

Canal Winchester

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



Meeting Minutes - FINAL

June 4, 2018

7:00 PM

City Council

*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 at 7:01 p.m.*
- B. Pledge of Allegiance – Lynch
- C. Roll Call *Present 6 – Amos, Clark, Coolman, Jarvis, Lynch, Walker*
Absent 1 – Bennett

A motion was made by Amos to excuse Mr. Bennett, seconded by Lynch. The motion carried with the following vote:

Yes 6 – Amos, Lynch, Clark, Coolman Jarvis, Walker

D. Approval of Minutes

[MIN-18-024](#)

5-21-18 Council Work Session Minutes

[MIN-18-025](#)

5-21-18 Council Meeting Minutes

A motion was made by Lynch, seconded by Amos to approve the minutes. The motion carried by the following vote:

Yes 6 – Lynch, Amos, Clark, Coolman, Jarvis, Walker

E. Communications & Petitions - NONE

F. Public Comments - Five Minute Limit Per Person

Jeff Fasone, Chief of Madison Township Fire Department: My name is Jeff Fasone, and I'm proud to let you know tonight that I have been appointed to the position of fire chief for Madison Township, so you're kind of stuck with me now; Jarvis: It's official, congratulations; Mayor: You got your uniform yet? Fasone: I've ordered a bunch of shirts, and they haven't come in yet; just to give you a brief of what's going on; first of all, we had the Labor Day meeting that I attended the other day with the Mayor, councilmen Coolman and Clark – there were some concerns about changes in the fire code; the food truck fire code went from basically 3 sentences to 3 pages; one of the things we were concerned about it having an impact on was your festival; we thought it increased the distance between the cart, which would take away from your space, and your available carts; we were able to find out that we were not citing it correctly; there was a variance put out by the fire marshal himself; that variance was in response to the reluctance of food cart vendors having this imposed on them; that was the 10-foot spacing, which we've found out since then that it's only 3 feet – that was the variance, it wasn't becoming more strict, it was actually rolling that back; what we thought was 10 feet, that was 7 feet, now it's been rolled back by the fire marshal to actually 3 feet; the only thing that we would have an issue with that we don't have the ability to change is the 10 feet between other buildings – which you are far enough out from the sidewalks, so that's not a problem, other vehicles that are not part of the food trucks – which I don't think you have vehicles; Coolman: We don't allow them on the streets; Fasone: And the 3rd thing is combustibles, which we will have to look at as a case by case basis; I think it really has no effect whatsoever on your operation, so two thumbs up; the second thing I'm here to tell you about is I'm being sworn in – you guys are all invited, to bring gifts of course; at 6 o'clock on the 12th of this month, I'll be sworn in in a ceremony with the board of trustees; as far as runs for the month, we've had 74 EMS runs; 70 – the overwhelming majority of those were advanced life support, with only 4 being BLS runs; with the HIPAA regulations, I can't go into more of a breakdown than that; we had 12 fire runs in the district here in Canal Winchester

specifically, resulting in only \$250 worth of damage from a fire involving a microwave oven; I can't tell you whether that was the appliance, or the use of the appliance, only because the report didn't allow me to extract that information; I'll be in contact with the lieutenant to differentiate that in the future; this time of year we see mulch fires, people mulching their yards, and cooking fires, people leaving stuff unattended on the stove is common; alarms, not so much in Canal Winchester, more so the warehouses in Groveport; the most significant incident we had this month was the KFC & Long John Silver's had an incident where they were trying to clean a fryer and they did it improperly, and they had to close down for the night; they used an extinguisher and that kind of spreads chemicals all over; since they're a food vendor, we had to call the health department and they'll just basically tell them to shut down until they go through and clean; they had to throw out everything that was exposed, and clean it, and then they opened the next morning – so they lost maybe a couple hours' worth of business, but they were able to go back to work the next day; other than that, I think that's all I have; Coolman: Congratulations; Walker: Congratulations.

G. Resolutions

RES-18-008

Mayor

A Resolution Authorizing Destination: Canal Winchester To Operate The "Canal Winchester Blues And Ribfest" On The Various Streets And Sidewalks Of The City Of Canal Winchester

- Adoption

A motion was made by Jarvis, seconded by Walker to adopt this resolution.

The motion carried by the following vote:

Yes 6 – Jarvis, Walker, Amos, Clark, Coolman, Lynch

H. Ordinances

Tabled

ORD-18-017

Development

Sponsor: Coolman

An Ordinance To Create Chapter 188 In Part One Of The Codified Ordinances Of Canal Winchester Enacting An Admissions Tax

- Tabled at Third Reading

Third Reading- **NONE**

Second Reading

ORD-18-018

Finance

Sponsor: Amos

An Ordinance Approving The Editing And Inclusion Of Certain Ordinances As Parts Of The Various Component Codes Of The Codified Ordinances Of Canal Winchester, Ohio

- Second Reading Only

ORD-18-019

Development

Sponsor: Coolman

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Canal Cove Section 5

- Second Reading Only

First Reading

ORD-18-020*Development*

An Ordinance To Authorize The Mayor Convey A Tract Of Land Consisting Of 1.253 Acres On Rutherford Drive To The Canal Winchester Industry And Commerce Corporation To Provide For Its Subsequent Conveyance To Columbia Gas Of Ohio, Inc., Pursuant To A Purchase And Sale Agreement, And To Declare An Emergency

Ordinance Attachments: [Columbia Gas Purchase Agreement](#)

- Request to waiver of second/third readings and adoption

A motion was made by Clark, seconded by Amos to suspend the rules requiring second and third reading. The motion carried by the following vote:

Yes 5 – Clark, Amos, Coolman, Jarvis, Lynch

Abstain 1 – Walker

A motion was made by Clark, seconded by Amos to adopt this ordinance. The motion carried by the following vote:

Yes 5 – Clark, Amos, Coolman, Jarvis, Lynch

Abstain 1 – Walker

ORD-18-021*Finance*

An Ordinance Approving And Adopting The 2019 Tax Budget ([Ex. A](#))

- First Reading Only

ORD-18-022*Public Service*

An Ordinance To Authorize The Mayor To Enter Into An Agreement To Purchase A 1.799 Acre Tract Of Property From Ashbrook Association, Inc. And Declaring And Emergency ([Ex. A](#))

- Request waiver of second/third readings and adoption

A motion was made by Walker, seconded by Clark to suspend the rules requiring second and third reading. The motion carried by the following vote:

Yes 6 – Walker, Clark, Amos, Coolman, Jarvis, Lynch

A motion was made by Walker, seconded by Clark to adopt this ordinance. The motion carried by the following vote:

Yes 6 – Walker, Clark, Amos, Coolman, Jarvis, Lynch

I. Reports

Mayor's Report

18-060

Mayor's Report

Mayor: In addition to my written report, which was one hundred percent recycling, I'd like to point out once again, I reported at our last meeting – since Mr. Bohnlein is here, I want to point out that he is president of the HOA – of the Westchester HOA, who as you recall, is giving us \$20,000 towards the Westchester park, and the improvements there; I just wanted to remind you all of that again, since

he's here, thank them for that, so thank you; Jarvis: Thank you very much, it's kind of above and beyond the call of duty; it certainly helps to make it happen, to make it a reality; thank you to you and your neighbors; Mayor: That's all I have.

Fairfield County Sheriff

Cassel: I know you guys are probably looking at my stats sheet, and thinking to yourself 'I thought you said you weren't doing these stats like this anymore'; lieutenant is on vacation until the 10th, so I was able to access the files until he comes back; I'll tell you what I did – I talked to the mayor, and we all agreed that it seemed like our busy time was kind of high last month, and we were brainstorming as to why; we said that Deputy D'Amore's stats are also included in that; I separated them, so you got one stat that has all the deputies, except Deputy D'Amore, then you got D'Amore's stats; then you have another detailed report of the calls; most of the calls obviously that we see on those reports are theft from Meijer and Walmart, things of that nature; I was wondering how much longer you would like to get that detailed report, because it is a little tedious for me; I'll go ahead and start reading the stats: 531 dispatched calls, 907 pickup runs, 296 multiple unit calls, 112 reports taken, 43 addendums, 0 F.I. cards, 8 civil papers attempted, 6 civil papers served, 5,893 building checks, 86 vacation checks, 52 traffic stops, 70 citations, 36 warnings, 6 felony arrests, 24 misdemeanor arrests, 16 warrant arrests, 1 OVI arrests, 6 pink slips, 2 charge packets, 6 summons in lieu of arrest, 34 misdemeanor charges filed, 5 felony charges filed; the total downtime was 54,826, with a possible of 89,280; out of 31 days, their busy time was 61.40%; if you flip the page to Deputy D'Amore, he had 10 dispatched calls, 13 pick-up runs, 9 multiple unit calls, 2 reports, 0 addendums, 0 F.I. cards, 0 civil papers attempted, 0 civil papers served, 489 building checks, 0 vacation checks, 56 traffic stops, 49 citations, 30 warnings, 2 warrant arrests, 1 pink slip; total down time was 4,644, with a possible of 9,600; he was busy 48.37% of the time; that extra spot that gave us, I know I say this every time – that really helps us out a lot, and I use him a lot; we get a lot of speeders, and they're actually slowing down a lot now, so I'm really excited about that; Lynch: Where's he patrolling mostly? Cassel: Wherever I tell him to; I have meetings with the mayor all the time, and if the mayor gets emails from citizens, complaints from citizens, or sees somewhere he thinks he should be at; from the meetings with the mayor and things I see myself; Lynch: His stats are in addition to the first page here? Cassel: That's affirmative, last month they were lumped together, so it seemed like our busy time was a little bit higher; Mayor: I didn't think it was fair, because what was happening was – in last month's report, I think it showed them as busy 68% or 69% of the time; ideally, they like to be around 60% or in that neighborhood; I'm thinking, this doesn't look right, because now you guys are going to think we need 6 more deputies or something; I had him break out JR – D'Amore from that, which would've been the normal before JR went on the new shift; that's still running pretty much normal; JR's is going to pick up as time goes by; Lynch: He's got as many traffic stops as all the other officers combined; Cassel: Right, because he's not taking calls, they are; they're doing all the reports – his main thing is traffic, or things I need him to do like public relations and things of that nature; he takes calls every once in a while, but that's not his job; his primary job is traffic and whatever we feel he needs to be doing; Jackson: There were 25 speeding tickets written last month, I have that report in your packet; Cassel: If you guys could kind of talk about my other report, it's kind of tedious if I can stop doing that, or if you want me to keep on doing it, please let me know; Jarvis: What was council's pleasure regarding the detailed report? Mayor: As you recall, when you had him start doing that, you said a couple of months; it's been probably about 4 months now; it is time consuming, takes up too much of his busy time; Walker: I'm okay with moving on; Jarvis: Does anyone object to the elimination of this report?

Lynch: I think 4-5 months we have with this report, we can kind of get an idea to where some things are coming from; I think that's all we really wanted from this was where you guys are spending most of your time; Cassel: Walmart and Gender Road; Lynch: That seems to be the case, yeah, and Meijer out here; Walker: Big thank you, too for doing all of that; Coolman: I think the other thing that this report showed is the utilization of the officers that we have; I think it shows a good use of the manpower there; Jarvis: I don't think there have been as many residential complaints lately, and the warmer weather – if there were something there, it would've come out more recently; Sargent Cassel, would you agree that for right now that things are right sized for your department? Cassel: I think we're right where we need to be; this is our busy time of year, but everything is running great and smooth; as long as we can teach the people how to drive better, because we have all kinds of accidents on private property, it's amazing to me; in the parking lot at Kroger, several times a day – just backing into each other; I think our manpower is right where it needs to be; the addition of D'Amore's spot put us right where we needed to be.

Law Director

Hollins: I did have the opportunity to meet with rules committee, and enjoyed that opportunity this evening; I'll have a recommendation coming forward to full council; I did want to tell you – I also read the article about the fastest growing, percentage-wise, although I read it – interestingly my reaction – that to me is a testament is how slow the others grow; that is not an outrageous rate of growth, I was really surprised; I can tell you that I think there's a whole bunch of other subdivisions in the tubes now; maybe some of them are in townships, I don't know; the home builders are back up and running again, I know that much; congratulations, I think that's a reasonable amount of growth; you guys know how to handle your growth issues down here very well; I would tell the citizens don't be concerned, you're right on top of where you need to be; it's always good to have a little bit of growth, you never want to be standing still; if you think you're standing still, you're moving backwards; other than that, no need for an executive session at the end of the regular meeting; unless you have any questions, that is my report.

Finance Director

[18-063](#)

Finance Director's Report

Jackson: I do not have anything in addition to my written report, and what was discussed at work session this evening.

Public Service Director

[18-062](#)

Director of Public Service Project Update

[18-064](#)

Construction Services Administrator Report

Peoples: I'm going to follow the lead of Miss. Jackson.

Development Director

[18-061](#)

Development Director's Report

Haire: One item I wanted to bring to your attention from my report is in regards to the Turning Stone development; Wilcox Communities has submitted to Planning & Zoning for their consideration a modification to their development plan; under our code, it's up to Planning & Zoning whether they consider that a minor modification, or a major modification; they are working with a new home builder, Ryan Homes, to propose the same type of product – a paired patio unit; the density is actually decreasing, so they're going from 80 units down to 78 units; the units are a little big larger, a little

less garage-forward than Fischer Homes was; there are some changes to the architecture, as well as with the site layout; they'd be designing this as a loop-street layout, rather than cul-de-sacs; there are some changes there; Planning & Zoning will consider that at their meeting next Monday night; Jarvis: If Planning & Zoning determines that this is a major change, what does that mean? Haire: It will need to return to city council for their recommendation – for the final approval; Jarvis: If not? If they determine that it's a minor modification – the existing plan? Haire: Then they have the ability to approve it at their meeting; Jarvis: For the benefit of the newer council members, I think this was going on during the election cycle; I think all 3 of you were here to at least hear some of the deliberation about that, you know what the plan is about; Lynch: Mr. Haire, when will those drawings be posted? Is that posted with the P & Z packet? Haire: It should've been posted today; packets were delivered to day to the Planning & Zoning Commission; Clark: Lucas, are they only going ground level – is that what you said? They're not going the loft – so there would only be one level on every unit, is that what I understand? Haire: Correct, they don't do a loft option in their units; it's single story only; I don't have the floorplan, so I don't know; Clark: So that extra bedroom – Haire: It looks like they're 1,352 square feet; it's a little bit larger than what Fischer was offering; like I said, it's a little less garage-forward of a design; I know that's one of the other concerns that was brought up in previous meetings; Clark: The park and all that would have to be the same? Haire: All the standards would be the same; Walker: What would they be called – duplexes, condos? Haire: They call their product a 'paired villa'; Lynch: That's a new one; Haire: A 'paired villa', so it's a 2-unit building; Jarvis: So two smaller things pushed together.

J. Council Reports

Work Session/Council	Monday, June 18, 2018 at 5:45 p.m.
Public Hearing – 2019 Tax Budget	Monday, June 18, 2018 at 6:15 p.m.
Work Session/Council	Monday, July 2, 2018 at 6 p.m.
Public Hearing – Old Town Commercial Zoning Text Amendment	Monday, July 2, 2018 at 6:30 p.m.

Jarvis: Next Work Session/Council meeting will be 2 weeks from tonight on June 18th at 5:45; that's a strange starting time; Jackson: We agreed to that last council meeting, Mr. Jarvis; Jarvis: Was there something else besides work session? Jackson: We have a public hearing at 6:15pm for the tax budget; Jarvis: Okay, so it starts at 6:15, so we'll have the abbreviated work session, then the public hearing? Jackson: Yes; Jarvis: Okay, to repeat that, the presentation for the 2019 tax budget will be at 6:15, right after the short work session; Jarvis: We're showing the first work session and council meeting in July – it's July 2nd, and a public hearing in tandem at 6:30, right after that shortened work session; I don't know whether we've talked about this or not, but it's been kind of a practice with council to have a recess in the month of July – that would be the second meeting in July to allow for family vacations and things like that; did we have – does this prevent us from doing that? Jackson: Not that I'm aware of, as of today; Jarvis: For some reason, I thought we had talked about it, and there was something that was pressing that looked like it was going to bring us in; Hollins: There was a public hearing that we moved to August; Jarvis: Alright, well thank you; we've got the Old Town Commercial Zoning Text Amendment – that public hearing is the 2nd.

CW Human Services

Mr. Lynch

Lynch: I just received a letter on the 23rd from Ms. Miller expressing her disappointment in our not donating towards their new building fund, and hoping that they can work with us in the future in helping them with the transportation of our senior residents, that's all.

CWICC

Mr. Clark

Clark: Our next meeting will be August 29th, 11:30 at the Interurban Building.

CWJRD

Mr. Bennett/Mrs. Amos

Amos: This Wednesday, we are visiting – we have New Albany and Granville's rec directors coming to meet with us at Shade's from 6-8, anybody is welcome to join us; we are going to be discussing with them the different ways that they run their rec departments, just to kind of share ideas, anyone is invited; our next meeting will be June 21st at 7pm, and that will be here; Jarvis: Are the rec league directors from where? Amos: New Albany and Granville; Lynch: What were the times on that again? Amos: 6-8, and it's at Shade's; Jarvis: Is this going to be a formal presentation? Amos: More of an open house, just head over and hangout and ask questions with us; Jarvis: Thank you to whoever set that up; Amos: That would be Mr. Bennett, he set that up after meeting them at a conference.

Destination: Canal Winchester

Mr. Walker

Walker: The Farmers Market and Blues & Ribs are moving right along, the next meeting is the 4th Tuesday of July at 6:30.

K. Old/New Business

Jarvis: That brings us to old or new business, I'd like to lead that off with discussion over the admissions tax ordinance; I've got to say, I've tried to do collaboration on a document where there's just 2 people, and that sort of works out; as soon as you start adding, it becomes more and more complex; I think we kind of ran into that a little bit, on top of it, I made the mistake of taking an email that was – I didn't look at who all was on distribution for it, so I got to annoy some people with our internal talk; no harm done, we have nothing to hide; the goal was basically met – that was Mr. Hollins had given us on the 21st a draft version of the modified ordinance; not the version that was tabled, as Ms. Jackson pointed out to us, but a simplified version; we sort of used that as our jumping off point, the baseline for our discussion; I've got a compilation of everybody's comments here, and I'll try to summarize this a little bit; I had mentioned that the – Section 188.03 there was – under 188-01, definitions, there was no reference to parking fees, although a lot of events that I've gone to, that's sort of your admission fee; I didn't know whether it fell under minimum service charge – I didn't think that was clear enough if it did; that was something I think everybody pretty much concurred on; 'admissions exempt from tax' – we had talked about having events that were 150 or more participants, two-fold; the reason for that – one was that it would cut out the small events that would provide some administrative relief for staff; also allow for some various, small intermittent things that were happening in the town for local residents to take place and fly under the radar; I don't believe there was really any issues with that, other than Will mentioned that – this was his only comment, he was saying '150 participants would be for a specific event, and not daily admission totals', which confused me a little bit, because unless I'm misinterpreting the draft that Gene sent out, I didn't think it applied to Planet Fitness, where their regular business – Coolman: Talking about the golf course; Amos: Yeah, the golf course, or the open gym; I think we took open gym off, but golf courses – we had said that if it was an event, where they did 150 tickets sold; Coolman: Well we were talking about golf

courses, and if they have daily golfers, they're keeping tabs all day long – they may hit 150, they may not; it's a tedious little exercise; Jarvis: I think what Will is trying to say is that if it's 150 for a discreet event, he's on board; if it was just a 24-hour head count, then he didn't think it was such a good idea – I agree with that, I don't know what your thoughts are about that; Amos: I agree, yes; otherwise it's a nightmare; Coolman: It makes sense.

Jackson: Just from a staff input, I think if you put any limit on it like that, it's going to be a nightmare for us; Jarvis: So our attempt to help you is not working? Jackson: I understand what the intent behind it is, then we sort of have to police whether or not they hit the 150 mark; who's to say they hit the 151 mark and they say 'well, it's only one person'; Jarvis: Let's say the class of '78, they're having a class reunion and they're charging everybody to pay for the food and the decorations, or whatever; there's 48-50, 60 people that show up for that; my understanding, that would be subject to our tax, but it's really just a homecoming thing, it's small, and I didn't think you would want to bird dog small things like that; Jackson: I think it would also lead to some confusion for the businesses in town, too, not really knowing 'okay, do I have to do it for this, and not have to do it –' I think it just adds a layer of confusion for them, and heartache for us; Lynch: I understand where there can be some confusion; I was thinking the same thing based on the 150; you might be able to narrow it down if you went by said building, or where that event is; since it's an outdoor event, the sky's the limit to how many people they can have; if you're doing it over at Harvest Moon, where the occupancy in that building is only 75, they would be exempt from it; Mayor: What happens at the golf outing? Lynch: The golf outing would more than likely have an event inside; Mayor: No a golf outing, which happens on the golf course; Lynch: I understand, they usually have a banquet following that; Mayor: Yes, but it's usually outside at the shelter house; Coolman: It's a tent, yeah; Lynch: I've not been to this golf course in a while, I'm sorry; Coolman: Yeah it's usually a tent or open air; Lynch: There's no occupancy on that building with it being completely open? Coolman: No; Mayor: Probably 160; Coolman: Yeah, less than 200; Lynch: If that's the case, with as many people as possible, they'd be subject to the tax based on occupancy; Mayor: What if there was only 120 in the outing? Lynch: It's based on building occupancy; it makes it very cut and dry for the city to determine who gets taxed, and who doesn't; Mayor: But it doesn't tell us how many were there and participating; Amos: What if we have a business that's doing an all-day event, so people are going to be in and out; what if – you used the example of Harvest that's maybe 70; if it's an all day event, and people are coming and going throughout, it could easily exceed 150; their occupancy wouldn't, but the event could; Lynch: I still say stick with the occupancy, keep it simple; Mayor: You're talking about daily golfers – is that what you're talking about? Amos: I was using the example of the occupancy, just discussing how that could – Mayor: As far as daily golfers, I don't think we should be charging them; I think greens fees, which is what the golf course charges – like the Boy Scouts that have an outing; if they're greens fee is \$50, and the Boy Scouts charge \$85 to play in the outing, there might be a tax for the \$50 that the golf course charges; that the way the Boy Scouts – because they are exempt anyway; Hollins: I don't know if this helps, but the way it's restructured is driven by place; it's an admission to a place, and then we list the places; like the discreet events, we had to add a little section that basically says the location of an event that is reasonably estimated to generate 150 or more; right now, if you show up at the golf course, I think that's what you're thinking about with your limit – we also want to capture larger events that may not be places that are normally – like a golf course, or a bowling alley; Jarvis: Exactly, that's out of the norm; Hollins: Let me play with that a little; I think we have to define another place, and the place is going to be a temporary place for an event; somehow we're going to have to have

them be honest with us about it; are you hoping to attract 170, or are you trying to attract a dozen people, because we're going to want you to collect admissions tax on larger events; Coolman: My thought goes to – fast forward 10 years from now, we have McGill Park out here that has multiple ball fields, all of a sudden we host a baseball tournament that's open, and it's an all day deal, where people are coming and going, and it's 20 teams playing the tournament; you have parking, you've got everything; Hollins: We may close our parks for the day for that, let them charge admission to play in that; I was thinking, now that we're talking about it, people do these 5Ks all the time, and it does – it closes down some roads – not all roads anymore, but it puts some stress on our city services; is it an event that attracts more than 150 folks, that they pay a fee to participate; Amos: Most of the 5Ks won't have a fee, because they're tax exempt; Hollins: If it is for a non-profit, I agree, that's going to get them out of that; we have them pay for special duty, is that right? Coolman: Yes; Hollins: So they are off-setting costs with some of those services; I can see BrewDog throwing a 5K; Mayor: They do 5Ks now, and 10Ks; Amos: That would be the only one I could think of that would have a fee; Lynch: I think the 150 rule is kind of suggested to protect some of our smaller business in town who might have a band or something; that's why I was saying that if we went by the rule of occupancy, that kind of makes it pretty cut and dry; then you don't have someone having an event and saying 'I only had 149 people, I'm exempt'; that becomes a very slippery slope, how do you calculate it, and how do you enforce it; occupancy keeps it simple; Coolman: What do you do in an event at the golf course, where our high school's golf coach holds golf camp at our local golf course, like Westchester? But it's not sponsored through the school, it's an open camp; it's open to any golfer, any junior golfer, any kid; you could just live in the area, go out there and pay your dues, and your child could be enrolled in the golf camp; Lynch: 501(c)(3) and become tax exempt, or just – Coolman: Most of the boosters that have their summer athletic camps at the high school are non-profit, they are part of the high school, but the golf camp is not; it's run separately by the golf course, and they offer it to the students of the school, but it's not a school booster camp; so do you go on occupancy on that, or do you go on – that's where we're talking about numbers of participants at the course; Hollins: We would probably go back to the greens fees, and we'd just collect on the greens fees, and he can charge the campers; it's an interesting question, we've got the fire chief here on these temporary tents – you inspect the tents that are put up by O'Neill prior to an event, or do you? Fasone: Depends on the event and what they're doing underneath the tent; Mayor: And the size of the tent; Hollins: Do you have a number on this? Haire: 400 square feet or more, and if it has sides, or if it is 700 square feet or more and has no sides, it's inspected; Hollins: Are there any occupancy limits then, in those tents? What do they end up being, do you know? Haire: It depends on if it's a seated event, or if it's a standing room only; you have a certain occupant limit per square foot; Hollins: Interesting, because some of these things we're going to have number cutoffs, I don't know if they're 150 or not.

Amos: Mr. Hollins, out of curiosity, where would your Harvest Moon, Shade's fall under place – in the categories? Hollins: My computer died as we were talking about this, but if I remember the list, I don't know that we included bars and restaurants; Amos: We did not – we put dance halls, and night clubs, but that's as close as I could find, and I don't think any of those are – Hollins: I don't think right now we are counting cover charges – counting that as a place; Coolman: Your list didn't include banquet halls or reception facilities; Hollins: Not that I recall; usually they're rented out, and there's no admission charge; Coolman: But there's parking; Hollins: That's going to be interesting on trying to charge for parking, because if we jack up the rate by 3%, I don't think anybody is going to want to pay \$10.30 for parking; we'll have to figure that out; that was going to be my main comment tonight –

thanks for the comments that did come back, maybe we can tweak it a little, bring it back to you and see if it captures what you're thinking on some of those things; Jarvis: I'm not sure we're there yet, in regard to the 150 or 100, or whatever number we wanted to put in there to create a threshold; city staff told us that it's too difficult to do that; I'm not real comfortable with that being not there, so I'm looking for some kind of a go-between, as you suggested with the occupancy permit for that building; that way we don't care if it's 40 or 50, or whatever it may be, if their occupancy permit is below our threshold, then it doesn't matter; I understand that, I'm just not sure – Gene you had pointed out a way of approaching this just as place; this thing gets really complicated, and I want to try to fine tune it; that's where I think the trick is, I think that's why the previous council dropped this on the floor and ran away; Amos: My one concern is if we – so we've identified in 180-1A: 'Admission charge means any charge for the right or privilege to enter a place, as defined herein', then we define 'herein', and we establish that BrewDog, Harvest Moon, none of those are listed in this category, so we removed from the place – Hollins: BrewDog – look at the last one, where it says 'any place where a tour is given' – Amos: Tour or attraction of the facility? Hollins: Yeah, and then the one right above it, I can't remember; Amos: Open or event venues where a charge is made for the admission to the grounds; Hollins: So we sort of wrapped them in that way.

Jarvis: Okay, then the other thing that I wanted to start bouncing around here, because there's some comments and disagreement on this; the disbursement of the funds collected: the first part says 'anything where costs are associated with administrating this ordinance would be priority one', and then it says – Section B states that 'any leftover will go to the General Fund', Ms. Jackson had sent us a proposed language to address that; if you didn't see it, I'll read it here: 'Funds shall be dedicated first to capital outlay expenditures related to streets or parks; if no such projects exist, or such projects are able to be funded with another revenue source, council may appropriate the funds to another project they deem fit during the budgetary process'; it's sort of an intent without a straightjacket; there's flexibility in there; Mr. Coolman, I know you had some concern about that, I think the gist of it though was we wanted to make sure it's still flexible; I think that that provides this, that's what I was trying to explain; that language, unless anybody has any objection, says 'this is kind of the priority scheme, but if things change, as they do, then we can change that as well'; it's not a – like I said, a straightjacket; Mike, you also had a couple of other comments regarding the schedule for filing for larger venues, such as BrewDog, to make that quarterly, rather than as the events occur; that made sense to me, I thought we had talked about that, it just didn't make it into the ordinance somewhere; Jackson: We didn't make any changes from the May 21st meeting, but that was one that we are all okay with; Jarvis: That's what I'm trying to establish, is where we are together; Mike, you also mentioned clarification of the tax calculation for events that would be impacted immediately, such as golf outings; Coolman: I just thought the golf outings – what is being charged, I thought the language for those hosts of those events might have a difficult time understanding, and thereby could cause some difficulty if they go in the office, if they say 'that's not what I interpreted it to be'; make it a little bit clear, kind of a guide for dummies type status, where everybody can read it and understand it; thereby, when they go into the city building, the administrators are not faced with 2 hours of discussion on the way that it should be versus what it is; just make it a little clearer; Jarvis: Ms. Amos, you had talked about the quarterly; Amos: I did want to mention – so 188.04, Section D has certain events that are a circus, where it pops into town; those are right away filing, and I think that should stay the same; Jarvis: Okay, rather than waiting for a quarter; Amos: Yes, established businesses in Canal could be quarterly, in my opinion, but temporary, quick events – Coolman: One-time events,

yeah; Hollins: We can give the finance director discretion to set the schedule; basically, immediately or on such schedule as the finance director determines; Amos: I just want to make sure we're not telling us these fly-by nights that drop into a town for a minute – Hollins: Yep, I hear you; Jarvis: And then you echoed Will's comment about the 150 cumulative, versus discreet event; I think we've kind of addressed that; Ms. Jackson sent us some notes – she wanted to make sure, I'll repeat this again, because it was my mistake on the email – where if you do a reply all, which trying to hit everybody, and you're using somebody else's email, take a look at who's on that; it hit everybody and anybody – like I said, nothing to hide, it looks a little 'janky', and I'm sure they were wondering why they were getting mail from all of us; won't happen again, at least not to me; Amos: I did have one more question, after reading it a little more closely; Ms. Jackson, 188.09: Information Confidential – when it states that all of this is held confidential, no disclosures should be made unless ordered by a court; does that comply with the rule that somebody could not come in and request copies of something? Jackson: I'm going to defer to Mr. Hollins; Hollins: The courts traditionally uphold tax information, especially if it's – it could lead back to somebody's business plan, things like that; I know this one doesn't have – say for instance your income tax information is a specific statutory basis for that, and this is sort of left to our discretion; I'd say under home rule, we have a similar authority to call other tax information confidential; Amos: The amount of tax collected would still be public record; Hollins: Yeah, sort of like hotel tax, yeah; Amos: Thank you.

Jarvis: Anything else that needs to come out? Our goal here is to provide Gene with enough consensus of council to take another revision of that draft; maybe we can get where we wanted to be, take action on it; I hope that something can be done; there are some parts of this that are problematic, just because of the different scenarios to it; if we can do that, whatever we can come up with and it still works, then we know we got it; Walker: One of the things that BrewDog was concerned with was the box, the \$5 Box of Beer thing – did that get excluded? Jarvis: Here's the scenario: they – I know this must have to do with alcohol laws; they'll have their shareholders come in, they buy tokens, and they get – they pay \$5 for the tokens, and then they exchange those for beer; it wasn't about that; what she was saying was that – Coolman: It wasn't an admission, it was just a fee; Amos: It was a form of RSVP; Walker: She was concerned that we would be charging that; Hollins: Say if they got – Amos: You could only buy a token for alcohol if you were planning on attending the event; Hollins: It wasn't to enter the place, it was for food or beverage? That's not the intention to apply this to that; Walker: So we can exclude that language? Hollins: I don't think right now it ever applied; if there was a charge to actually get in the event, and then you had to buy those tickets separately, which I think under liquor laws, they're not just allowed to give them away; we will be running this by them again, just to make sure we aren't screwing something up; Jarvis: That's a great idea; Hollins: And Bruce, if you can get enough collected thoughts here, if you have time, we might setup a time with you to make sure we're capturing all of this; Jarvis: Absolutely, I have everybody's comments consolidated here, and I think we've addressed some additional material; like I said, I think it's enough for another revision; hopefully we can get some place with it; Hollins: We might do a quick working meeting with you, and see if we can get something; Jarvis: You're probably busier than I am; Hollins: We can do that Tuesday mornings, at 9:30 or 10, I'm always down here; Jarvis: I can't do it tomorrow; Hollins: Maybe a week from then or something; Jarvis: Thank you everyone for your comments, I appreciate it; is there any old or new business to discuss?

Mayor: I have something, I'm not sure if this falls under old or new; just wanted to give you a little update on Jessica's husband; he's at AlterCare now; this past weekend was an extremely, extremely

good weekend for him; he was following commands, both eyes are open, when his son would come in, he would follow him around the room, which he's never done before; he is trying to lip words now; he's moving his – almost his entire body; a lot of stuff happened this weekend; Jessica is just thrilled to death; Jarvis: That's kind of a miracle, based on that initial notice; thank you for sharing that.

L. Adjourn to Executive Session (if necessary)

M. Adjournment @ 7:59 p.m.

A motion was made by Lynch, seconded by Amos to adjourn. The motion carried with the following vote:

Yes 6 – Lynch, Amos, Clark, Coolman, Jarvis, Walker