

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

October 6, 2008

Members of Community Development Committee present: Antoinette Newman, Fred Deskins, Jr., Donna Shirey, Leslie Kelly.

Other members of Council present: Doug Joseph, Mel Clemens, Ron Stake, Council President William L. Hills.

Mrs. Newman: I'll call the Community Development Committee meeting to order at 7:40 p.m. The second item on the agenda is its approval. Are there any changes or additions to the agenda? (No response). Hearing and seeing none, it will stand as submitted.

Also, number 3 is approval of the minutes of the September 2, 2008, the Community Development Committee meeting. Are there any changes to those minutes? (No response). Hearing none, then we will accept those minutes as they have been presented.

Item #4, Progress Report on YMCA. I want to give a report on the last two meetings to the people interested in the development of a Community Recreation Center, in cooperation with the YMCA. We have met twice since my last report. The first meeting was held on August 26, 2008 and we discussed the history of past central Ohio communities with this type of development including Grove City and Delaware, among others. We briefly discussed the annual fees for a family of four in various cities, Westerville is \$671, Worthington \$570 and Dublin at \$520. The estimated cost for a family of four in Reynoldsburg would be \$793. We discussed the feasibility of various sites in Reynoldsburg, including Civic Park, and a parcel owned by a Columbus area realtor. We also discussed partnering with Mt. Carmel, the schools and churches, pro and con, and the next task would have been to put together a group to work on site selection. The second meeting was held on September 9, 2008 with the following persons attending: from the City of Reynoldsburg, Mayor Brad McCloud and Auditor Dick Harris, Fred Deskins and myself from the Community Development Committee; Parks and Recreation Department, Jason Shamblin and Donna Bauman; Reynoldsburg Schools, Steve Dackin and Ron Strussion; the YMCA, John Bickley and Cathy Carr. The feasibility of an income tax measure being put on the ballot, which tax would only effect 17% of our residents, and which would adequately fund the proposed development. A Steering Committee composed of prominent residents would be formed to work with representatives of the YMCA to inform voters concerning the proposed issue and to work toward the passage of same. The YMCA would provide two staff persons, posters, flyers, etc. to assist the Steering Committee with the successful outcome of the issue. Mr. Bickley of the YMCA informed us regarding the inclusion of various community groups and their activities in the City of Delaware, which successfully passed their income tax initiative for their community recreation center. At the next meeting we should have a list of possible sites and a list of 20 - 30 candidates for the Steering Committee.

Item#5. Discussion: Authorization to apply for Clean Ohio Conservation Fund Grant for land acquisition (Parks and Recreation). Mr Shamblin.

Parks and Recreation Director Shamblin: Thank you, Chairwoman Newman, Council. Tonight, I bring forward legislation requesting authorization to apply for Clean Ohio Conservation Funds for land acquisition of a nine, a little over a nine acre parcel just south and adjacent to Civic Park along the Blacklick Creek. The application deadline would be October 31, 2008. The property

owner is interested in working with the City on this and would donate in-kind a minimum of 25% which would meet our matching requirement for funding.

Mrs. Newman: We would not be out any money if we go through with this.

Mr. Shamblin: We would need to have the property appraised. I have an estimate of \$1,500 which we do have in our Miscellaneous Contract Services this year that would be able to cover that.

Mrs. Newman: Where did you find an appraiser to appraise that kind of property?

Mr. Shamblin: He has worked for other municipalities doing the same thing...

Mrs. Newman: Yes, for Parks and Recreation.

Mr. Shamblin: ..and just for planned acquisition for municipalities.

Mrs. Newman: You don't have to have a specialized appraiser for that.

Mr. Shamblin: He is certified. I'm not sure if his, what the name of the certification is.

Mrs. Newman: Well, it's one thing if he can appraise, you know, if his experience is with a single family residential property and then this property is rather specialized and I just wondered if you had anyone who, or knew of anyone that would be qualified to do that kind of appraisal.

Mr. Shamblin: We contacted two who were recommended to us by I believe the Appraiser's Association who were qualified to do this and I'm not sure of the governing body but...

Mrs. Newman: All right then; I had a question about liability and Mr. Hood said that our liability would not be increased and is that right?

Mr. Shamblin: Yes. He is here and I'm not sure if he would want to.....

Mr. Hood: Pardon me Chairwoman Newman. I didn't catch your question.

Mrs. Newman: What's the liability, any liability. I'd like you to speak to that on acquiring that property.

Mr. Hood: Absolutely. As far as I'm concerned, in my reading of the statute our liability would not be increased by acquiring this park land and my primary example that I normally try to explain to residents when they call me with issues of this, is our skate park. That is an activity that is inherently dangerous that children undertake on a daily basis. I'm sure you know that it's very, very popular with the children. We're not liable for injuries that stem from that as long as we maintain it in an orderly fashion and we aren't grossly negligent in either our maintenance of the property or the City employees doing repairs to it. So I don't believe that our liability would be increased with the acquisition of this land at all.

Mrs. Newman: Okay. Thank you.

Mr. Hood: Yes ma'am.

Mrs. Newman: And then you also spoke with our Insurance people that our, that we would have no increase in our premium.

Mr. Shamblin: She verbally gave me, she wouldn't expect it to increase at all and if it would it would be just very minimally, because it is adjacent and with the park it wouldn't have any significant impact. We aren't creating a whole new park, it's just adding on to property that's already existing.

Mrs. Newman: Would you expect to have to add any personnel to clean that park up and cut down those old trees that have fallen during the storm or anything like that? How would you handle that?

Mr. Shamblin: It would be the actual land that is covered with trees is less than three acres so it wouldn't be a significant impact on our work force and we already, because it is a storm water, we already have the storm water responsibility of maintaining some of that as well.

Mrs. Newman: So you think that would make relatively no difference in your personnel requirements or anything like that.

Mr. Shamblin: Correct.

Mrs. Newman: Okay. Does anybody else have any...Mr. Deskins.

Mr. Deskins: Yes, Councilwoman Newman. I would like to know if there's any, do we have any responsibility to the landowners that back up to this lake? Will they have any right to the land that they've been claiming all these years?

Mr. Shamblin: I think that is definitely something we would have to address and once and if it would be acquired as City property, we would work within our already established guidelines.

Mr. Deskins: It looks like they, this is a super deal if we can get it, I think, but all those legal problems that you have to try to work out before you try to purchase it, but it would be a nice addition for the park, I believe.

Mr. Shamblin: Yes.

Mrs. Newman: Mr. Hills.

Mr. Hills: I'm not on Community Development, but I would like to ask, I see where Mr. Deskins is coming from and I know I've ask the same similar question. I count here and there appears to be twelve lots that have water frontage.

Mr. Shamblin: Yes.

Mr. Hills: Of which there's some sort of facility for the fishing, docking boats, whatever it is they do on at least eight of those.

Mr. Shamblin: Yes.

Mr. Hills: And more likely, the others are just tying them up without having it there. That's been there for quite a while. My suggestion to anyone, and I did briefly talk to the Mayor about this. The question you asked, Mr. Deskins, we'll have to work it out later. I don't think, and Jason I said to you, I'm not sure that's the best answer. I happen to live on a creek and it's Blacklick Creek and if you go three houses up, the planned development back in Licking County fifteen years ago called it green space so they went back to the center of the creek and went forty feet out and that's green space. The problem is, there's no way for the people to get to green space except for trespassing against your property. So they're in my back yard saying this is the park and I'm saying no it really isn't the park! I'm not sure, there's a lot of questions that should be answered before we apply for a grant. Number one is where is the easement situation on these residents there? It's nice to know later but what good does it, to go get the money and say, oh by the way, we're not going to do this. There might be fifteen lawsuits. I don't know. I don't know how long they've been using this. So I think the City Attorney is more adept at dealing with that than anybody else is and I just question why we would go ahead and apply for a grant. Everybody likes to apply for grants. Hey, that's free money and the last time I saw free money is when my ex-wife got it in a suit somewhere, so my concern is, are we putting the cart before the horse, in that this has been a desolate piece of land for a number of years and people are using that land as it is their own. Agreed, it's not their own, but they are using it that way. I think we need to get a legal opinion - how much of it is really their own, because of the fact that no one has taken care of it and they in essence, those terms, like prescriptive easements and different things like that. I'm not sure all these pathways, it's an extension of Civic Park is what it would be if you buy it, correct?

Mr. Shamblin: Yes Sir, Yes Sir.

Mr. Hills: But Civic Park isn't going to be the way the people access this plot, not the only way they access the plot, and I'm just concerned that we go apply for something without knowing what potential questions or problems there are ahead of time, and if we can get those answers in two weeks, when is it you have to submit this, by what, the 30th?

Mr. Shamblin: October 31st.

Mr. Hills: October 31st. Well, if somebody can get the answers in two weeks and we can be back here in committee meeting on the 20th and voting on the 27th, if we're more comfortable. I'm just not sure why we go forward and maybe the \$1,500 expenditure is appropriate, but I think that even before we do that, we ought to look at, get somebody to issue some sort of concern and I don't know if the Mayor agrees with me or doesn't agree with me but it's a, I'm not saying it wouldn't be an attractive thing to have, I'm just not so sure that we may have fourteen people that are a lot closer neighbors than we thought they were.

Mr. Deskins: I feel more comfortable with what he's saying, too. That's why I brought it up, to try to get those questions answered if you can.

Mr. Shamblin: Okay.

Mrs. Newman: Mr. Clemens.

Mr. Clemens: And I agree with both the gentlemen down here. Personally, I don't know why we want it to start with. I've been over there many times, it's nothing but scrub land around that lake and the people that live there, if you go over there, they've mowed it and taken care of it and they've been over there 30-35 years and I'm sure if they wanted to go to court, they could take it. We had that situation happen to us up on our park that sits back in a ravine. We bought a bunch of acreage up there and one of the homeowners cut an acre of it and had grown a garden out there and cut it. If you want to look at our map, it's out there still the court gave it to them. These people have taken care of it, they have lived there. I'm sure we have the same situation out at my place out at the lake. I'm sure that they wouldn't want that easement front. They wouldn't want people coming down in their back yards, along their back yards and partying and all that even though it'd only be on city property. The way they handle it now, it's their property and they take care of it. It's just a hole in the ground, a lake with scrub ground around it. How are we going to take care of it? What are we going to do with it? What benefit is it to us is what I'm thinking, but I agree with Bill. You better find out the legalities of what's going to happen to those 12 or 13 homes along there and I'm sure that this is coming up and they know nothing about it and I'm sure that they're going to be very upset about it. Those are the things we ought to look into before we jump into even asking for the grant because once we get grant, it usually passes and then we get moving along on things. Personally, I'm not going to vote for it anyhow, because I don't think we deserve it, and I don't think we need it, and I don't know what we want with it. It's just going to be a problem for us to take care of. You say you're not going to need more personnel. I've been down that road before and I know what will happen. We have the chance of losing somebody in there, kids and things like that playing around. I don't want to be responsible for something like this and I think we better check our legalities before we even get involved in it, as far as I'm concerned.

Mrs. Newman: Mrs. Kelly.

Mrs. Kelly: For me myself, I look at it and I see the potential that is there. Fishing potential, more space and more time for families. I definitely think that these questions need to be answered, but, and I understand where Mr. Clemens is coming from with the liability, but I think it would be a nice addition to the park, as long as it's something that we can make, that we can feasibly do.

Mrs. Newman: Thanks. Any other comments. Mrs. Shirey.

Mrs. Shirey: I just wanted to say I do agree with Councilman Deskins. In conversation with Lucas Haire as well, isn't there a home that has a gate up with a barn or something they put up there as well?

Mr. Shamblin: Over there, yes, there is an easement to Wind River and that easement right now is covered.

Mrs. Shirey: Okay, so technically, that homeowner is assuming that is his property where he built that. Okay. I really agree with all the other gentlemen in stating that we need to find out as far as legalities of it. I think it would be a nice addition as Councilperson Kelly stated, a family type of atmosphere to where they're fishing. I'd be concerned as far as anybody swimming, I don't think that would be advisable for that, but if we can just find out the background as far as the legalities of it, I would think that would be a good place to start.

Mr. Shamblin: Certainly.

Mrs. Newman: Anybody else? Mr. Joseph.

Mr. Joseph: Yes, Mr. Shamblin, did the city approach the landowner, did the landowner approach the city, regarding this transaction.

Mr. Shamblin: The city approached the landowner.

Mr. Joseph: Was this before or after we knew about the grant opportunity?

Mr. Shamblin: After we knew about the grant opportunity.

Mr. Joseph: Other than what's been mentioned here, are there any other long-term plans. I know you said the future paths and things like that. Is there any master plan to really make it something significant that the city could use?

Mr. Shamblin: The Parks and Recreation Department doesn't have a long-term master plan right now. That is one of my goals to try to establish, I think just the connectivity and adding that much more extension on to our park, to be able to connect, whether it's across Rosehill at some point or, so I think in the future that definitely will come into play.

Mr. Joseph: Do we know if there's ever been any flooding issues there and how that would effect if the city took that property?

Mr. Shamblin: It's all flood plain so I'm sure it has flooded, how far up into there I'm not sure.

Mr. Joseph: If there was like a flood that affected property owners, would the city have any additional liability on top of, any liability if someone was injured on the property or something like that?

Mr. Shamblin: We can certainly look into it.

Mr. Joseph: Okay. Thanks.

Mrs. Newman: Mr. Clemens.

Mr. Clemens: Yeh, real quick. I suggest everybody take a drive down there and take a look at it.

Mrs. Newman: Any further comments, questions. I move that we hold this for two weeks.
Seconded by Mrs. Shirey. All in favor say "Aye". (All voted "Aye") Opposed. (No response)
Motion passes. Thank you. It will be held for two weeks. Community Development adjourned
at 7:58 p.m.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
October 6, 2008
(Transcribed/S. Cochran, Ass't. Clerk of Council)

SAFETY COMMITTEE MEETING MINUTES October 6, 2008

Members of Safety Committee present: Doug Joseph, Ron Stake, Leslie Kelly, Fred Deskins, Jr.

Other members of Council present: Mel Clemens, Antoinette Newman, Donna Shirey, Council
President William L. Hills.

Mr. Joseph: I'll call the Safety Committee meeting to order at 7:59 p.m.

The second item on the agenda is the approval of the agenda. Are there any changes, additions or deletions to the Safety Committee agenda tonight? Seeing none, the agenda will stand approved.

Item 3a is the approval of the minutes of the September 8, 2008 Special Safety Committee Meeting. Are there any additions, deletions or changes to those minutes? Seeing none, those minutes will stand approved.

Item 3b is the approval of the minutes of the September 15, 2008 Safety Committee Meeting. Are there any additions, deletions or changes to those minutes? Seeing none, those minutes will stand approved.

Item #4. Discussion: Authorization of contract for road salt; repealing Ordinance No. 53-08, and re-appropriating funds. Mrs. Boratyn.

Acting Safety/Service Director Boratyn: Thank you, Chairman Joseph, members of Council. A couple of weeks ago, on September 8th, I came down with an emergency to obtain permission to purchase 2,000 tons of rock salt from American Rock Salt, which was our existing contract. That had occurred because we had not received a bid from out of the co-op, the Southwest Ohio Co-op that we're a part of and we were informed that we would be able to buy from off of this bid, but on that same day, and they confirmed on that day, we would be able to do that. Well, when we went to order it after we had authority to do so, then we were informed that they would not sell us any more salt basically because our order had been 1,500 tons and they would sell the amount that we had, 100% of what we had bid for under the 2007-2008 contract which we actually purchased more than that, so they would not sell us any more. In the meantime, there had been a second bid opening and the City of Reynoldsburg did receive two bids in that second bid opening. One of those was for \$149 a ton for rock salt, so given those were the options that we had, we made a recommendation, myself and Larry Ward, our Street Superintendent, to the Mayor that we should come back and ask for authority to enter into a contract to buy salt.

Now we only ask for 1,000 tons because this contract which, differs from the past, and the past contracts allowed you to buy plus or minus so there wasn't like a limit, you could buy what you'd asked for, a little bit more, a little bit less. Under the current contract that's out there, there's a stipulation that if you say you're going to buy your intent, you need to purchase everything that you said you were going to buy, by June, so we had originally bid for 2,500 tons and that of course would be a lot at \$150 ton. It's \$150 a ton because we're factoring in some money for the Performance Bond. So we lowered it to 1,000 tons so we've come here today to ask that you give us authority to enter into a contract so we can purchase 1,000 tons which would have to be purchased by June; repealing the passed ordinance, but asking for that same money which would allow us to go ahead and buy right now 613 tons with \$92,000. Of course, if we do it under this agreement, we do have to make that commitment that we're going to buy that 1,000 tons so in the end it will be \$150,000 to buy under this contract. We were going to include the rest of it in the budget with an estimate of what we would need in the future or you can make a decision if you wanted, to amend this and put the entire \$150,000 in now. So that's kind of where we stand in a nutshell and where we were the last time. I did bring, I'll have this passed out - this is a sheet from the Street Department that shows the salt usage tons and salt cost from 1989 to 2008. Mr. Ward is here and myself to answer questions. We also have guests from the Southwest Ohio Co-op, Cindy Strayer. She is here in case Council has some questions for the

broader picture of what's happening with salt across the State and with the Department of Transportation. Thank you.

Mr. Joseph: Any questions for Mrs. Boratyn from members of Committee tonight, or our guests, Cindy Strayer and Lisa Koppin from Middletown. Any questions from Council. Okay. Yes. President Hills.

Mr. Hills: Things I don't usually say - I do appreciate the efforts of Administration on attempting to buy regionally-priced salt. We are now going to buy that same little piece of salt for about three times what we had a contractual right to buy it for during the period of time. Salt hadn't moved, it's still there; we're going to get the same salt. I'm glad that Ohio Municipal League is looking into this. I don't know if severance pay for these people that go under is anything like Washington but it would be interesting to find out and I would suggest that everyone may want to talk to some of their elected officials on a statewide level. I know that the Mayor has written a very good letter to the Governor. There's some moronic things you hear. You hear Columbus was able, we weren't. Bottom line is we are being, for efficiently using our salt last year, we're being penalized by an amount and I appreciate the fact that we're going to buy what we feel the City would need to get through a reasonably bad winter, so we haven't made the citizens suffer.

Mrs. Boratyn: Yes Sir.

Mr. Hills: It's not what we normally would do in a year because we would like to come out of the winter at the end of March with the salt bins full. You do that every year, there's absolutely no way you have to worry about not having enough salt. We will not do that this year. I don't know, Mayor have you heard anything from your letter to the Governor yet? I would hope that rather than, well, the Federal Government obviously did not pay enough attention to things that were going on in the banking industry, I would hope to God that somebody pays attention to being raked over the coals on a simple thing like movement of salt. I realize we've had hurricanes and I realize everything else, but I think that probably some of this was city-created, and it puts the salt sellers in a position because people who, well, I'm only going to buy 2,000 tons but I'll reserve 4,500 and that creates a shortfall, but folks it's about time that we all realized that regardless of what there is, the taxpayers are paying for it. This isn't personal dollars that are coming out, these are taxpayer dollars, so it's unfortunate. We been gouged with oil, now we have some banking problems, now we're looking to salt. I guess we all ought to back up and say when's it going to stop, and when are we going to pay closer attention to what it is we're doing, and how we need to do it. Again, I commend Administration for coming up with a number and coming up with on their own and saying, this is what we need to do and be sure that our citizens are protected and I think that's the best way we can do rather than buying something at \$46,000, we're going to pay over \$150,000 for the same item and all we can do is back up and say folks, when you see the three times difference, something else in the budget is going to get a pinch because of that but I do commend Administration getting it forward and getting the, we will have to go as an emergency because we've got some agreement rights in order that it has to be passed fairly quickly, but again, everyone's to be commended, to be in a bad situation and the big guys win again.

Mrs. Boratyn: Thank you for your comments, President Hills.

Mr. Joseph: Any other questions or comments tonight from Council or Committee. Okay. Thank you. Since this is being requested as an emergency and needs to go to Finance Committee tonight, I'm going to make a motion that we move this on to both Finance, and Council as an emergency with recommendation for adoption. Seconded by Mr. Deskins. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Item #5. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING SECTION 351.05 "DISPLAY OF ITEMS FOR SALE NEAR STREET." of Chapter 351 PARKING GENERALLY; and adding a new SECTION 1171.08 "OUTDOOR DISPLAY OF ITEMS FOR SALE" to Chapter 1171 GENERAL REQUIREMENTS- -Public hearing held 10-2-08 at 6:15 p.m.; referred to Planning Commission. Planning Commission recommends approval. Any questions from Committee for the Acting Safety/Service Director on this. This is both the Safety and Service Committees. Seeing none, I'll make a motion that we move this on to Council for second reading. Second by Councilman Stake. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you. Safety Committee adjourned at 8:09 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

October 6, 2008

(Transcribed/S. Cochran, Ass't. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES

October 6, 2008

Members of Service Committee present: Mel Clemens, Leslie Kelly, Donna Shirey, Fred Deskins, Jr.

Other members of Council present: Doug Joseph, Antoinette Newman, Ron Stake, Council President William L. Hills.

Mr. Clemens: I'd like to call the Service Committee Meeting to order at 8:10 p.m. The first item on the agenda is approval of agenda. Do I have any additions or deletions to tonight's agenda? If not, it'll stand approved.

The next item 3a is the approval of the minutes of the September 2, 2008 Service Committee Meeting. Are there any corrections? If not, they'll stand approved.

The next item 3b is the approval of the minutes of the September 8, 2008 Special Service Committee Meeting. Are there any corrections? If not, they'll stand approved.

The next item 3c is the approval of the minutes of the September 15, 2008 Service Committee Meeting. Are there any corrections? If not, they'll stand approved.

Item #4. Discussion: Special Exception Use Permit - 1737 Brice Road; proposed use - child care center; applicant, Shana Jackson. If there's no discussion on this item, we can leave it stand unless there is. Mrs. Kelly has questions.

Mrs. Kelly: Is she here by chance? I was reading in the minutes that they're going to have an outside play area and it's going to be between those two parking spaces. I'd like to have a little bit more detail from her on that.

Mr. Clemens: I'll take care of it, or the Development Director can.

Mr. Hills: Was she just here Luke?

Development Director Lucas Haire: I don't believe that she was here this evening, no. In regards to that, what we're going to recommend is that she put large parking blocks in there. This is something that was done on the car lot that Mel is so fond of there on Main Street. They're about four times the size of a parking block, a foot and one half high and we're going to recommend that she places those around the outside of a fenced-in area to prevent any vehicles from damaging that fenced-in area and potentially going through there a harming a child that's playing outside.

Mrs. Kelly: And I saw that there's only ten kids, children will be able to fit in there at a time and with the hours that she's going to be keeping, I just would like a little bit more, it would be great if she could be here, because I think that could be, potentially be a big issue where it is, having the possibility of having more kids out there at a time. Also, with the gates possibly can they get out, because you're going to have to have an emergency gate there so kids, people can get out of that area. I think I'd like to know more about what her safety plans are to ensure that, because if you have a child that sneaks out of that gate area, they're immediately going to be, possibly, in a very high-traffic area.

Mr. Haire: Since it's a State-Licensed Day Care facility, you have certain requirements that are requirements of the State, so the reason that there's only ten children out there is because only one adult can supervise ten children.

Mrs. Kelly: It's also a very small space though, correct?

Mr. Haire: That's based on the State Requirements as well. For each child, you have to have a certain amount of area, so I don't know exactly what that area's going to be at this point and I don't know that the applicant knows that at this point.

Mr. Clemens: I've looked over, and I kind of agree with what you're speaking about. Why would we approve something if we don't know what the area is at this time, you know, if we're going to approve it, we ought to know what we're talking about.

Mr. Haire: Sure. Mr. Clemens, what typically happens is once the applicant receives zoning approval and approval to go in the space, they hire a design professional, an architect that reviews all the State Codes and requirements and designs the space to meet those requirements.

Mr. Clemens: What if we don't like it, you know, and if we don't like it, then we don't want it. It's like she says even, maybe the State likes it, but we don't, what's the difference. As far as I'm concerned, on issues like this we should know exactly what we're speaking about. If we're approving something that we won't have any more to say about it, so I agree, if you would like her to come and speak, we could put this on the agenda for the first reading.

Mrs. Kelly: I just have one more question. It talked about an aluminum fence, that's she's going to enclose it in an aluminum fence. Is that a...a chainlink, thank you, is it a chainlink fence, or is it a...

Mr. Haire: An aluminum fence, or what you would consider a wrought iron fence. No one uses wrought iron because of the cost it. It's the black tubular metal that you typically see around patio areas where outdoor dining establishments and things have. That's likely what she'll be putting there.

Mrs. Kelly: Okay. Do you know the, or is this just one of those things that the architectural people will do, the height and all of that?

Mr. Haire: I think the minimum height is four feet and then they're not allowed to have any sharp points and they have to be a certain distance apart. I don't think they can be any more than four inches so that a child's head or anything couldn't get out and stuck in that area.

Mrs. Kelly: And I also read in there that she was looking at possibly, if she couldn't get a space to work to accessing parks nearby, that's what she does down at her Columbus area is accessing the parks. Was she considering that based on the possibility she might not be able to get an adequate space out of there?

Mr. Haire: I'm unsure.

Mrs. Kelly: Okay. Thank you.

Mr. Clemens: Yes. Mr. Deskins.

Mr. Deskins: I have a question also Luke. Do I understand this playground is going to be East of this building? Now this is down near Wonder Bread on Brice Road.

Mr. Haire: The playground would be West. It would be to the rear.

Mr. Deskins: It's going to be behind the building, so there's no traffic behind the....

Mr. Haire: There is an alleyway back there.

Mr. Deskins: Okay.

Mr. Clemens: Yes. Mrs. Newman.

Mrs. Newman: I'd just like to comment that just the thought of a lot of little children playing on a paved parking lot, the space of which is only as big as what you have for you know, two cars to park there. I just think that is extremely depressing even to think about. You know, it would seem to me that this lady could find a better spot than that to have a daycare center.

Mr. Hills: Mr. Clemens, I certainly think, and this is a Special Exception Use Permit, so the only thing to come to Council, and Council can take no action or they can turn around and say let's have more questions; I think there are certainly some more questions here and that's the purpose of it. It's not that anybody did anything wrong, the BZA or wherever it may have been before it got here, there's just been some questions raised. I guess one of the questions that I would ask and this is her second center so I realize where all the, you know, 5101 is the section of the Ohio Administrative Code that has all kinds of child care rules but as a daycare owner and provider, she knows what those rules are because more likely than not, she's inspected every so often so I think she would probably provide a lot of information and be able to answer these questions and some to where it's going to make some people comfortable and some people not, but I certainly think it's a great suggestion, Chairman to send it forward for the first reading and bring it back and I'd suggest that we be sure that she - why don't you come in and tell us a little bit more about it.

Mrs. Kelly: And again, I think it's a great service. I like the idea of having the hours. I think that is something that probably a lot of families probably need. She's going to have extended hours. I just have questions that I'd like to be able to ask her specifically and get some more information.

Mr. Clemens: Are there any other questions pertaining to this? If not, we'll add this on to next Council Meeting for the first reading. We'll have an ordinance, is that all right, Nancy?

Mrs. Frazier: Yes.

Mr. Clemens: We'll ask Mrs. Jackson to be here, if we could. Thank you.

Item #5. Discussion: Authorization of agreement "OEPA Director's Final Findings and Orders". Mr. Hood would you explain a little bit of this to us.

Mr. Hood: Good Evening. Thank you Chairman Clemens. I stand before you today after well, after almost two and a half years of discussions and deliberations with the Ohio Environmental Protection Agency and if you haven't done that yet, you don't know what you're missing. But in all seriousness, we do stand before you today with a much better document than we had two years ago. This was one of the first things that I undertook as City Attorney, when I was appointed by Mayor McPherson and at that point, the satellite communities as the EPA refers to us, was not very well represented at the EPA bargaining table. Since then, we had gotten participation from almost all of the twenty-two satellite communities - and when I say satellite communities, I mean a suburban community that has tapped into the City of Columbus' water and sewer system - that don't operate their own system themselves. This stems from orders from the EPA given to the City of Columbus and you may have heard about them. They've been in the press as recent as two weeks ago where they have to undertake a massive evaluation of their service and also do upgrades that are going to take place over the next four years. So to that end, they had approached the suburban communities, the satellite communities, if you will, to see what we can do to better serve our municipality and thereby better serve Columbus with our flow problems, capacity issues which is basically infiltration of water into the sanitary sewer. That's not supposed to happen, but we know that it does occur. Not just in our municipality but in others. But the document that you have before you I would like to impart upon you tonight, is much better for the City of Reynoldsburg than it was two years ago and we would not have gotten there without the help of our more than capable, most capable Superintendent Mark Kipp who really took the lead with the experts in this field as far as municipal service and to get together the people that he works with on a daily basis, to impart upon the lawyers how much this would effect us so we could then relay that information to the EPA and come out with a document that serves both interests. I think that you have that in front of you today. We will provide you with a very short time line of some of the highlights that the City of Reynoldsburg is going to undertake under these orders to evaluate our system and then find any potential deficiencies and what we can do to address those and we submit those to the EPA within the time lines that are mandated by the orders. As I said, I would like to impart upon you today this is much better than it was a few years ago, and secondarily this is not something that needs to be done in a rush. We do have time for you all to discuss this. I understand, and I'll say this plainly, the first time I read this document two years ago, I didn't understand it's impact so if you have questions, please ask me, ask Mark Kipp, ask the Mayor. We will be happy to explain this to you what these technical words mean. We'll be happy to explain those to you, but please, discuss this. I think it is the best thing to do for the City right now. Although the municipalities, I'm sorry, I can't speak for all of them but I think a very vast majority of the satellite communities are in a similar situation. They will sign a document that is identical to the one that is before you today. I know that Upper Arlington has already begun their discussions at their City Council and then intend that this would pass in early, late November or early December for the Mayor to sign so that it's in place January 1, 2009 and that is our goal as well. If this is in place, the Mayor can sign it and it can be effective January 1, 2009. With that I'll entertain any questions.

Mr. Clemens: And I know it's early. We will have some kind of a cost estimate later on, on this.

Mr. Hood: Yes, we've done, and that goes to my point earlier Mel, I'm sorry, Chairman Clemens, I apologize for that. That goes to my earlier point, that you may remember two years

ago, I guess maybe later than that now, Dave Parkinson who represented EMH&T at the time, did put a preliminary cost estimate together along with his Storm Water, I'm sorry, his Sanitary Sewer and put it together. This document will be much better for the City of Reynoldsburg. Yes, we will get together with that and I know that Jim and Mark are working on that as we speak.

Mr. Hills: Mr. Chairman.

Mr. Clemens: Yes, Mr. Hills.

Mr. Hills: If I could note, and I got involved with this a couple of years ago, and we are in a much better situation. I sat in some of those meetings, if that's what you call it at the EPA, but without the efforts of Mark Kipp and then our City Attorney getting involved, we would not be where we are today. There are some big players that have now tacked on and you got the letter from Schottenstein, Zox and Dunn. It was two - two and a half years ago when Mark first brought this up. There was an agreement between EPA and Columbus, Ohio as to how we were going to do everything for their system and they weren't going to pay and we were going to pay all of it. Mark was very upset with that situation and made aware of, there were discussions with some leadership within EPA and they were unaware of the situation. The bottom line is all these suburban areas, none of the people voting, are writing the checks. We're aware that these negotiations reached the point they did, between Mark and Jed that became obvious and they reopened their discussions and that's the first time it became viable. This is good government, this is the way it should be done. It's when people do get in and say wait a minute, I need to defend my interest, my lines aren't bad, let me be able to show you. One of the big terms you just heard Jed mention was assumed deficiency and EPA did assume everybody was deficient and it wasn't Columbus and we were all messing up Columbus' lines, and now through this program, you're going to be able to document whether your lines are good or bad. You're going to have to repair those that aren't right, but it is a much more comprehensive and fair agreement and again commendations are due and they certainly both worked very hard to get us to this point. A number of other people got together and represented groups of communities and I'm not aware of any community, you never like the fact that you're going to have to repair things and spend money, but I'm not aware of anyone who's saying we're not going to have anything to do with this. It now is a joint effort that the citizens of the State will benefit by having better use of the waters and sewers. Thank you Mr. Hood and Mr. Kipp.

Mr. Clemens: Are there any other questions at the present time. If not, Jed you're in no hurry to pass this as an emergency are you?

Mr. Hood: No Sir. Not an emergency. Three readings and thirty days is fine.

Mr. Clemens: Thank you Jed.

Mr. Hood: Yes Sir.

Mr. Clemens: I'd like to send this to Council for the first reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you Jed.

Item #6. Discussion: Amendment of 543.02(d) and 543.04(d) to allow the City to control noxious vegetation at vacant properties more efficiently. Mr. Hood are you handling this one.

Mr. Hood: Yes Sir. Thank you once again Chairman Clemens. This ordinance amendment comes before you tonight to, we hope, address a slight problem that is occurring now in the city that we hopefully are taking some pro-active steps now to curb any exacerbation of this. With the cooperation with Mayor McCloud and the Acting Safety/Service Director and Code Enforcement Department, we've identified a main concern that our residents have of noxious weeds, vegetation and trees overgrowing on vacant properties in the City. I think we are the first municipality to undertake this type of ordinance. I thank the Mayor for allowing me the opportunity to do this. What this will do is put vacant property owners on notice that we are not going to tolerate this. We have your property put back in respectable shape as soon as possible. If the Acting Safety/Service Director, or her designee, determines that property is vacant, we will cause that property to be brought back into compliance with our Code Enforcement forthwith and then we will attach that cost through our assessment process as per normal circumstance, if they are unwilling to pay us through an invoicing procedure. So what this does, what we hope to achieve with this is to be pro-active in our approach to curb the overgrowth in these vacant properties and also make sure that we are not waiting seven days for someone who doesn't live in a home to come back and cut some grass when they may be long-gone from this city and forgot about the people who still live here. So with that, I'll entertain any questions.

Mr. Clemens: And again, I think this is a very good idea and obviously something we should have done years ago, and does this mean that now, that we won't have four or five stickers on the doors with papers hanging from them...

Mr. Hood: Yes. We've addressed that concern as well Mr. Clemens.

Mr. Clemens: I've been wanting to get rid of them. I know the community will and the neighbors will be very thankful of that. I think it's a very good move and I want to thank Mayor McCloud and yourself and our Acting Safety/Service Director for that.

Mr. Deskins: I would like to echo those same words. I appreciate this very much because it's been long-needed. Thank you.

Mr. Hood: Well, as far as I'm concerned and I don't know this to be a fact, I may be speaking out of turn, but I think the approach that Mayor McCloud and I are taking is maybe the first of it's kind in a suburban community, so hopefully this will work to the city's benefit.

Mrs. Kelly: Jed, I have a question.

Mr. Hood: Yes Ma'am.

Mrs. Kelly: How will the process be different? I think this is absolutely fantastic and I'm so excited that we're doing this, but how will the process be different for doing this compared to how we're doing it now.

Mr. Hood: This amendment specifically targets vacant properties that will trigger the amendment in the ordinance as you see it now and once it's passed by Council, it will give the Service Director's designee, which will be a Code Enforcement Officer the opportunity to inspect a property, determine through their inspection that the property is vacant, okay. If the property is vacant, we will not go through our normal notification process we would do if the property was inhabited by a Reynoldsburg resident. If you have failed to cut your grass and it's over the required six inches maximum I should say, one of our friendly Code Enforcement Officers will knock on your door if you're there, they will tell you, please fix this within seven days. If you are not there, in the past they would get one of those lovely orange stickers which I have to take responsibility for, I was the one that suggested those and they did not achieve the desired effect as we like to say in the business, but we've corrected that, but there will be a notice of violation that will be left with you and you'll have seven days to basically cut your grass, remove the tree overgrowth, whatever. The beauty of this ordinance is that it eliminates that week window because we're leaving notice for somebody who's not there and not going to be there. The odds are definitely in the City's favor that the person who vacated that premises is not going to come back and check to see and we've seen that in practice and that's what Mr. Clemens is speaking about when he sees the orange tags being there. That means our inspectors have been there. It shows our citizens that we've been there and reinspected but we've also found through trial and error, if you will, that these folks, once they leave Reynoldsburg, they don't come back and they're not going to take care of that property as much as we like to think they will. So what this will do is it will abate the nuisance of the overgrown grass and the tree shrubs and all that kind of stuff. We will go through normal procedures of invoicing the owner of the property and if the invoices are not satisfied, then we'll go through the special assessing process that we normally do and I think that's a once a year occurrence depending what county.

Mrs. Kelly: Thank you.

Mr. Clemens: Are there any other questions. Yes, Mr. Joseph.

Mr. Joseph: Thank you Chairman Clemens. Mr. Hood, would this also apply to property that is in the process of being developed where there might not necessarily be buildings or things like that.

Mr. Hood: It could.

Mr. Joseph: So like if you had a large tract of ground that had weeds and things like that, it would apply to that, correct?

Mr. Hood: Mr. Joseph, that was not the intent of the legislation, but I think it's drafted broadly enough that it could, if we have a problem with that. That's not our specific problem that we've tried to address. This is a residential neighborhood problem, you know that we've tried to address with this, but I don't think there's anything in here that would prohibit that.

Mr. Joseph: What about if there's like junk on the property. Again, maybe something's in the process of being developed, but maybe is currently in a holding pattern where nothing's happening. There might be junk on the property. Would that be covered or would that not be covered.

Mr. Hood: This speaks specifically to overgrown trees, noxious vegetation which includes weeds and grass.

Mr. Joseph: Could we expand the definition?

Mr. Hood: Not under this ordinance, but we can expand that.

Mr. Clemens: We do have an ordinance that takes care of that.

Mr. Hood: We do have an ordinance, but what this does is it streamlines the process for us to take care of these vacant properties. If that's an issue, we can talk to the Code Enforcement people and see how much of that is an issue and whether or not we need to make adjustments.

Mr. Clemens: Are there any other questions for Mr. Hood. If not, I'd like to send this to Council for it's first reading. Seconded by Mr. Deskins. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you Mr. Hood.

Mr. Hood: Thank you Chairman Clemens.

Mr. Clemens: Item #7. ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF .5+/- ACRES IN TRURO TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Kenneth and Christine Rose)- -first rdg 9-22-08. Any questions from Committee on this, or members of Council? Then we'll send it to Council for it's second reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Item #8. ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR COLLECTION, TRANSPORTATION, AND DELIVERY FOR DISPOSAL OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE AND DECLARING AN EMERGENCY- -read for first time 9-22-08. Any questions from Committee on this, or members of Council? Then we'll send it to Council for it's second reading. Seconded by Mrs. Shirey. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Item #9. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING SECTION 351.05 "DISPLAY OF ITEMS FOR SALE NEAR STREET." of Chapter 351 PARKING GENERALLY; and adding a new SECTION 1171.08 "OUTDOOR DISPLAY OF ITEMS FOR SALE" to Chapter 1171 GENERAL REQUIREMENTS- -Public hearing held 10-2-08 at 6:15 p.m.; referred to Planning Commission. Planning Commission recommends approval. Any questions from Committee on this, or members of Council? Mr. Hills.

Mr. Hills: Again, I'm not on Service, but I didn't comment on this on Safety, because it's out of the codes and into the Zoning Code but, and I think this is hopefully to have better enforcement and the possibilities for exceptions and the only thing I have heard from a couple Council people of concerns of, what do we do if, and I've heard Mr. Clemens mention occasionally bad decisions are made, and decisions aren't bad, they're just somebody's opinion at that time and do we have all the facts, that's one of the key things. There's no one up here on Council that has trouble voting. It's just nice when they have the facts of what they're voting upon and if they're asking questions, they don't have enough of the facts yet. Whether you like the questions or not, they're asking questions because there's not enough there yet that they feel comfortable voting. So I set back and thought and talked to a couple of people. We, and I'm not sure we want to do anything right now but an option on this, the BZA on the setbacks and the same thing could be on the Design Review Board things, is have it structured as it is with the Special Exception Use Permit. If they're granted, they come to Council, if Council takes no action, they automatically go into effect. If Council has some questions, it may delay it until they get some of those answered. I'm sure there's going to be good views and bad views about what we're doing and what we're not doing and whether it would need to be done or not need to be done and I'd certainly Mel, if you have any comments or anybody else does, I just think if we are even considering that, this is the time to do it as we would be moving this ordinance forward. Thank you Mr. Clemens for the time.

Mr. Clemens: Thank you President Hills and I know what you're speaking about. The B and Z Committee and also with the Design Review Board, if it's approved, it's approved. If it's disapproved, then they can appeal to Council. If it's approved, say Council doesn't like it, that's too bad because you have nothing to say about it. So sometimes I think some things should be changed so that if they are approved, Council could have an oversight in them because after all, we're the ones that answer to the public for what goes on in the City of Reynoldsburg and a lot of things go on and get approved that we've had nothing to do with period and we have to answer the questions, and why, and why we didn't have any input in it. So I think that sometimes it does need an oversight on some of these things and the big example is the big orange and white Caesar's Pizza joint. That, and if you read back in the minutes of when that was first begun years ago, was a discussion on the color of the canopy and it's white and it's supposed to be with blue and they tried to match it with the small one that was there and there's much discussion on that years ago that they wanted to stay the same. Now I see that, bam! all at once you've got a bright white with bright orange letters in the middle of the canopy, which to me doesn't improve the looks of the Main Street after we spent all that much money on the corridor, so those are things that can happen. I've had people ask me about what in the world happened down there. I don't know, I had nothing to do with it and they wonder, why didn't you have something to do with it. So I think there are certain items and certain things that Council should have an opportunity to review if they're approved and I don't know how you handle it, but it's always been my thought about to start with so this will be going forward for it's second reading. So there can be thoughts and discussions, if Council's interested in it or any members of Council think about it on how and this is an important one on the setback issue because our Committees change, different people come in and so forth. This is being changed for a reason and it's being changed basically because it wasn't being enforced by the Police Department. They really don't have time to handle it and we've put it in a situation where other members of the city could handle it. It's not there just to give variances on just because somebody walks in

the door and says I want to park my car out in the middle of your street so I think there's certain things that Council has a right to have an oversight on whether we want to add it to this or any other, that's something we'd have to discuss with our City Attorney and see whether we could or not and it's something I'll be looking into and I know that Bill and I will be as well, but I do have reservations on certain things and because we take the pressure for it. We're the ones that make the decisions, we're the ones that got elected, not our Committees so I think that sometimes we deserve the right to have an oversight on what's been approved that some of us may not feel that was the correct move yet there's nothing you can do about it. So anyhow, that's something that I'll look into Bill and if other members of Council are interested why, call me or call Mr. Hills and we'll discuss some of it. Are there any other questions pertaining to this and this basically was removed from the Safety portion and sent into Service for the reason to relieve the Safety Department of having to enforce this because they do have probably more important duties than to worry about this and it puts our Development Director in charge of it and it also can go to B and Z for a variance.

We'll send it to Council for it's second reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Meeting adjourned at 8:45 p.m.

Service Committee

-- Nancy C. Frazier, Clerk of Council

October 6, 2008

(Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

October 6, 2008

Members of Finance Committee present: Ron Stake, Mel Clemens, Doug Joseph, Antoinette Newman.

Other members of Council present: Donna Shirey, Fred Deskins, Jr., Leslie Kelly, Council President William L. Hills.

Mr. Stake: I'll call to order the Finance Committee Meeting at 8:45 p.m.

Item #2 is approval of the agenda. I have one addition to the agenda, it would be Item #3d, Road Salt Appropriation coming from the Safety Committee. Are there any other additions or deletions to the agenda? I'll make a motion that we add #3d, Road Salt Appropriation. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #3a is approval of the minutes of the Finance Committee held September 2, 2008. Any changes to those minutes? None being heard, they'll stand as submitted.

Item #3b is approval of the minutes of the Special Finance Committee held September 8, 2008. Are there any changes to those minutes? None being heard, they'll stand as submitted.

Item #3c is approval of the minutes of the Finance Committee held September 15, 2008. Are there any changes to those minutes? None being heard, they'll stand as submitted.

Item #3d, Road Salt Appropriation, again from the Safety Committee, and this is to re-appropriate funds from the Unappropriated Street Fund to Account # 260.268.5253 Road Salt in the amount of \$60,000 and from the Unappropriated State Highway Fund to Account # 260.268.5253 in the amount of \$32,000 to purchase road salt from International Salt. Mr. Joseph do you have anything to add here.

Mr. Joseph: No, just that Safety Committee recommends adoption of this as an emergency item.

Mr. Stake: Okay. Are there any other questions or comments from members of the Finance Committee, members of Council. I'll make a motion that we send this on to Council with a recommendation for adoption as an emergency. Seconded by Councilman Joseph. Any further discussion. (None) All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #4. Discussion: Transfer of Funds - from unappropriated Streetscape Fund to General Debt Retirement Fund. This comes from the City Auditor Richard Harris. Mr. Harris.

Mr. Harris: Thank you Chairman Stake, members of Council. Back at the budget time last year and there again the first of the year, we did not, we had a shortfall that we all knew about in the General Debt Retirement. What we have always done in the past is transfer money either from the General Fund or some other source into that fund in order to make up the difference. We chose not to do that because there was an abundance of money left in Streetscape Fund which can only be used for that retirement. So what we have done, we were hoping to have this closed out by this time but we are still missing the invoice for the paving from the State of Ohio that was done about a year ago. They have yet to invoice us so we still have a bunch of purchase orders and stuff open; however, we do need to put some money in the Debt Retirement so we can make the November debt payment. Currently, purchase orders still open in the Streetscape Fund include \$137,000 for different right-of-way agreements including the ongoing AEP lawsuit, \$25,000 for potential arbitrage payment, miscellaneous invoices, contingency type things that would come in for \$45,000 is still open and the additional paving on Main Street at \$350,000 which leaves, that's a total of \$557,997.16. With that money encumbered, the unexpended balance is \$1,323,000. There's \$557,000 encumbered which leaves an unencumbered balance of \$765,000 which will not be used and so therefore we would like to take \$450,000 and transfer that to the Debt Retirement Fund in order to make the November debt payment. If there's any questions, I'd be glad to answer them.

Mr. Stake: Okay. Mr. Harris, how many readings on this.

Mr. Harris: Two and then you can pass it as an emergency so I can have it by early in November. Tried to give you a little bit of time because there may be some discussion that people want to talk about.

Mr. Stake: Two readings and passage as an emergency. Okay. Any questions or comments from members of Finance Committee for Mr. Harris, members of Council? Councilwoman Kelly.

Mrs. Kelly: How or what measures are we taking or do we need to take to get those invoices so we can get those things paid.

Mr. Harris: 'Til the State of Ohio gets ready to send it, there's really not a whole lot we can do. Just keep the money open for that particular one, but we also have the ongoing AEP lawsuit which could be several years.

Mr. Stake: Okay. Any other questions from members of Council? Hearing none, I'll make a motion that we send this on to Council for its first reading. Seconded by Councilman Clemens. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #5. Discussion: Acceptance of amounts and rates as determined by the Budget Commission - Licking County. We went through this exercise recently with Franklin County. Mr. Harris.

Mr. Harris: And now we're back for one of the other counties that we operate in. Licking County is also asking that we also pass this as a Motion as we did with the one for Franklin County. We will not be getting one of these for Fairfield County or at least we haven't for a number of years gotten one from Fairfield County so hopefully this is the end of the Tax Budget. With the Franklin County one, this comes from the Budget Commission for the County approving the rates that we've been getting since the thirties so therefore they do need this passed so that they can send us what little they send us.

Mr. Stake: Okay, so this would be a Motion so there wouldn't be a need for an emergency.

Mr. Harris: There wouldn't be a need for an emergency for a one reading item, yes.

Mrs. Frazier: This is a Resolution and will carry an emergency.

Mr. Harris: Okay, this would be a resolution with an emergency.

Mr. Stake: Okay. Any questions or comments from members of the Finance Committee, members of Council. Do you want this passed next week?

Mr. Harris: Please.

Mr. Stake: Are there any problems with that from members of Council? Hearing none, then I'll make a motion that we send this resolution on to Council with recommendation for adoption as an emergency. Seconded by Councilwoman Newman. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you Mr. Harris.

Mr. Harris: Thank you.

Mr. Stake: Item #6. ORDINANCE TO AMEND CHAPTER 174 PROCEDURE FOR SELECTION OF DESIGN PROFESSIONALS- -second rdg 9-22-08. This does come from our Director of Engineering. Mr. Miller, anything else you'd like to add here tonight?

Mr. Miller: Thank you Councilman Stake, members of Council. This is the last Committee Meeting before it goes for it's third reading and I would like to ask that it be passed as an emergency on it's third reading and in addition, in the Chapter 174 revisions that you have, the Chapter refers to Exhibit A, Exhibit B, Exhibit C and D and prior to it's third reading this coming Monday, I'm going to revise that to simply, and say instead of Exhibit A for example, 'as furnished by the Director of Engineering'. The documents as I reviewed with the Clerk of Council this afternoon, have dates and items that are specific to them each time we select Design Professionals so to make minor corrections as the years go by, instead of bringing it back to you every two years to make changes to an ordinance, we're going to make the changes within the Administration and just have the ordinance refer to those documents directly. So I will be making that change and you'll be seeing that before Friday of this week.

Mr. Stake: Okay. Before I open it up for questions, I do want to hear from the City Attorney on his review of this and whether we're in compliance with I guess the selection process and I just want to make sure that we're doing everything right here.

Mr. Hood: Well, I think that and it's in the memo to the Council members, I believe at Jim's request, I can't remember who requested it at this point but I do believe that this is a qualified design selection process that we're going to implement and as long as we adhere to it, I don't think we'll see any problems. Once again and I think that Mr. Miller highlighted with his presentation a few weeks ago, that this meant to ensure that the City of Reynoldsburg gets the best service for the best dollars available through competition with our consultants. And as I said, I think as long as we stick to the process that we're recommending for adoption here, that we'll achieve that.

Mr. Stake: Okay.

Mr. Hood: Are there any questions.

Mr. Stake: Thank you. Are there any questions since the City Attorney's standing up there. Any questions for the City Attorney from the Finance Committee at this time? Members of Council, President Hills?

Mr. Hills: The only question I would have and I don't think there's a problem with the removal of Exhibits A, B, C and D other than sometimes you lose lawsuits based on those types of things

so I would ask that both the City Attorney and the Mayor take a look at that. Sometimes referring to incorporated by reference or different things can create a problem for you so as long as both the City Attorney and the Mayor feel comfortable in that situation, I wouldn't think we'd be opposed but I always like to let the experts check.

Mr. Hood: Yes Sir. I'll do that.

Mr. Hills: Thank you.

Mr. Stake: Thank you President Hills. Mayor, you're going to have some involvement in this process here in the future. Have you reviewed this and you're fine with the changes the Director of Engineering wants to make?

Mr. McCloud: Yes, Sir, I am.

Mr. Stake: Okay. Any other questions or comments from members of Finance Committee, members of Council? I'll make a motion that we send this item to Council with recommendation for adoption as an emergency. Seconded by Councilman Joseph. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #7. ORDINANCE AUTHORIZING CITY AUDITOR TO MAKE REIMBURSEMENT FROM THE FEMA FUND TO THE STREET FUND, AND TO THE GENERAL FUND, FOR THE MARCH SNOW EVENT- -second rdg 9-22-08. Are there any questions or comments from members of Finance Committee on this item, members of Council, and this does not require an emergency, correct?

Mr. Harris: Yes Sir Mr. Stake. This does not require an emergency. As long as I can get it in by the end of the year. It doesn't make any difference.

Mr. Stake: All right then. I'll make a motion that we send this item on to Council with recommendation for adoption. Seconded by Councilwoman Newman. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. The Finance Committee is adjourned at 8:55 p.m.

Finance Committee- -Nancy C. Frazier, Clerk of Council October 6, 2008
(Transcribed/S. Cochran, Ass't. Clerk of Council)