feet, you should be wearing a mask. You should be wearing a mask outside if you cannot social distance. She will be speaking with Director Sorrell regarding signage to remind people but also note that now there is an order from the Governor and also from Franklin County Health as she understands will continue it even longer if they do not feel it is safe. Those are in their purview now under State order and Public Health order. She will need to find out what those remedies may be. She believes signage may be helpful and she knows the bleachers were taken out in order to encourage social distancing but that has not happened. She has seen the same thing Chairperson Elmore has seen. She knows not all those people are related or live in the same household. She thinks there are many friendships and there is nothing wrong with that but they still need to be careful.

Having no further business, Chairperson Elmore closed at 7:03 p.m.

ECONOMIC DEVELOPMENT

Chairperson Morrison opened at 7:03 p.m. and said there are no drafts or pending legislation on the agenda.

Director Woodruff said to President Potter that they have asked for an executive session to discuss an economic development matter and we ask that it get moved to the end of the agenda this evening.

Having nothing further, Chairperson Morrison closed at 7:04 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Bailey opened at 7:04 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 057-2020 – Draft # 4

AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR THE COLLECTION, TRANSPORTATION AND DELIVERY FOR DISPOSAL OR PROCESSING OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE GENERATED WITHIN THE CITY OF WHITEHALL, FRANKLIN COUNTY, OHIO BETWEEN THE CITY OF WHITEHALL AND LOCAL WASTE SERVICES, LTD. AND AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO TO ENACT SECTION 933.15 SOLID WASTE AND RECYCLING COLLECTION SYSTEM ADMINISTRATIVE AND OPERATIONAL FEE FIXED RATE.

Director Woodruff thanked City Council for allowing him to speak to the issue of waste collection. Joe, Mary and Andrew, the SWACO three are with them tonight. What they have proposed in this ordinance, the Administration is recommending that City Council pass this piece of legislation authorizing the City to enter into the contract with Local Waste and that they move forward with the cart system. He has a couple slides just to go over this program. He wants to let people know that, for those watching on the Facebook Live stream, these slides are available on the website so that they can see them there. What is being proposed is the standardized garbage and recycling carts. Homes would have the option of a 96, 64 or 48-gallon garbage cart and can opt for additional ones and all homes will be given the 64-gallon recycling cart. Just like now seniors could receive a senior discount. Under the program designed the city would purchase, One and maintain garbage and recycling carts. The city working with Swaco as we had talked about previously, the city has been awarded the recycling court grant from the recycling partnership, which reduces recycling cart cost from \$43 to \$5.50 per cart. This is a total cost of \$9625 to be repaid to Swaco and six installments over three years. So again the city is purchasing the recycling carts through this grant. They will be purchasing the trash carts. The administration is currently working

to determine exactly how they will be purchasing those, whether it be this year or next year. They are still working out those details. Again, residence will not buy the carts. The City is buying the carts. To give you an idea how we got to this point today. Does City's trash contract end at the end of this year and they bid out through Swaco, in what is known as consortium two. They bid that out in March through May. If you recall, at the end of May they were here in front of this body with the initial presentation. They did a significant amount of community feedback, including the community surveys they had out, the cart trials that all of you and other residents participated in, as well as a visual garbage audit conducted by the code enforcement officers. They are introducing the organist today and obviously it can't go three readings, so they would ask that it be passed on August 18, with a new contract period being January 1, 2021 through the end of 2025. The cart transition period is still being worked out but will probably be in the spring. Again, there will be plenty of time to notify residents, work with residents so they understand exactly what The process will be. Let's talk about the community survey. There were 355 respondents. Overall, they had approximately 50% of the respondent said they would be willing to opt for a smaller cart to save cost. That speaks to how much trash residents think they will accumulate or do accumulate. Over 75% of the residents said they would recycle more if they had these carts versus the 18-gallon tote. We had a lot of questions surrounding cost and timing of the program and cart ownership, which they will go over this evening. What he does think is interesting is how would you describe your recycling habits and just over 60% said they recycle daily. While he appreciates that is what they told them, a waste diversion rate of 13.9 suggests they might be exaggerating ever so slightly. Maybe they do recycle every day until they maxed their 18-gallon tote. They are excited to see that there is vast room for improvement. Participants completed this five-week trial with the 96-gallon trash cart and a 64-gallon recycling cart. There were two groups, elected officials and 10 residents who asked to be part this program and they also completed a survey. What they thought was really interesting was 55% thought they were recycling more because they had larger carts. Only 22% have homes reported running out of garbage space during the trial. These homes indicated they would want that second 96-gallon garbage cart. 22% said they would need a larger cart and 33% said they would opt for a 48-gallon garbage cart. He believes they are really seeing a mix based on the pilot folks. Some are going to need more and some are going to need less. That is the feedback we got from the trials of the 10 residents who did the program. The service crews visually inspected various Neighborhoods from May 13 through July 1. The goal was to inspect whether garbage set out by each home would be accommodated by a 96-gallon cart with no change in behavior. What they came up with was over 90% of the residents would be able to fit their garbage into a 96-gallon cart. This does not account for the 64-gallon recycling cart. They believe and certainly Swaco believes., with their experience, would tell us that once they introduce the 64-gallon recycling cart and people have to be a little more cognizant of how they are disposing of their trash, they believe the vast majority of residents would be able to be accommodated by the 96-gallon trash and the 64-gallon recycling cart. They have passed out a Let's Talk Trash FAQ to them because he knows they all have questions. Right now residence pay \$13.75 as a monthly rate. So their total quarterly fee is \$41.75. Do you can see if we go to the status quo residence would see their total quarterly fee go to \$59.40. Status quo means using the same garbage cans we have today, unlimited, if we kept on with what we're doing residents would see their trash go to \$59.40 quarterly. If we go to the cart system, say a resident needs the 96-gallon cart, their total quarterly fee would go to \$58.65, again that is cheaper than if we stay with the status quo. If someone wanted the 64-gallon cart, their total quarterly fee would be \$55.65 and the 48-gallon cart would be \$52.65. By going with the system they are going to be saving residence money and they are also going to have the benefit of reducing litter and increasing recycling. As Swaco can tell you, anything that can be done to increase the waste diversion rate and the recycling rate is very beneficial long-term for Franklin County residences as it continues to divert waste from the landfill and extends its useful life. Some of the questions are why are we doing it now and he has said it before and he is saying it again, they are doing it now because the maximum length a City can enter into a contract for waste collection is five years. Five years ago we locked in a rate that was \$13.75 monthly which was really an extension of the previous five years cost. Actually residents have not seen an increase in their trash bill in 10 years. Comparatively, to communities like Bexley, Gahanna or Reynoldsburg, those communities over the last number of years have paid \$141.00 more than Whitehall residences. Because they locked in their price five years ago and maintained their cheap rate, rather than entering into a three-year contract or a shorter term, they were able to save residents more money over the long period of time. You can see the rate comparison as well for what Mifflin and Washington Township, which are two communities that have cart contents, that have bid earlier, that were on a different contract cycle, you can see again what our locked in rate would be

versus those other communities. One of the things that is important is why are we changing now, we are changing now because this is when our contract is up. They do not have under State law the ability to enter into an extension of their contract. They are at the maximum period of time. Had they bid last year, the prices would be higher because they were locked in for those five years. People have asked if they are going to have to pay for the carts. The answer is no. Residents will not buy their carts, they will not rent their carts. He has spoken with Councilperson Rodriguez about this and he knows he is one of them that rents the cart at this time from Local Waste and that will be a \$2.00 a month savings he will realize along with a lot of other residents in the community that are renting the cart from Local Waste. They bid this contract through Swaco because they get better rates so it is not only Whitehall but also the City of Groveport and other townships that were involved in the bid as well. He has residents ask what will happen in the event of another natural disaster. What he will tell you is currently because it is an unlimited amount of waste, residents were able to just put the items down at the curb and they were picked up. If they go with this cart system and if there is another natural disaster certainly the City is going to work with Local Waste to obtain dumpsters and City crews will go around picking up that solid waste because residents no longer have that option. Certainly the City would step in at that time to ensure the trash is taken care of. What questions might Council have at this time? He has Joe Durham for specific questions regarding the contract and Andrew and Mary from Swaco if you have questions about implementation or benefits.

Chairperson Elmore asked if there was an opportunity for residents to opt in earlier than Spring of 2021?

Director Woodruff said there is not. There is not an opt in or an opt out for residents. The contract that the City would enter into will govern exactly how waste collection is handled throughout the City. Part of that reason, as you can imagine is, it is going to take a period of time to obtain 10,000 carts. One of the things that Andrew talked about in one of our previous meetings was that residents will go onto the website to determine exactly what size cart that they want. For example, because of your waste you wanted to have a 64 or a 46-gallon cart, we would do that ahead of time rather than buying a 96-gallon for your household. You will tell us you do not want the 96-gallon and then we won't have a 96-gallon sitting around. They are going to work it to customize it to every resident so they get the kind of cart they want.

Chairperson Elmore asked for residents who do not have internet access and cannot go on the website, what is the standard cart that will be sent unless they want a smaller one?

Director Woodruff said the default, whether someone has internet or not, if they do not go on and note what size they want, the default is a 96-gallon cart.

President Potter asked if they could change that after the fact?

Director Woodruff said they are working right now to come up with how frequently someone would be able to do that. His assumption is that probably not more than once a year. Because again, that's a lot of inventory for the city to manage so his guess would be not more than once a year.

President Potter said he has neighbors who have no interest in getting the Internet and they would never need a 96.

Director Woodruff said we are going to work out a procedure, so when we notify people of this change they are going to get a piece of direct mail from the city telling to call in to the Service Department to be able to handle that request.

Chairperson Elmore ask, for senior citizens, she knows it said on one of the fliers that a senior discount can be obtained which is 10% per month, does that start the month they actually receive the new trash carts?

Director Woodruff said seniors today can receive a 10% discount. That is not going to change based on which system they have in place.

Chairperson Elmore asked, so it will just continue, right?

Director Woodruff said when a resident calls and says I need the senior discount, that is applied to their account and it just automatically goes.

Chairperson Bailey asked what age is that?

Director Woodruff said he believes it is age 60 years of age.

Chairperson Conison asked if they had to call in to get that discount?

Director Woodruff said the senior citizen does have to call Local Waste in order to get that discount.

President Potter asked if that would be on the mail piece just to remind people?

Director Woodruff replied yes.

Chairperson Elmore ask if that option can be put on the mail piece for like check the box? Because there could be some people who are not senior citizens or 60 years of age when we start.

Director Woodruff said what he would say is they will work with Local Waste to craft that message to ensure they are maximizing peoples benefits for the senior discount.

Chairperson Morrison ask about the seniors and disabled who cannot bring their trash receptacles to the curb and back up to the house, will they still have that available as an option and will there be a fee for that?

Director Woodruff said if you are disabled or if you have a handicap, he believes that local waste is required to go up to your house and bring it down if you notify them is that correct Joe?

Joe Durham replied that is correct.

Chairperson Morrison asked if all they need to do is notify Local Waste?

Director Woodruff replied correct.

Chairperson Morrison asked if there was an additional fee?

Director Woodruff said now if you don't have a disability or if you don't have a handicap and you just want that service, there is an additional fee. But for folks who have a handicap or disability they are required to provide that service to you free of charge.

Chairperson Morrison asked what the fee was if they just wanted the service and were not disabled or handicapped?

Director Woodruff asked Joe if the fee was \$20.00?

Joe Durham replied he was not sure but he would email Director Woodruff the answer to his question. Director Woodruff said Chairperson Morrison, they would check on it and he would let him know but he believed it to be somewhere around \$20.00.

President Potter asked what about residents who own their own carts, say they have a 96-gallon trash can and we drop them off another 96-gallon cart and they still take them both to the street?

Director Woodruff said as we talked about last time, after a transition period, the only ones that will get picked up are the City ones. And again, there are a lot of reasons for that. If somebody has another cart, they can use it for other reasons around the house, use it for yard waste, they are still going to be picking

up yard waste every week, which will be in a separate, either your own lawn bags or marked appropriately. So you could use it for that.

Chairperson Morrison said or you could label it to be hauled away.

Director Woodruff said or you could do that as well.

Director Woodruff said they are going to have this FAQ up on the website so people can read it.

Director Woodruff said a couple questions from the FAQ. Is there a fee to rent carts? The answer would be that there is no fee to rent the carts. With that being said, if your family or household that needs an additional 96-gallon, you would purchase, you would pay the city for the purchase of the second cart, at whatever the city's cost was. They are predicting the cost of the second cart would be \$47.00. So you would pay the city for the purchase of the second cart and then you would pay local waste an additional \$2.00 to have that cart collected. If the cart gets damaged, these are the cities carts, so you would contact the Service Department and they would take care of that. As he mentioned before, you can purchase additional carts and as long as you are paying the additional \$2.00 monthly fee, to his understanding there is no limit on that. So if you want seven 96-gallon carts, you would pay the city for the purchase of the other six and you would pay Local Waste the additional \$12.00 a month as well. That is how we will handle that. Again, he thinks the Administration has done their best to give you all of the information on this. He knows he has spoken to a number of them that really appreciated trying out the carts. He knows he talked with a number of them who were disappointed when they picked the carts up. Ninety to ninety-six percent of the residents are going to be able to utilize these carts with no problems and the remaining residents will be able to go to a second cart as well. The last thing he will mention is that there will be four unlimited days throughout the year. One being after Christmas and one after the 4th of July and the two other date that they will select. He is sure it will be in the spring around spring clean-up and another one in the fall, working with residents to do that. It is a change but it is similar to the leaf pick-up where it is just a scheduling thing. You are still allowed to put one bulk item out per week and it does not affect yard waste. They are still providing that service as well at a cost that is significantly less than what other communities are or will be over the next five years.

Chairperson Bailey said he thinks it is great.

Director Woodruff asked if anyone had any questions for Joe, Mary or Andrew?

There were no further questions or discussion at this time.

President Potter said to Director Woodruff that they have clearly talked about this and their first conversations were rather testy, mostly on his part. He was opposed to the carts and he did not like them, nor looked forward to them and he was one of the sad campers when they disappeared last week. He did a complete 180 and it really changed his culture and as he shared with Chairperson Kantor, he has filled his recycling cart to the top each week. On a good week the 96 was maybe filled forty percent. It really drove home the fact of how much he should have been recycling.

Director Woodruff said he feels this program has the longest term benefits to the residents as they go to a system that is uniform and potentially more automated. They believe it puts them in a position to benefit and future bids and anything communities like Whitehall can do to reduce the amount of solid waste that is going to the landfill and extend its useful life ultimately then is reflected in lower tipping fees and different costs associated with dumping at the landfills. Thank you.

(Inf., Maint. & Serv. – 3rd reading – ADOPT 08/18/2020–Heck/Elmore)

Having nothing further, Chairperson Bailey closed at 7:31 p.m.

Chairperson Conison opened at 7:31 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Conison said they do have Resolution 020-2020 which will give them three new officers, which is a wonderful thing.

Chairperson Morrison said he is still getting complaints about all the fireworks at night. He asked Mayor Maggard if she would like to make a public statement to clear these people up who are saying they are not getting this issue taken care of?

Mayor Maggard said what she knows is that it is very difficult for our Police Officers to know exactly the house where the firework is coming from. When someone calls and they say fireworks are going off and the dispatcher asks for the address, they say they do not know. If the officers do not see it, they cannot do anything about it. Now if they have reasonable suspicion, maybe they see some rockets go up right behind a house, that would be reasonable suspicion and they could go to that home. However, without an address and without actually seeing it, it is difficult for the officers to do anything about it. She does know they are patrolling and they have caught and cited some into Mayors Court. She would ask that it is now July 13th. July 4th has passed. Put up your fireworks. Save them for next year on July 4th. That is all she has to say.

Chairperson Morrison thanked the Mayor and he hopes they will take her explanation. He tells them basically the same thing.

Chairperson Kantor said he noticed that the bicycle patrol is back. They are operating on first and third shift. He got to talk with them over in English Village. Very effective and he has always been a huge proponent of these and he thanked the Mayor for bringing them back. It is good to be able to sneak up on people who are being bad.

Having nothing further, Chairperson Conison closed at 7:35 p.m.

PARKS AND RECREATION

Chairperson Kantor opened at 7:35 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Kantor said he only had a couple of items. The splash pad opened last week. They are having good success with it. They had a rain date there. He has spoken with Director Sorrell and has been by there also. It looked very well packed and there was social distancing going on. They are doing a really good job with that and people are taking advantage of it.

He wanted to comment on what Chairperson Elmore said. He has been by the ball park and he was there Wednesday night, which was opening night and again Thursday night. He thought they were doing a great job with social distancing. As far as the masks, she is right. He will speak with Bob, the President of the league about that and it is very important that everyone wear their masks because they are not all family. This virus is here. Chairperson Elmore came in tonight and said something and he will speak with them. He knows the Mayor is going to speak with the Director so hopefully they can get it taken care of. They do a really good job over there. They have the kids over there playing. She told me tonight it was packed. Both sides were packed and that is a good thing. He thanked Chairperson Elmore for bringing that to his attention.

Chairperson Bailey said he was in Lamby Lane and it appeared that the trash cans are not on the property.

Chairperson Kantor said that is correct.

Chairperson Bailey said they are needed there.

Mayor Maggard stated she will mention that as well.

Chairperson Kantor said he has spoken to the Director about that. The Mayor is going to talk to the Director about this. He asked the Mayor if she would get back to Council on this. She replied yes and he thanked her. Hopefully they will get them out. They are requesting them at John Bishop Park as well. They need them.

Having nothing further, Chairperson Kantor closed at 7:38 p.m.

President Potter advised that he would like a motion to adjourn to executive session pursuant to Ohio Revised Code Section 121.22 (g)(8) to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

- (1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. Or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements of the extension of utility services that are directly related to the economic development project.
- (2) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Mr. Bailey so moved and Mr. Rodriguez seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 7:39 p.m. Meeting adjourned at 8:10 p.m.

President Potter advised that he would like a motion to adjourn to executive session pursuant to Ohio Revised Code Section 121.22 (g)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Mr. Bailey so moved and Mr. Kantor seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 8:10 p.m. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council