SAFETY COMMITTEE MEETING MINUTES
December 15, 2003

Members of Safety Committee present: Mel Clemens, Jim Wade, Ron Stake, Lane Beougher. Other members of Council present: William Hills, Sarah Cannella, Eric Gilbert, Council President Bradley L. McCloud.

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:30. The first item on the agenda is the approval of December 1, 2003 Safety Committee meeting minutes. Do I have any additions or deletions? If not, they'll stand approved. The next item is the approval of the agenda. Do I have any additions or deletions? If not, it'll stand approved.

The next item is Discussion of Authorization for Professional Engineering Services - 2004 Street Program and appropriation of funds. Mrs. Reichard.

Safety/Service Director Reichard: Thank you, Mr. Clemens. We are endeavoring to get it started early this year so that we can bid the project, like in January or February, and get much better prices. So that's the reason it's coming before you now. Obviously, you will be apprised and have input into, and control of I'm sure, the streets and everything that goes as they are chosen. So we'll come up with an initial list and present those to Council for comment.

Mr. Clemens: Alright. Fine. Are there any questions for Mrs. Reichard? Mr. Hills.

Mr. Hills: Mr. Clemens, I do take it, is that initial list, it is what's attached to legislation?

Mrs. Reichard: Yes.

Mr. Hills: So that is the list that Council should be reviewing?

Mrs. Reichard: Yes.

Mr. Hills: Okay. So we do have that in front of us, I guess. Okay, good. Thank you.

Mr. Clemens: Are there any other questions from the committee for Mrs. Reichard? (No response). Other members of Council? (No response). If not, I'd like to send this to Council for the first reading, and also refer it to Finance Committee for $20,000 from the unappropriated Street Fund for account 410.092.5651. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

And that ends the Safety Committee meeting at 7:35.

Safety Committee
Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
December 15, 2003

SERVICE COMMITTEE MEETING MINUTES

December 15, 2003

Members of Service Committee present: Eric Gilbert, William Hills, Lane Beougher, Ron Stake. Other members of Council present: Mel Clemens, Sarah Cannella, Jim Wade, Council President Bradley L. McCloud.

Mr. Gilbert: I'll call the Service Committee meeting to order at 7:35 p.m. The first item on the agenda is the approval of the minutes of the December 1, 2003 Service Committee meeting. Are there any additions or deletions to those minutes? (No response). None being heard, they will stand as read. Item number 3 is the approval of the agenda. I'd like to hold item number 5 (Erosion and sedimentation control in conjunction with Phase 2 Storm Water Regulations), make a motion for that. Are there any other additions or deletions to the agenda? (No response). None being heard, do I have a second on the motion? Second by Mr. Hills. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is a Discussion on the acceptance of two unrecorded conservation easements from NOCA, Ltd. This comes from the Safety/Service Director.

Mrs. Reichard: Thank you, Mr. Gilbert. These are two areas over in the Taylor Square, in the Taylor Square area. They are basically swamp lands that really cannot be built on, and so they're being given to us as easements.

Mr. Gilbert: Okay. Are there any questions or comments on these from members of Service? Mr. Hills.

Mr. Hills: Mr. Gilbert, are these, besides being swamp lands, are these in essence being acting as buffers between two different types of zonings or do you know offhand?

Mrs. Reichard: Yes, they are, but they're areas that are not buildable; where you cannot build anything on. Because they are, there's a lot of wetland there.

Mr. Hills: So when the EPA comes after, they'd rather come after us than the contractor?

Mrs. Reichard: Yeah, something like that.

Mr. Hills: This is something we had previously committed to do a long time ago. Is this correct?

Mrs. Reichard: Yes. Yes. We had requested, and we just received them from NOCA.

Mr. Hills: Okay, Mr. Gilbert, thank you.

Mr. Gilbert: I believe they buffer Harvest Moon Drive. That's what the maps show. Mr. Stake, did you have a question?

Mr. Stake: Yes, thank you, Mr. Gilbert. Mrs. Reichard, are we going to have any ongoing expenses with this? Maintenance expense or anything like that?

Mrs. Reichard: I'm not sure that I can answer that right at this moment. I would need to check that out. But I don't foresee any, but I cannot guarantee that. I would have to check that out and get back with you about it.

Mr. Stake: Okay. I appreciate that. Thank you.

Mrs. Reichard: Okay.

Mr. Gilbert: Any other questions or comments, members of Service? (No response). Other members of Council? (No response). Mrs. Frazier, should I move these forward separately, or both together as on the agenda?

Mrs. Frazier: You can do them together.

Mr. Gilbert: Together. Very well. It's not marked for any type of emergency or rule suspension so what I will do is just forward this to Council next week for its first reading. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 6 is the Ordinance to Amend the Code of Ordinances of the City of Reynoldsburg, with the addition of Chapter 1180, Landscaping and Buffering Standards. This item has had two readings as well as Public Hearing and unanimous approval from the Planning Commission. Are there any questions or comments from members of Service? (No response). Other members of Council? (No response). Then I would, well first I'd like to thank Mr. Brandt for his work on preparing this and also the work of the Ad Hoc Committee in reviewing this and forwarding this to Council for recommendation. I appreciate your efforts. With that said, I make a motion that we forward this to Council for its third reading with a recommendation for adoption. Do I have a second? Mr. Stake with a second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 7 is the Ordinance to Amend the Code of Ordinances of the City of Reynoldsburg. This is Section 1161.07 "Annexed Lands", dropping the last sentence. This item also received review from the Residential Zoning Review Committee, and also received a unanimous approval from the Planning Commission, and had received a Public Hearing. Are there any questions or comments from members of Service on this item? (No response). Other members of Council? (No response). None being heard, then I'll make a motion that we forward this to Council for its third reading with recommendation for adoption. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 8 is the Ordinance accepting recorded deeds of easement for Phase I of the Reynoldsburg Major Commercial Corridors Streetscape Project. Mrs. Frazier, I think we were waiting to be in receipt of the Walgreen easement on this item. Correct?

Mrs. Frazier: They have the Walgreens easement, but there was some question on what was recorded with regard to the attachments, and Mrs. TenHoeve said she was working on that this afternoon. She'd probably have it tomorrow.

Mr. Gilbert: Okay. Mr. Underwood, anything you'd care to add on this?

Mr. Underwood: No. It's just not quite ready.

Mr. Gilbert: Okay, very well. Then we'll hold this item for two weeks without any objection from committee. None being heard, I'll adjourn Service at 7:38 p.m.

Service Committee
Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
December 15, 2003

FINANCE COMMITTEE MEETING MINUTES
December 15, 2003

Members of Finance Committee present: William Hills, Mel Clemens, Eric Gilbert, Sarah Cannella.
Other members of Council present: Lane J. Beougher, Ron Stake, Jim Wade, Council President Bradley L. McCloud.

Mr. Hills: And I'll call Finance to order at approximately 7:38. Approval of the minutes of the Finance Committee meeting held on December 1, '03. Any additions, or deletions, or changes to those minutes? (No response). Seeing and hearing none, they'll stand as submitted. Approval of tonight's agenda. After discussion with Civil Service, item number 10 will be moved to Other until they have some additional information for us. I would also like to add the 2004 Street Program, EMH&T. Are there any other additions or deletions to the agenda? President McCloud.

Mr. McCloud: If I could just make an announcement at some point during your committee. It's not technically an agenda item but it's a personnel issue that I wanted to...

Mr. Hills: If you'd like to do it, right now is as good as any.

Mr. McCloud: I just wanted to announce from the table that there will be a vacancy on City Council in January. I guess it could be fairly said that Bill's seat is up for grabs. So if anybody is interested, the requirement is to be an elector of the city. Submit a letter of interest to the Clerk by December 31 of this year. Thank you, Mr. Hills.

Mr. Hills: Thank you, President McCloud. With that I would move to amend the agenda moving item 10 and adding 3a. Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). The agenda will be amended.

Item 3a is Authorization for EMH&T to obtain the necessary field data and measurements, and this comes from Safety. Mr. Clemens, I believe you want $20,000 from the unappropriated Street Fund to 410.092.5651. Is that correct?

Mr. Clemens: That's correct.

Mr. Hills: Okay and Mr. Clemens then would move that appropriation. Is there a second? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Hearing and seeing none, it will go forward for first reading. Thank you, Mr. Clemens.

Moving to item number 4, Transfer of funds within the Council accounts. For those people who are not on Council, see it happens everywhere, it's not just, when funds are running short, Mr. Whitney, sometimes we transfer wherever need be, in order to not appropriate some funds. But this is a request to transfer $1500 from the Other Miscellaneous Services, 110.571.5399 to the Overtime Account, 110.571.5105. And I believe this is being done, we were given the heads up by Michael in the Auditor's office. Is that correct? Does this raise any questions from anyone on Council? Since we are nearing the end of the year, this would be a type of an item that I believe, Mike is putting together other numbers also. I believe we feel we're okay everywhere else. Is that correct, Mr. Whitney?

Mr. Whitney: That's correct.

Mr. Hills: This would be the one account that there is a possible exposure on and we need to adjust it by transferring in, due to the potential overtime during December. So I would move that we do transfer these funds and recommend adoption as an emergency. Is there a second? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Seeing and hearing none, it will go forward for reading next week.

Item number 5, T.I.F. Agreement with the Kroger Company. And Mr. Brandt I think, is here to talk to us about it. Mr. Brandt, I appreciate you coming up front.

Mr. Brandt: Yes, sir. With respect to the T.I.F. Agreement, what this is for, I'm sure you all remember the State Infrastructure Bank Loan that we sent through. Mr. Whitney and I discussed this possibility of the loan which would provide the ready cash to pay for the improvements that are outlined in the earlier agreed to legislation. This would provide the necessary cash flow to reimburse, or pay the state loan back. And it would be based on 10 year and 75% of the property tax off the improvements to the property at Main and Taylor. And it was forecasted to generate about a half a million which could be left in the T.I.F. Account for subsequent improvements to that particular area out there. We will amend this in the future. We just wanted to get one reading this evening. There are a couple of details that have to be incorporated in I believe, Exhibit "C" on this document as well as some language changes. But we can do that.

Mr. Hills: And there is no need for any rush on this document.

Mr. Brandt: No, sir.

Mr. Hills: So, does anybody have any questions on the T.I.F. Agreement? Mr. Gilbert.

Mr. Gilbert: Thank you, Mr. Hills. Mr. Brandt, this T.I.F. would be able to be extended to other parcels or other areas in this corridor? Or is this strictly, I know it's listed as the Kroger T.I.F.

Mr. Brandt: This particular one incorporates only the parcels depicted in this agreement. Because these people would be signing specifically for the property under their control. Subsequent additions to it would be with the property owners of the other property to be included.

Mr. Gilbert: But these officials would be amenable to adding other elements to this particular T.I.F. as development moves forward in this area?

Mr. Brandt: Well, they wouldn't sign. It would be the property owner of subsequent parcels that would sign.

Mr. Gilbert: Okay. But they can be added to this T.I.F.?

Mr. Brandt: Yeah. It could be expanded to incorporate more property with the property owners that are impacted signing the necessary document, which most haven't had any problem to date.

Mr. Gilbert: Great. Thank you, Mr. Hills.

Mr. Hills: Okay, Mr. Gilbert; any other questions from anyone on Finance? (No response). Anyone on Council? (No response). If not, I'd recommend we send this forward for first reading. Is there a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward for first reading.

Mr. Brandt: Thank you, sir.

Mr. Hills: Thank you. That moves on to item 6, Discussion, the Adoption of the C.I.P. Mayor, do you want to introduce us to this chart and document?

Mayor McPherson: What I tried to do when I presented the C.I.P. to Council, if you look back through the document, for every section on the cover page, the colored cover page, you'll find back in the document an individual sheet, by different designation than we adopted in our C.I.P. a couple, three years ago, Facilities, Storm Sewer, Sidewalk, Street, Transportation. So wherever you have questions or want to know the details about any of the numbers in the color chart, all you need to do is go back into the 5 year Capital Improvements Budget under that particular category and it will give you the information regarding the particular item. Obviously, this is the first night we've talked about it so I would just ask you to look it over. If you have any questions about any of them, please give me a call and we'll get you the answers. Preliminary, this is again, the first week so I don't really expect a lot of questions, but we'd be more than happy to answer any that you might have.

Mr. Hills: Does anybody have any questions tonight, or do you want to hold them for the first of the year? Hold them for the first of the year? I think I saw a head shake. Well, with that, certainly please take your time and look through it and if there are questions, there are certainly some things I'm sure that I will have some questions and raise with the Mayor, but we will hold it then until the first committee in January.

Item number 7, Discussion, Reclassification of the Assistant City Prosecutors. Mr. Underwood.

Mr. Underwood: Thank you. There's no money involved in this. It was already appropriated. This is to allow switching of job assignments as opposed to the old ordinance named them with salary. And this is the number 1, number 2, number 3. One and two have already switched and are being paid at their respective rates. It just allows a little more flexibility on job assignments is all it is.

Mr. Hills: Okay. Any questions from anyone on Finance? (No response). Mr. Whitney, this certainly didn't raise any questions with you did it?

Mr. Whitney: No.

Mr. Hills: Okay. Does it raise any questions from anybody else on Council? (No response). And we are asked to do this as an emergency. I believe that would be for the purpose of having it in place by 1-1-04. Is that correct, Mr. Underwood?

Mr. Underwood: That's correct.

Mr. Hills: Okay. So with that and the necessary change, I would recommend that we do send an ordinance forward reclassifying the Assistant City Prosecutors to 1, 2, and 3. Is there a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Seeing and hearing none, it will go forward.

That brings us to item number 9 which is to Amend Chapter 191 of the Income Tax. Brenda Browning had called this week and asked if we could add this quickly to the agenda because it needs to be in place. We will go back to the proper order. I apologize. We'll hold 9 right now for a minute and do number 8.

Discussion, Appointment to the West Licking Joint Fire District Board. It's my understanding that the Chief there has requested that we do our appointment before the end of the year as we have in the past. Mr. Beougher, would you like to give us a little information on this?

Mr. Beougher: Yes. Chief Weber did indicate that he'd like to have as many board members reappointed to the board as possible before the end of the year. Ken King from Pataskala has already been reappointed and I'd like to ask if we would be willing to do the same.

Mr. Hills: Okay. Questions from anyone on Finance? Do you have a question, Mr. Gilbert?

Mr. Gilbert: Not a question.

Mr. Hills: Mr. Beougher is currently our representative. I think that unless I hear anyone that would be opposed to that, I would think that we would want to re-appoint him. I think we need some consistency right now within our fire departments from what I'm seeing, and hearing, and reading. Does anybody have any objections to that? (No response). If not, I'd recommend we send forward the appointment for the '04 period of time with Mr. Beougher to the West Licking Joint Fire District Board. Is there a second? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward for a reading next week.

Now we'll go to item number 9. I apologize, Ms. Browning. Discussion of Amending Chapter 191, Income Tax. And it certainly appears you've done quite a bit of work and I guess I'll preface and ask you the question, the City Attorney has signed off on all this. Is that correct?

Ms. Browning: Yes.

Mr. Hills: Okay. Good.

Ms. Browning: What I want to do is just give a brief explanation of each of the changes. These are changes that need to be made to bring us up to date with the Ohio Revised Code Tax Law changes. So I will just go over each one briefly and then if there are any questions, I will address them. The first section is 191.01, Definitions. These are pages 2 thru 6. We needed to add more definitions here because more IRS terms and forms are being used to describe what is taxable income at the city level. For example, adjusted federal taxable income and form 2106. So we needed to get these definitions in our code. We also needed to add some definitions due to state law changes. An example of that is, qualifying wages. And qualifying wages created a state wide uniform withholding tax base for employee compensation. That was a big item that the cities wanted to see, and that the employers wanted to see. Some of the definitions just need to be added for clarification. They had been used frequently over the years and just had never been in the definitions, such as "city". Meaning the City of Reynoldsburg. So I just added those for clarifications. Only two of the definitions actually changed. One of those was the definition of net profit. We now have a state wide uniform net profit tax base as well as the withholding tax base. So we had to change that definition. And because of the change to the uniform net profit base and the withholding tax base, we had to change the definition of taxable income. Any questions on that section? (No response). Okay.

I then would want to move on to 191.02, Imposition Of Tax, which is pages 6 and 7. In sections A and B, we needed to change the term "salaries and wages" to incorporate "qualifying wages". And these sections as well as in section C1, C2, and D. Also did some clarification by adding "received", "income received" as well as "income earned" and did some clean up by deleting the July of '82 date which is no longer necessary to be in the ordinance. Any questions on that section? (No response). Okay.

The next section is 191.05, Return and Payment, which is pages 7 and 8. Again, this is just some clean up by deleting the second section. And then letter "F", needed to clarify that. The language said less than a dollar. And for the 19 years I've been in the Tax Department, we've always used a dollar or less. So that was just some clean up in the term. Any questions there?

Mr. Hills: One question on that one. In paragraph A, you're deleting the sentence, "however individuals whose entire income is exempt are not required to file a return".
Ms. Browning: Correct.

Mr. Hills: Are you, in essence, saying that they have to file a return saying that they are exempt?

Ms. Browning: Correct. Because we have mandatory filing and people can go from being unemployed one year to being employed, and if we don't know that...

Mr. Hills: Is that your change or is that, all your changes are complying with changes made at the state level?

Ms. Browning: That one is my change and I did discuss it with Mr. Underwood. We need to be able to keep track of people because we are a mandatory filing city. And all they have to do is check off that they had no taxable income.

Mr. Hills: About how many people is that going to effect?

Ms. Browning: Well all of the retirees, people that are unemployed, you know, people that are on aid. You know, and some people, they can be retired but they'll buy a rental property, or we've got to be able to keep track of their income. And with businesses one year, they might not do any business in the city, the next year they might, but we don't know that necessarily all the time without them checking off on it.

Mr. Hills: "Individuals whose entire income is tax exempt are not required to file return".

Ms. Browning: Because we're going to expect a tax return if we don't hear anything from them because we're a mandatory filing city. Without getting that piece of paper that says we have no taxable income...

Mr. Hills: This may be impossible to answer but, how many people do you anticipate are out here today that don't file a local return because they don't think they have to?

Ms. Browning: When we started our delinquent process before the subpoena program, we had about 7500 delinquent individuals.

Mr. Hills: I didn't ask delinquent. I said...

Ms. Browning: They didn't file. They either didn't file or thought they didn't have to file.

Mr. Hills: Okay.

Ms. Browning: And some of those didn't need to file because they were retired but we don't know that until they tell us that.

Mr. Hills: And under our guidelines they didn't have to file as long as they were exempt. Right?

Ms. Browning: Right.

Mr. Hills: Okay. And now we're going to say, even though you've been exempt for 20 years, now you need to file a form with us saying this.

Ms. Browning: No. We're not going to go back on the old people that we've already got coded. If a person is retired, and our policy is to just check those every few years, we don't require the retirees necessarily to file every year, of exemption. But we will check them every few years just to make sure nothing's changed.

Mr. Hills: Mr. Stake.

Mr. Stake: Mr. Hills. Ms. Browning, people who have businesses or work in another city, are they required to file as well under this?

Ms. Browning: They need to let us know that they didn't work in our city. Especially the ones that come in and out. I mean, if you've got contractors like roofers, or painters, they could be in our city every other year. You never know.

Mr. Hills: Mr. Underwood, did you say you were comfortable with this?

Mr. Underwood: Yes.

Mr. Hills: Any other questions from anyone on Council? (No response). On that section? Go right ahead Ms. Browning.

Ms. Browning: Okay. The next section is 191.07, Collection At Source, which is pages 9 and 10. In A, again we just needed to change the term, "Salaries and Wages Etc." to "Qualifying Wages". And then B1 and B2, the state eliminated this law which dealt with a withholding safe harbor and a three year lock in. So they deleted it, therefore we have to delete it out of our code. And then letters C and D will just change to B and C. Any questions on this section? (No response).

The next section is 191.08, "Declarations", which is pages 11 and 12. Again, in the first paragraph we need to change the term "Salaries and Wages" to "Qualifying Wages". And then in the sixth paragraph that starts out "for taxpayers who are individuals", there are now state wide uniform due dates for estimated tax payments. They went from the 15th day of the 4th, 6th, 9th, and 12th months, to the 15th day of the 4th month and the last day of the 7th, 10th, and 13th month. And the next paragraph was added to address the taxpayers who are not individuals. The last paragraph on page 12 changes the percentage of tax that must be paid from 80% to 90% in order for a declaration of estimated tax to be considered filed in good faith. Which again, is going to be uniform state wide. Any questions on this? (No response). Okay.

The next section is section 191.16 "Exemptions", which is pages 14 thru 16. Cities are not allowed to tax anything that the State of Ohio specifically prohibits us from taxing. And I did have the main exemptions listed in the old section, but there's been some new ones added over the last few years. And I get a lot of calls on what's exempt. So I decided it would be a good idea to set this section up to where it could be more easily read, and list out all of the exemptions. So that's what I've done in this section. Any questions on this? (No response).

And the last section is 191.20, "Board of Review: Appeals". This is pages 18 and 19. Letter E added the very last statement and this gives the Tax Administrator or taxpayer the right to appeal the local Board of Review's opinion to the state's tax board of appeals or to the court of common pleas. And that's all of my changes.

Mr. Hills: Questions? Mr. Stake.

Mr. Stake: Thank you, Mr. Hills. I don't have a question. I do have a concern though with dealing with income taxes, I have a concern about the urgency of this. I'd like this to be out there in the public for a while if we're going to change our income tax rules.

Ms. Browning: To give you a little bit of a background on this, our tax organizations formed a tax task force earlier this year and we were part, we actually lobbied State Tax Commissioner Zano, and the Ohio Chamber of Commerce, Ohio CPA's were also involved, and we actually had input onto what was going to be in this bill. This bill was done during the state's budget bill. Some of the effective dates were June and September for that bill. And after that June date, all of our cities got together to try and get uniform on policies, the interpretation of the language, all of that. And there's 550 plus cities.

Mr. Stake: I don't doubt that there's a lot of people with qualifications involved in this. I just would like this to be in the public a little while. We're talking about changing the rules for people paying their income taxes, I'd like it to be out there and be discussed.

Mr. Hills: Ms. Browning, what is the, I know that you had, you wanted it in place by January 1, but when is the first return due? April 15?

Ms. Browning: Well some of these changes need to be effective January 1. Like "qualifying wages" will take effect January 1. And we have notified all of the payroll tax accounts, the payroll services, and all of the preparers. We have sent out notices. All of the cities got together...

Mr. Stake: But what about the people that we are changing these rules? Who's notifying them?

Ms. Browning: The only thing really that changed on those are the due dates for the estimates. And a lot of these changes will not effect 2003 tax year. It will effect 2004 tax year. And we do have a meeting with all of the preparers scheduled in February and the State and IRS will also be available on that. The information is on some of the web sites. It's going to be in instructions.

Mrs. Cannella: Will they be able to get copies of this new tax plan?

Ms. Browning: Anyone can get copies of anything upon request.

Mr. Hills: Mr. Beougher.

Ms. Browning: But to mail out an entire ordinance to...

Mr. Hills: That's not what Mr. Stake was saying. His concern is, there are a number of changes. Most of which are complying with what the state code changed and it was done in June/July. It was passed effective July 1 and some of the budget Bill goes into effect immediately and a normal Bill there's a 90 day. That's why the rest was October. And we're now at our next to the last meeting in December and we're saying we've got to do this immediately. And the concern is being raised, there are some things that are not just with the state code. How is someone here working with our system going to understand that there are changes? I'm not asking it to be sent out, but is .. certainly asking now that we have talked about it, is there somebody else that would like to get a copy _______________? We don't think that's right. Mr. Beougher, did you have a question?

Mr. Beougher: Yeah. The primary document that interfaces with the public is the tax return and all the new estimated dates will be on that. And we're actually adding 45 or 46 days to each month other than April 15. Is that correct?

Ms. Browning: Yes.

Mr. Beougher: So, that's what I look at when I do my taxes and when I was paying standard taxes.

Ms. Browning: And we do send out ____________ bills. It's not like the federal where you just have the, you're just on your own. We do send out a quarterly bill. And we do make the changes in the instructions. But the majority of our taxpayers have their taxes done through an agency. And the agencies have to, they have to be aware of the State of Ohio's law changes because that's part of their job as well. And again, we are having a meeting with them in February which is an annual event.

Mr. Hills: Mr. Gilbert, did you have a question?

Mr. Gilbert: Ms. Browning, how would a January 15 date effect you as opposed to January 1?

Ms. Browning: Well some of these changes need to be effective as of July 1 per Ohio Revised Code. Because it's for 2004 tax year. So they need to be effective January 1, '04.

Mr. Hills: Ms. Browning what day did you call me? Last Thursday?
Ms. Browning: I called you on the 10^{th}. Wednesday.

Mr. Hills: Last Wednesday? And that was the first time I've heard about this. And I said yeah, we'll put it on and discuss it.

Ms. Browning: Yeah. But I did send a memo to Council on September 30 that did an overview of the tax law changes. I couldn't get them done in time. We had some other additional cities calling in and we had another meeting and then I had the subpoena program, and I just didn't meet the November 5 deadline.

Mr. Hills: November 5 was the deadline.

Ms. Browning: Was the deadline for it not to come in as an emergency.

Mr. Hills: And you told us in September you were going to do it by then. Right?

Ms. Browning: So, September 30 I sent you the memo and said I was expecting the final draft of language from our regional groups that week and I didn't get that until the 15^{th} of October. And we had another meeting on October 10 because there was dissension among some of the Tax Administrators.

Mr. Hills: Mr. Stake.

Mr. Stake: Are we able to pass this after the first, and make it retroactive to the first to give us some more time to have it out there in the public?

Ms. Browning: I don't know. That would be a question for Mr. Underwood if we can do retroactive.

Mr. Stake: Mr. Underwood?

Mr. Underwood: I don’t know the answer to that. But I would suspect probably not. Because it is taxation and there are penalties that go with it. It’s kind of like an ex post facto.

Mr. Stake: I can appreciate the urgency on your part and trying to put this together and get it in effect before the first of the year. Things like this, I like it to be out in the public for a few readings before we go ahead and vote on something like this. That’s my feeling.

Mr. Hills: Mr. Stake, thank you. Any other comments? Mr. Gilbert.

Mr. Gilbert: No. Maybe other than if you could provide an amendment to add an attachment for one or two public meetings in January to inform the public. At least for offering. We offer that opportunity for an explanation or, you might have anybody that comes in but at least the opportunity is there. Just a thought.

Mr. Hills: Did I gather Ms. Browning, you’ve already made up the forms?

Ms. Browning: Yes.

Mr. Hills: So the forms are already made up. We just don’t approve the forms. That’s something you do internally.

Ms. Browning: Well the forms are the instructions and everything. They have to be done ahead of time because there’s literally thousands of those that go out and we have to get them to the printer.

Mr. Hills: And some of those forms will have the definitions that you’re trying to modify here, or are required to modify by the state code.

Ms. Browning: Yes.

Mr. Hills: So the forms got done but the legislation didn’t, as far as where we are.

Ms. Browning: The definitions are more general because it’s through RITA and then a lot of them will address it back to the ordinances.

Mr. Hills: Did RITA do this for you, or did you have to do this?

Ms. Browning: I did this. But I did touch base with RITA before I went to Mr. Underwood to make sure we were on the same page with items.

Mr. Stake: I just have one more question, Mr. Hills.

Mr. Hills: Yes, Mr. Stake.

Mr. Stake: Do the people that work in Columbus now, do they have to file a tax return with Reynoldsburg? You're saying that if they're paying taxes to Columbus, in this legislation they will be required to file a...

Ms. Browning: If they reside in Reynoldsburg, you have to file a tax return. If you're working in Columbus, you're going to get credit for the tax paid to Columbus up to our tax rate. But you're still required to file an income tax return as a resident.

Mr. Stake: Currently.

Ms. Browning: Yes. And that's, since we went mandatory filing, that's always been that way.
Mr. Stake: Okay.

Mr. Hills: Mr. Wade.

Mr. Wade: What other municipalities have already passed this?

Ms. Browning: Some of them haven't done anything at all. Some of them didn't even do anything with the last Bill that I made changes with in 2001. So they're actually, their tax ordinances actually are not up to date. Some of them have just recently passed it. I don't really have the exact figures.

Mr. Wade: It's very complex deal with all the municipalities around Columbus and the various ways that each of them do that. To confirm Mr. Stake's opinion on it, to throw another wrench in that at this late date can be very cumbersome to the people that have those filings to do.

Ms. Browning: Well, that's what I was dealing with on the Administrative side. We were trying to get 550 cities to come together with the same interpretation and get the letters, uniform letters out at the same time to the tax preparers regarding net profits and qualifying wage base. To get 550 cities, not all of them agreed, but we actually got the largest number of them.

Mr. Wade: Having said that, wouldn't we be more on the curve if we waited until next year? Because everybody else probably is, rather than be ahead of the curve.

Ms. Browning: Well I would feel uncomfortable not having items in place that have an effective date of January 1, 2004. Because we might, someone may be able to use that against us. That it wasn't in place, therefore, they're not going to claim income or not going to withhold on the qualifying wage base. Because it wasn't in our ordinance with the January 1 effective date.

Mr. Hills: Qualifying wage is a state wide change. Correct?

Ms. Browning: Yes.

Mr. Hills: The forms we send them are prepared by RITA? Or are they prepared by you?

Ms. Browning: No. RITA prepares our income tax forms.

Mr. Hills: The income tax forms that are currently in place for '04, all incorporate the changes made by the state.

Ms. Browning: Yes.

Mr. Hills: Qualifying income being one?

Ms. Browning: Yes.

Mr. Hills: So if you're not following that, you're violating the state code on income.

Ms. Browning: Yes.

Mr. Hills: So I'm not sure, it's almost like we're doing this to clean up the forms that RITA did. Is that sort of what we're being asked to do legislative-wise, we're cleaning up what's already in the tax forms which is what the taxpayer sees.

Ms. Browning: I wouldn't call it a clean up. I mean, we had to change the tax form because...

Mr. Hills: RITA changed the tax form.

Ms. Browning: Right. But the state code change is effective January 1, '04 and we had to change that as well.

Mr. Hills: And RITA changed our tax form because of the state code change.

Ms. Browning: Correct. But they had my approval to do so. I mean, they don't do that, they let all the cities know and we confer.

Mr. Hills: I guess the point I'm getting to, I'm not so sure but what the form is what the public deals with.

Ms. Browning: Correct.

Mr. Hills: And this is a piece of legislation authorizing the terms that go on the form, but the form's already been prepared by somebody we paid to do this. So I don't know if it's you or RITA, but certainly it would have been nice to have this the same time you all had your forms and there wouldn't be any questions. But some of the questions are coming up, what's the effect on people. I think they're going to be minor from what you're telling me. I just don't know how many other tweaks in here, the one sentence that I saw is your tweak. I don't know if there's others in there or not.

Ms. Browning: _________________ and businesses have been notified. Because obviously, the qualifying wage is a major issue.

Mr. Hills: Because they're complying with the state codes.

Ms. Browning: Well, because it's changing the whole way they're withholding taxes. Payroll taxes. The individuals, really the only thing at issue there is the difference in the estimated taxes. Which the...
Mr. Stake: The seniors, are you talking about?

Ms. Browning: No. The estimated tax payments. The quarterly due dates. And those will be in the instructions and those will be on the quarterly bill that they get. And if anything, they're getting additional time to pay.

Mr. Stake: Mr. Hills, again, I don't really have any beef with what's going on. I'm sure it's needed. I just, you know, things like this I think need to be talked about and discussed.

Ms. Browning: Well I guess the only thing I could offer, which when I bring this to Council, I want all my i's dotted, all the t's crossed, and I don't want something messy sent to Council. But in the future, I can send it to you in a rough form and we can make changes as we go along. I don't know what's the better way.

Mr. Hills: Looking back, it's easier to do hindsight. But like the T.I.F. agreement tonight, it's here, wait a minute, we've got to do some final touches on it, send it forward for first reading. That would give some opportunity. But you have to have shown there has been some work done. I don't know, I realize you've said, your schedule was busy, you couldn't get it all done. RITA got the forms done but this is sort of solidifying what we got in the forms.

Ms. Browning: They just got those done at the beginning of December. I mean as far as sending them off to the printer. So I was almost...

Mr. Hills: And that's what all of our taxpayers...

Ms. Browning: I was almost done with this at that time, I was...

Mr. Hills: That's what our taxpayers are going to see, is the forms.

Ms. Browning: Correct. The only change on that form, the biggest change for them is just going to be those estimated due dates.

Mr. Hills: Well, the definitions of income can be somewhat of a substantial change. Depending on how they defined it last time. But that's a state code change and you don't have an option to define income differently than what it's defined by the state, I believe.

Ms. Browning: Correct.

Mr. Hills: Mrs. Cannella.

Mrs. Cannella: Mr. Hills, I understand everything that you're talking about and you have a little problem with it, well I do too. But I still feel that we should go ahead and pass this next week to keep the city financially safe. Who knows what would come up in the short period of time before we pass it. And we might have problems there. So I think it would be better if we went ahead and passed it.

Mr. Hills: Okay. Mrs. Cannella, thank you. Any other comments from anybody on Finance? Mr. Clemens.

Mr. Clemens: I appreciate the work that's went into it and I know there's a lot of work involved and a lot of time issues. I don't like it as an emergency but it looks like that's the position that we're in, to pass it as an emergency if it has to be in by January 1. I agree with Mr. Stake's concerns and Mr. Wade's. I think we're in a situation where we're kind of backed into a hole. If it's going to take effect January 1 and all of our material is going to be sent out, is going to be changed to meet that that was presented to us. Whether we pass it or not, the form's already made up. I mean, it's going to be that way any way. It's just one of those situations. I think that, I know the work that went into it and it would have been easier if we would have had some of it earlier, but I think the situation right now, we only have one option and that is to pass it. To make it effective January 1. I mean, the forms are going to be stated that way and they're getting extra time any way so I can't see where we have that problem. I don't think that the individuals involved will be a problem. The businesses as Jim has stated, the businesses are what really are involved in it.

Ms. Browning: We did notify the businesses. Those went out on November 12.

Mr. Clemens: Right. So I don't think it leaves us much recourse really.

Mr. Hills: Other questions from anyone on Council? (No response). I'm going to recommend we go ahead and send this forward, these changes, with recommendation for adoption and I appreciate everybody's comments and certainly those people will vote how they feel appropriate next week. But I think there is something to be learned here is, we have a Council that would like to be a little bit more informed earlier so they can get their questions addressed, because they do have a concern with how it's going to effect the public. But with that I would make a motion that we send this ordinance approval for changes with recommendation for adoption as an emergency. Is there a second? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). Opposed? (No response). And so it will go forward for reading next week as an emergency.

Ms. Browning: Thank you. I appreciate that.

Mr. Hills: Moving on to item number 11, 2004 Appropriation. It's been held a couple of times. There has been an ordinance circulated. It's an Ordinance to Make an Interim Appropriation for the Current Expenses and Other Expenditures of the City of Reynoldsburg, State of Ohio During the Fiscal Year Ending December 31, ‘04 and Declaring an Emergency. The ordinance you see in front of you, the numbers are not the ones that will be on the ordinance next week for passing. The numbers on the ordinance next week for passage will be the numbers that were originally submitted, I think on 10-31, and then we’ll continue to discuss the additional changes to that and the other issues of personnel that need to be further discussed. Does that raise any questions from anyone on Finance? (No response). Or anyone on Council? Mr. Clemens.

Mr. Clemens: There’s one thing I’d like to bring up that pertains a little bit to this. I thought of this for years and I’ve brought it up and everything and this is my idea and nobody else’s, and I mentioned it to the Mayor once before about this. We go through this situation, we buy new cars for the Building Department, and buy new cruisers, we buy new trucks and we buy everything new. The Mayor’s still sitting there with an older car and we went through this discussion for many years. I think it’s time that we get a newer car for the Administration, for the Mayor. I think the ordinance states the year of car and the make of car. I’d like to have the Mayor look into that and I think that’s something to bring up the first of the year for discussion. And if that’s all it takes is a change to the ordinance, because the car make and the year is in it, then I think maybe he can look around and see what we can do about it. Because I do think that (Tape Change) if he would do that, look into how the ordinance states and what can be done with something like that and present it back.

Mr. Hills: I’d be happy to. I think, I am supportive of the Mayor driving a newer vehicle and I’m not real sure what all the details were. I think there were some questions as to who owned what or did what, and as long as we can work all those issues out, I don’t think there’s any problem with that.

Mr. Clemens: Yeah. That’s what I think too. And I think it’s something that’s been forgot over a period of a couple of years and I think it’s time to take a look at it.

Mr. Hills: He’s pushed it down the road three or four times.

Mayor McPherson: I appreciate it. Yeah. It’s been pushed down the road. Right now it’s broke down again. It quit on me. So I’m driving my truck. But no, we don’t have AAA. But we’ve got cruisers with push bumpers. Works just as well. Go a little bit faster when they turn those lights on.

Mr. Hills: Mr. Wade.

Mr. Wade: Bob, have you seen the new H2 Hummer?

Mr. Hills: I think that’s where we were before?

Mayor McPherson: Can you get that through before you leave, Jim?

Mr. Wade: Emergency legislation.

Mr. Hills: Any other questions? (No response). If not, we’ll recommend we sent this Interim Budget through with the corrected numbers for next week, recommend adoption as an emergency.

Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). So, hearing none, it will go forward with recommendation.

I'll adjourn Finance at 8:22

Finance Committee- -Nancy C. Frazier, Clerk of Council (Transcribed - Susie Smith) 12/15/03