

MINUTES REGULAR COUNCIL MEETING  
REYNOLDSBURG CITY COUNCIL  
DECEMBER 22, 2003

President of Council Bradley L. McCloud called the meeting to order at 7:30 p.m.

Members of Council present: Mel Clemens, William L. Hills, Lane J. Beougher, Ron Stake, Sarah Cannella, Jim Wade, Eric Gilbert.

The Invocation was given by Mr. Beougher. Mr. McCloud led the Pledge of Allegiance.

Minutes of the regular Council meeting held December 8, 2003 were approved without objection.

Mr. Beougher moved to amend the agenda by adding a Motion for an appointment to the Design Review Board. The amended agenda was approved with all voting "Aye". Mr. McCloud said the item would be Item 10b.

Community Comments and Requests- -Julie Hobensack, 1477 Haft Drive said she had read the newspaper about the T.I.F and she did not understand what was going on. She said the newspaper said the city had already been approved for a low interest state loan for the traffic light; that the T.I.F. revenues could be directed to pay off that loan. She said the T.I.F. revenues were being generated by 75% of the property taxes to the city for 10 years, which was 75% of what would have been allocated to the school district. She said she already pays school district tax, real estate taxes, city, and state taxes that were supposed to be allocated to the schools. She asked how long it would be before the Reynoldsburg schools needed money again? She said when they need money they are going to come back to her, and wanted to know what guarantees City Council had for the next 10 years for the citizens of Reynoldsburg, that the schools were not going to be in the same situation as Pickerington, if 75% of their allocated funds was taken.

Mr. McCloud said that Council did not do budgeting for the schools. Mayor McPherson stated that Tax Increment Financing was a very involved process. He said it's not 75% of all the taxes that would normally go to the school; it's 75% of that particular project. Mr. Brandt said the loan had not been approved yet; that the application was in the process of being forwarded to the State of Ohio Department of Transportation. He said the T.I.F. was put in place because it had to be in place prior to the beginning of construction. Mr. Brandt said the city had a backup in the event that the loan couldn't be obtained. He said there had been several articles where the School Superintendent indicated there's additional work needed on Taylor Road due to the construction of a school. He said indirectly, the T.I.F. would take care of the signal initial action early on, but it could also benefit the road improvements that will subsequently be needed as a result of building the school. Mayor McPherson said the bottom line is, when the project is done, the schools will get more tax revenue than they would have, had we done nothing.

Mr. G. Jerome DeCarlo, Jr., 643 Smithers Dr., Reynoldsburg said he would like to commemorate Mr. Stearns on this momentous and historic occasion. Mr. DeCarlo also said approximately a month ago, he talked about the lack of celebration in the city with respect to Mr. King's birthday, which is currently in the process of going through; that several clergy members from the community had been contacted, who would like to see them march from the high school to the

municipal building; that they would appreciate it if the Mayor would be the first keynote speaker on January 20th, and more information would be forthcoming.

Reports- - Safety/Service Director Reichard said she would like to bring Council up to date on what is going on with Streetscape; that she thought Complete General had pulled out until after the holidays; and that AEP was going to be working on the electricity and a few other things. She asked Jim Nolan, project manager from EMH&T, to address Council.

Mr. Nolan said November was a flourish of activity on Main Street. Since they last spoke with Council they have had a couple of very productive meetings with business owners along Main Street. A number of concerns had been addressed with respect to future landscaping as well as what the timing was on the appearance of signs and electric transfers. He said the last pay estimate was done in November. He said the earnings were \$2,258,000 of the contracted amount of \$4,239,720. He said at that time, it was 53% complete. He said the last estimate that was currently under process was through the end of last week. He said although it's not done, they're looking at a percent complete of about 65% out there as of today. He said they need 35% more to go and they'll be done. He said as weather permits through February, Complete General will continue installation of the remaining signs, sidewalk, light pole foundations, and intersection work; that AEP continues to work, and is currently scheduled to have the underground system energized by February '04. He said as soon as that is done, the long awaited pole removal will commence there in March. He said as soon as the weather breaks in April, Complete General will continue the parking lot curbs and the asphalt placement on the north side of Main Street, followed in May by the continuation of the irrigation system and all the plantings. He said that means that right now the completion date is May 31. He said project completion administratively is expected in June, 2004. He said at award, their current budget was \$4,157,351; to date they have had approved change orders of \$82,369; there was a pending change order in the amount of \$1,761 which gives them a current forecast at completion of \$4,241,481. He said they started with a contingency account of \$207,000 and they have \$123,737 remaining in that contingency. He said the month of November was a month of great acceleration. He said Complete General was able to complete the main line curbs and the remainder of the asphalt placement on the north side of Main Street and the sidewalk. He said there were some pending challenges. He said the discussions and coordination with AEP to allow the transfer of electric during January and February continues. He said because of some of the revisions to the parking lot curbing with property owners that aren't desiring the ash trees, they are looking at major revisions to the landscaping plans. He said there is a dispute right now with Speedway over the height of the brick walls at that intersection. He said the agreement that was entered into established brick walls on top of landscaping and mounding not to exceed 18 inches in height, and there is a dispute over just what the datum for that 18 inches was established at. He said they believe the agreement allows them to build it as per plan and Speedway takes a different view. He said they've placed a temporary restraining order. He said they hope to have that resolved shortly so they can continue with the restoration and the backfill at that corner.

Mr. Hills asked if the paving of Main Street was left out of the current schedule? Mr. Nolan said the resurfacing of Main Street is a separate project. He said it's an ODOT project and it's going to be done in the summer of '04. He said it's not part of the Complete General contract.

Mr. Wade said in the interest of not misleading the public, Mr. Nolan used the analogy of 65/35 in the completion percentage. He asked if it isn't typical that the last 10 or 15 percent is equal to 40 or 50 percent of the project? Mr. Nolan asked in the terms of dollars? Mr. Wade said

in terms of dollars, and that's what he was afraid of. Mr. Nolan said certainly in terms of what you're going to see as regards to the project with all the landscaping, the beautification with the removal of the overhead utility system, and all the site amenities with the trash receptacles, the park benches, you're going to see a flourish of beautification in that last 10% if that's what you're referring to. Mr. Wade said it's also the most tedious part of the process. He said a lot of times the last 10% takes 40% of the time. Mr. Nolan said the last 2% of the administrative paper work is the most laborious. Mr. Wade said he just didn't want to mislead the public in that it's 65% complete when in reality that last 10 or 15 percent probably isn't going to take a big chunk on everybody's part. Mr. Nolan said until the final punch list is worked off, the legal completion date is May 31, '04 and they will endeavor to meet that date. He said he has yet to see a project that has that last item on the punch list worked off until a few months after that. He said they will endeavor to have that done expeditiously.

Mr. Beougher asked if a substitute species has been selected for the ash trees? Mr. Nolan said yes, the linden tree has been selected. Mr. Beougher asked where we stand on design of Phase II? Mr. Nolan said the survey is currently underway. He said they are about 70% complete with the survey. He said they are having some challenges getting some information from SBC. He said some of those meetings are pending.

Mr. McCloud presented Sarah Cannella, Jim Wade, (outgoing members) and William Hills (to be President of Council in 2004) with resolutions commending them for their contributions to the city; thanking them, and wishing them well on their future endeavors.

Mr. Hills presented Mr. McCloud with a resolution for serving the City of Reynoldsburg as President of City Council; thanking him for his participation, and wished him well on his future endeavors. Mr. Hills also presented Mr. McCloud with a new gavel in recognition of his service.

Clerk read motion: That Lane Beougher be appointed the City of Reynoldsburg representative to the West Licking Joint Fire District Board. Mr. Hills moved adoption. Mrs. Cannella seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Monica DeBrock to serve on the Design Review Board; term to begin January 1, 2004 and be for a period of three years. Mr. Hills moved adoption. Mr. Stake seconded. All voted "Aye". Motion passed.

**ORDINANCE MAKING TRANSFER OF FUNDS WITHIN CITY COUNCIL ACCOUNTS AND DECLARING AN EMERGENCY-** -Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 114-03

adopted.

ORDINANCE AUTHORIZING PAYMENT OF PART-TIME APPOINTED CITY PROSECUTORS BY CLASSIFICATIONS ASSIGNED BY CITY ATTORNEY AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mr. Wade seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 115-03 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 191 INCOME TAX AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mrs. Cannella seconded. Mr. Hills stated the City Attorney had assured him that the legislation was implementing the state statutory changes, and then clarifying for the city. Mr. Underwood said there were a couple of insignificant changes in the legislation that he wanted to clarify in our own definitions in addition to the state laws; that the changes were not substantive in nature, but merely informative. He said Council could either pass it now and make it effective for January 1 so all employers could withhold at the right rate; that if Council waited until next year to adopt it, it could not be retroactive to January 1. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Nay"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 116-03 adopted.

ORDINANCE TO MAKE AN INTERIM APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2004 AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 117-03 adopted.

ORDINANCE AUTHORIZING ENGINEERING SERVICES FOR THE 2004 STREET PROGRAM and APPROPRIATING FUNDS THEREFOR (CIP #92)- - Clerk read ordinance by title for the first reading. Item referred to Safety Committee.

ORDINANCE ACCEPTING TWO UNRECORDED CONSERVATION EASEMENTS (NOCA Apartments Two Limited; NOCA, Ltd.)- - Clerk read ordinance by title for the first reading. Item referred to Service Committee.

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE DIRECTLY BENEFITTING THOSE PARCELS, REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS;

APPROVING AND AUTHORIZING A FORM OF TAX INCREMENT FINANCING AGREEMENT; AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the first time. Item referred to Finance Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: ADDITION OF CHAPTER 1180 LANDSCAPING AND BUFFERING STANDARDS- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Wade seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”; Mr. Wade “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 118-03 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1161.07 “ANNEXED LANDS” OF CHAPTER 1161 ZONING DISTRICTS- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mrs. Cannella seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”; Mr. Wade “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 119-03 adopted.

Meeting adjourned at 8:07 p.m.

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Bradley L. McCloud, President of Council

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Nancy C. Frazier, Clerk of Council

(Transcribed/Susie Smith, Ass't. Clerk of Council)