SAFETY COMMITTEE MEETING MINUTES
DECEMBER 6, 2004

Members of Safety Committee present: Mel Clemens, Eric Gilbert, Antoinette Newman, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter
Other member of Council present: President of Council William L. Hills.

Meeting was called to order at 7:30 p.m.

Mr. Clemens: Approval of the minutes of the November 15, 2004 Safety Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

The next item is the approval of the agenda. Do I have any additions or deletions to the agenda? (No response). If not, the agenda will stand approved.

Next item, Discussion; Authorization for engineering services for the 2005 Street Program and appropriation of funds. This is our annual project that we do each year as far as improving our streets. And we've had a request turned in from Evans and Mechwart to do the necessary fill data and measurements and prepare bid documents, estimate of construction costs, supply bid documents and distribution, advertise for bids and review bids received in preparation of bid ___ for the 2005 Street Program and appropriation of $20,000. Who wants to speak on this? Sharon? Mrs. Reichard.

Mrs. Reichard: Thank you, Mr. Clemens. Mr. Ward is here in case there are additional questions. But just over all, we picked out the worst streets. He picked out the worst streets in the worst conditions and tried to spread it throughout the community so that it covered the four corners of Reynoldsburg. And this is what we came up with.

Mr. Clemens: Okay. Fine. Thank you. Are there any questions for Mrs. Reichard or Mr. Ward pertaining to this? (No response). As I say, this is our annual Street Program and we'd like to get it started early so we can get it bid out early. That way we secure better prices. Yes, Mr. Baxter.

Mr. Baxter: Do we have any increases in this over the last years, or is it staying the same? Is the program where it needs to be, or does it need to have any adjustments made to the program?

Mrs. Reichard: Larry, do you want to?

Mr. Baxter: I'm trying to get a measure here of where we stand in the Street Program. If it needs more or less.

Mrs. Reichard: I can answer that. We always need more but the dollars aren't there.

Mr. Ward: These nine streets will probably be about $200,000 more than last year for this year. They should be right at a million dollars.

Mr. Clemens: Right at what Larry, did you say?

Mr. Ward: Right at one million.

Mr. Clemens: This is a program that we could probably use two million every year if the funds were available. And I know the Mayor's always pushing this and we've hated to have to reduce it in the years past. But until times get better, we'll have to stay and scale them down like we are. Are there any other questions for Mrs. Reichard or Mr. Ward? (No response). If not, I'd like to make a motion to send this to Council for the first reading, and also send it to Finance Committee. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item is Discussion, Acceptance of G.R.E.A.T. Grant, and appropriation of funds. This is something that we'd like to continue that we've had in the past. Chief Miller, would you like to speak on this please?

Chief Miller: Thank you, Mr. Clemens. Again, this is a grant. This is a continuation of a grant from 2003. We would like to simply have permission to accept the grant and then ask for the appropriation of the funds. As those funds are expended, then we apply to the federal government and they reimburse us for the amount. This is the way the grant works. And this is the Gang Resistance Education And Training that goes on in the junior high and the middle school.

Mr. Clemens: And the appropriation is $17,342?

Chief Miller: Yes, sir.

Mr. Clemens: As of now. And then we'll receive it back in the future.

Chief Miller: Yes, sir. As the funds are expended.

Mr. Clemens: And you'd like to have this as an emergency?

Chief Miller: Yes. We would like to, at the federal government's urging, they would like us to begin to spend, prior to the end of this fiscal year.

Mr. Clemens: Do any members of the committee or members of Council have any questions for Chief Miller on this?

Mr. Stake: Thank you, Mr. Clemens. Hi, Chief. Can you be a little bit more specific on how this money is utilized?

Chief Miller: It goes for training expenses for the kids. Let me see. I know it has to do with some of the training expenses. Some of the, I think that there are t-shirts that are purchased for the kids. Then there are training materials that we purchase. And that's what we use the money for.

Mr. Stake: Not that I'm against it. I was just curious of how the money was being utilized. Maybe you can get me some more information on it.

Chief Miller: Yes. I will definitely get you the details.

Mr. Stake: Thank you.

Mr. Clemens: This is a gang resistance program such as that?

Chief Miller: Yes, sir.

Mr. Clemens: Are there any other questions for Chief Miller?

Mr. Baxter: I just have one.

Mr. Clemens: Yes, Mr. Baxter.

Mr. Baxter: If approved, when would the program take effect?

Chief Miller: I'm sorry Mr. Baxter. When would it take effect?

Mr. Baxter: Once approved. You do have a break down on the last page I've noticed on the information that tells you exactly how the funds are going to be spent. If you look at the back page, you'll see personal, fringe benefits, travel, all the way down the list. I think it's a great program and I commend you for going out for the grant. Thank you.

Mr. Clemens: Yes.

Mr. Beougher: Thank you, Mr. Clemens, Chief. And I know you may not know specifics, but how many grades are taught? I guess, how many students in each grade do we reach?

Chief Miller: We reach the seventh grade predominately. One of the things that we've tried to do with the DARE Program, and this is an extension of the Drug Abuse Resistance Education training that we provide. The core curriculum of DARE is taught in the fifth grade. And for years, you have supported, and quite frankly, you've been ahead of the curve. You've supported an extension of our core curriculum. Our fifth grade core curriculum by allowing us to apply for DARE grant funds at the state level. And we have two DARE officers who do nothing, during the school year, full time, but teach DARE and this Gang Resistance Education, full time. They also provide a kindergarten, first grade, second grade, fourth grade component, very, very brief. Usually just a class room session. But we're in every school in the district. Including our catholic school, and we reach out to many of our home schooling kids. And then we do the seventh grade GREAT, Gang Resistence Education training. And then we come back and go into the high school at the sophomore level. And a number of years ago, the Ohio Chief's Association partnered with a doctor, a PHD out of Kent State University, who has been studying the expanded training very similar to what we provide here in Reynoldsburg. And they have confirmed through a lot of their studies, that by reinforcing the DARE program. If you just do the ten, when you hear that DARE doesn't work, it's usually because the community is only providing the core curriculum at the fifth grade. By concentrating and expanding the training program, you are making that program much more effective. And we have, even in Reynoldsburg, have statistics that confirm that. But the GREAT program is directed at the seventh grade.

Mr. Beougher: And we reach 100% of the seventh grade class?

Chief Miller: Yes, sir. We do.

Mr. Beougher: Thank you.

Chief Miller: And not just in our public school, but in our catholic school and our home school kids as well.

Mr. Beougher: Great.

Mr. Clemens: Thank you. Are there any other questions? Yes, Mr. Stearns.

Mr. Stearns: Mr. Clemens, thank you. Chief, does this teach the teachers how to identify gang members and things of this nature? Or are they just, is this part of the curriculum? To help identify gang activity?

Chief Miller: No, Mr. Stearns. It's more directed at the students in terms of helping them. A lot like the DARE curriculum, resisting drug usage, this is helping them identify ways to stay out of gangs and out of violent types of situations. Now aside from that though, our DARE officers, along with some of our detectives who do narcotics investigation, have been providing at the high school, junior high, and middle school level, information regarding gangs and the ability to identify gang dress, gang attire, gang hand signals, and that kind of thing. So we are providing that to the schools.

Mr. Clemens: Are there any other questions for Chief Miller from members of Council? (No response). If not, I'd like to make a motion to send this to Council for the first reading as an emergency, and also send this to the Finance Committee. Do I have a second? Second by Mr. Baxter. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you. Thank you, Chief Miller.

Chief Miller: Thank you, sir.

Mr. Clemens: Next item is a discussion, engine and exhaust brakes. This is something I put on the agenda and I want Council to look at over a few weeks. And also Chief Miller and Mr. Underwood. I had received some calls on this pertaining basically to Taylor Road. What it involved was, at our traffic signals on Taylor Road, that we have a lot of gravel trucks, big trucks, a lot of concrete trucks that travel that road. And instead of using their brakes, they cut down their engines, their exhaust engines, and they make all kinds of noise. And I was contacted to look into it. I went out and sat there for a while and a few of them came by and I understand what they were talking about. Instead of using their brakes, they break their engine down and it makes all kinds of noise. It's easier to do it that way. So I checked around to see if somebody had this, and I went out on 310 and I noticed, just happened to go out there and play golf one day, and I noticed that Pataskala does have these. They have their signs up. They do have this ordinance. So I went to their police department and talked to them, and they have a lot of problems on 310 and on Broad Street coming through town. Because they do have a lot of truck traffic. It is very noisy. But I would like Council to look at this and think about it a little bit. Also, Chief Miller and Mr. Underwood, and see what they think about it and then I'll put it back on the agenda in a couple of weeks and we can discuss it. Yes, Mr. Beougher.

Mr. Beougher: Thank you, Mr. Clemens. It occurs to me that if a truck is using its engine to brake, it's also going to be in violation of our noise ordinance. Is it not?

Mr. Clemens: It probably is, I would say.

Mr. Beougher: It seem to me that would be a way to enforce...

Chief Miller: No.

Mr. Beougher: They're not?

Mr. Clemens: They have signs up, "no brake engines". Which to me it means like you drop it and break it, but truckers know what it means. But they have them coming into town and so forth and all over town. I would think this is probably tough to enforce because you'd have to be sitting there to hear it happen. But I think that if it's posted, it at least shows, I know one company. It's a good company out there. But it is big trucks that handle gravel all day long and concrete trucks all day long. And basically, I'm sure that they would realize what the situation is and it might help the situation. Chief.

Chief Miller: Mr. Beougher, specifically in answer to your question, no. That would not be a violation of the noise ordinance. There are other ordinances that would apply however, to this situation. And maybe it's as simple as at least attempting to approach the business. But there are certainly, we'll take a look and see who else has ordinance language, Mr. Clemens.

Mr. Clemens: If you would.

Chief Miller: And then get with Mr. Underwood and we can discuss it.

Mr. Clemens: Okay. That would be fine if you would. Are there any other questions on this? (No response). This is something I thought I would bring before Council and I thought we could discuss it and look into it and have the Chief look into it, and Mr. Underwood. If not, I'll have it put back on the agenda at the next committee meeting for further discussion. Thank you.

The next item, Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Chapter 909. This has been before us, brought to us through the Building Department and the Building Chief and Mrs. Reichard. I think everybody did a good job on it. And I thank them both. And I thank the members of the Building Department that participated in it. And members of Council that participated in our meetings that we've had and had their say on different items and had different items changed. I think this is something that's needed. I think we've needed to improve this for a long time and I want to thank Mr. Miller for getting it done. Are there any questions for Mr. Miller or Mrs. Reichard? (No response). Mr. Miller has left us. Mr. Moore, I'm sorry. I'm living in the past. Are there any questions for Stephen on this? Or Mrs. Reichard? (No response). If not, I'd like to send this to Council for the third reading for approval of passage. Do I have a second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

I'll adjourn at 8:47.

Safety Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
December 6, 2004
SERVICE COMMITTEE MEETING MINUTES
DECEMBER 6, 2004

Members of Service Committee present: Eric Gilbert, Mel Clemens, Antoinette Newman, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter.
Other member of Council present: Council President William L. Hills.

Mr. Gilbert: I'll start Service at 7:47. The approval of the minutes of the November 15, 2004 Committee meeting. Are there any additions or deletions to those minutes? (No response). None being heard, they'll stand as read.

Item number 3 is the approval of the agenda. I would like to make a motion, until such a time as we get a report back from special Council in regards to items 5 and 6, to move those to Other Legislation along which at that time I'll move them out of Other Legislation for immediate discussion. Just so you're aware Mr. Underwood, I'd just like to clear the agenda prior to the end of the year. Are there any objections to that? (No response). None being heard, do I have a second? Second by Mr. Stake. All those in favor, please signify by saying aye. (All voted “Aye”). Opposed? (No response). Motion passes.

Item number 4 is Ordinance authorizing engineering services regarding preparation of plans for Broadwyn and storm relief programs. This was held at the regular Council meeting due to some questions in regards to a memo we had received on easements. Just for the members benefit, I had taken time to meet with Mr. Underwood, and the reason you saw that memo in your packet, and that there was interaction with some of the property owners where we would require to have easements, due to the fact that even though they had granted us easement two years ago due to one issue that we had with final easement, they were not approved finally by Council. And so there were issues in terms of the time frame. That’s being addressed by the administration based on the memo that Mrs. Reichard had put in the packets. So before we move forward on that, I just wanted to have that question answered. And if there isn’t any objections at this time, I would just like to continue this on its path for final reading and adoption. Do I have a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted “Aye”). Opposed? (No response). Motion passes.

And I’ll adjourn Service at 7:49.

Service Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
December 6, 2004
FINANCE COMMITTEE MEETING MINUTES
DECEMBER 6, 2004

Members of Finance Committee present: Ron Stake, Eric Gilbert, Mel Clemens, Lane J. Beougher.
Other members of Council present: Preston Stearns, Brett Baxter, Antoinette Newman, Council President William L. Hills.

Mr. Stake: I would like to call the Finance Committee to order at 7:50. The second item on the agenda is the approval of the minutes of the Finance Committee meeting held November 15, 2004. Are there any changes to those minutes? (No response). None being heard, they’ll stand as presented.

The third item on the agenda is approval of the agenda. And I’ve got a few changes myself here to this lengthy agenda. I’d like to change item number 8 and make it 3a. The approving Enterprise Zone Agreement with Victoria’s Secret Direct. I’d like to make 3b the engineering appropriation for the 2005 Street Program. 3c, the appropriation for the G.R.E.A.T.

Grant. And 3d, the Mayor's request to enter into contract for the property casualty insurance. And also I'd like to hold item number 13 (Discussion, Amend 160.02 to add one f/t Assistant City Attorney). Are there any other changes to the agenda? (No response). I'll make a motion that we make those changes. Do I have a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

3a is Discussion approving Enterprise Zone Agreement with Victora's Secret Direct, LLC; Distribution Land Corp.; Limited Logistics Services, Inc.; Limited Technology Services, Inc.; and Board of County Commissioners of Licking County. We've got some folks here that would like to address this. Mr. Brandt.

Mr. Brandt: Yes, thank you Mr. Stake, members of the committee, Council. We have an opportunity here to have a very exciting project come to ___________ in the City of Reynoldsburg. And before we get into it, there's a few people that we need to thank. As I have said for many years, no development project is an "I". It's a "we". In this particular case, there's been a lot of support from Mr. Underwood, our City Attorney. As you would expect, this is a very complex issue. Brenda Browning from our Tax Department has been very helpful in working with us on this project. And Mrs. Nancy Frazier, our Clerk of Council, has worked exceptionally hard in keeping the paper work flowing. And as the documents you've seen and indicate, there's been a number of revisions and there'll probably be before final passage, a number of additional copies. But that keeps the tree companies busy chopping them down I guess. Now this evening, we have with us Mr. Scott Kriss, he's Vice President of Taxes for Limited Brands. Mr. Anthony Hedron, he is the Corporate Communications Director for Limited Brands. And Mr. Scott Ziance of Vory's, who represents Limited Brands. The Limited business campus, I'm sure many of you are aware, has been a resident of Reynoldsburg since approximately Mr. Clemens told us, in 1990 was when the sewer line was ran out there. They have been an excellent corporate citizen since then. There have been a number of changes. We all realize that this day and age, if there's not change, then you probably ought to be concerned. But in this particular case, this is a unique opportunity for Reynoldsburg to be the site of one of the state of the art fulfillment centers in America. The current facility, the proposal is to rehab that facility and possibly expand it in the future as well. Some of the distribution for Victoria's Secret Brands is currently being conducted at their Easton location, of which I believe all of you have a drawing of that facility. And it's become rather aged. And this facility that's in existence right now has about 100,000 square feet in round figures more than that one currently has. And that one doesn't have the capability to expand the way this one does. In addition to that, I look at it as a bird in the hand. We're quite fortunate in this day and age to have a corporate citizen come forward to take over a space of this magnitude as opposed to putting a for rent sign up out on Broad Street and hoping somebody drives by and says, that's where I want to be. We're fortunate in that a Victoria's Secret fulfillment approached the city and has decided to renew and relocate the existing operation to our city with additional opportunity to expand that site as the illustration that you have before you clearly indicates. To give you a little more in depth overview of this, I'll ask Mr. Kriss to come forward and give you the corporate prospective on why and what's needed, and long term. But I think all of us can realize, and I'm sure Mr. Clemens and some of the folks that have been around, the Mayor in particular who was instrumental and involved in the original site out here of The Limited's campus, appreciates the value of The Limited being in Reynoldsburg and we hope to continue to call them a corporate citizen and resident for many years to come. Mr. Kriss.

Mr. Kriss: Good evening. Thank you, Mr. Brandt and Council members, for allowing me to speak this evening. We have definitely enjoyed our long relationship with the City of Reynoldsburg and dating as you mentioned, all the way back to 1990 when we began construction of our initial two distribution centers out here being Victoria's Secret Stores Distribution Center and the Lane Bryant Distribution Center, and then expanding that in 1996 to the Bath and Body Works center. And the project that we're talking about right now is an additional investment that we'd like to continue our partnership. And the City of Reynoldsburg has been very good to us and has allowed us to grow in Central Ohio and we really appreciate it. The campus we're talking about, or the facility we're talking about for Victoria's Secret Direct relates to our direct channel, which is our catalogue and internet business. And it's currently located at Easton. And where we're at right now is, we're already acting on capacity at that current facility. And based on projected growth, we will be over capacity in the short term. And it is operationally and feasible for us to expand that current facility. So what we're looking for is a site that one, is bigger to allow our current capacity issues, and also allows for some additional expansion capabilities. The current focus that we're looking at right now is the current Lane Bryant Distribution Center which, again began construction back in early 1990. Lane Bryant was purchased by Charming Shops back in early 2001. And the Distribution Center for Lane Bryant Charming Shops moved those operations earlier this year. So what we're left with out in that current Distribution Center are approximately 200 ________________ associates that will be vacating that premises by the end of 2005. So we have a site that would meet our needs. And what we'd like to do is make an investment, at least an initial investment of 40 to 70 million in that facility to build out that facility. Put the state of the art capability in there that Mr. Brandt spoke of. Bring 900 jobs to the City of Reynoldsburg. Thirty-five million in annual pay roll. And currently, we have a CRA out there on the building that is said to expire for the most part in 2005 and 2006. Which will generate 500,000 in real estate taxes based on the current facility. And we're not asking for any extension of that CRA, but what we are asking for is a 15 year, 100% exemption for our new investment. And I'd be happy to answer any questions.

Mr. Stake: First sir, I'd like to say, I concur with Mr. Brandt. Limited Brands has been a great corporate citizen. I appreciate the fact that you're coming back in to Reynoldsburg with Victoria's Secret Direct. Are there any questions from members of the committee? (No response). Members of Council? (No response). Okay.

Mr. Kriss: Thank you very much.

Mr. Stake: You're welcome. I will make a motion that we send this on to Council for recommendation, Mr. Brandt. I have a question for you, please. I notice it's marked on here you want an emergency on this. Is that correct?

Mr. Brandt: Let me defer that to Mr. Ziance. As you're aware, in the memo we indicated that this is also contingent on some action by the Licking County Commissioners, and I don't know that we can get ahead of their action. This is Scott Ziance with Vory's. So these things have to be more concurrent than a heads up I guess.

Mr. Stake: Okay. We'll listen to the expert then.

Mr. Ziance: Thanks, Mr. Stake, Council members. The company is requesting emergency language on the ordinance so that it can be certified to the Licking County Commissioners. And as soon as the Licking County Commissioners are ready, hopefully later this month, so that they can approve it and the Enterprise Zone Agreement can be signed. The company is having a great 2004 and is anxious to begin planning and so forth at the Reynoldsburg facility assuming that the incentives get approved.

Mr. Stake: Are you anticipating any changes to the document that you provided to us here?

Mr. Ziance: I am not. It's possible. We have not heard any requests for changes from Licking County yet. But it's not final yet.

Mr. Stake: Okay. So we need to do our part before they do. Correct?

Mr. Ziance: Yes. The Ohio Revised Code provides that the Reynoldsburg City Council must consent prior to the county approving the Enterprise Zone Agreement.

Mr. Brandt: And to follow up on that, there will be a meeting in Licking County tomorrow at, I believe 1:30 that we're all gathering at to review the documents and to finalize. And that may result in some minor tweaking but I don't know that there will be anything of any real substance.

Mr. Stake: Okay. Thank you, Mr. Brandt, Mr. Ziance. President Hills.

Mr. Hills: Mr. Stake, if I could mention, because I was the one that asked what they are going to be changing. And I think the comment earlier that there may be some changes. And I take it, it's not in these documents. That's in the future documents that we'll be executing as we go through this process. So I assume those are the documents we are talking about Mr. Brandt, when you said there will probably be more changes as we go down the road.

Mr. Brandt: Possibly. In addition as I detailed in my memo to you over the weekend, that we'll also have an agreement to execute that will not necessarily entail or involve The Limited or Mr. Ziance, but between the City of Reynoldsburg and the Licking Heights School District. That's kind of adjunct to this. There may be, and I can't speak for tomorrow, and our friends over in Licking County staff, if they'll have any changes or not, but there's none that I'm aware of as of today.

Mr. Hills: Thank you, Mr. Brandt.

Mr. Brandt: And if there are, we'll certainly get them to you in a timely manner.

Mr. Stake: Thank you. Mr. Baxter, did you have a question?

Mr. Baxter: Not at this time.

Mr. Stake: Okay. Alright. Thank you. Well then in that case, I would like to send this forward for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Anybody opposed? (No response). Motion passes.

Item 3b is the appropriation for the engineering for the Street Program. This was recommended by the Safety Committee which we all sit on. I didn't hear any objections. So, is there any discussion on this? (No response). Then I will make a motion that we approve the request for the $20,000 from the unappropriated Street Fund and transfer it to the CIP in account number 410.099.5651. Is there a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item 3c is the G.R.E.A.T. Grant. And that I believe, we need to make that appropriation to make sure in order to get the grant. And we discussed this also in the Safety Committee for some discussion on that. Are there any questions or comments from anybody? (No response). Okay. Then I will make a motion that we also appropriate $17,342 from the General Fund that will be reimbursed. And is there a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

3d is the request by the Mayor that we authorize and direct to enter into contract for property and casualty insurance for a one year period beginning January 1, 2005 and ending December 31, 2005 with Berwanger Overmyer Associates and its related companies in an amount not to exceed $200,000. Mayor.

Mayor McPherson: Thank you, Chairman Stake. This is the annual renewal for the property and casualty insurance. We do not have any of the documentation yet as we did last year. We will run a comparison of the coverages. Show the amounts. I have been assured by Mr. Joe Urquhart that he will have those for me tomorrow. In order to get it on for discussion and get it for its first reading, Mr. Stake was gracious enough to add it to the committee tonight. So we will be getting all the details to you. If in fact, he comes through tomorrow the way he said, we will have it by this Friday in your packet for your review. We are looking, based on our last conversation this afternoon, I believe right around $196,137. But we will have the firm number also. But we have been assured that it will not exceed the $200,000 mark. And again, we'll show you the comparisons from last year and get that to you in your packet by this weekend.

Mr. Stake: Okay. Thank you, Mayor. You're requesting an emergency on this but you don't need that tonight?

Mayor McPherson: Well, it would have to be moved forward with an emergency because we will need to adopt it prior to December 31. That's when the expiration is. And again, you will have the information this week. We kind of discussed that today.

Mr. Stake: Okay. Thank you, Mayor. Any questions or comments from members of the committee? (No response). Members of Council? Mr. Stearns.

Mr. Stearns: Yes. Chairman Stake, I see on here that competitive bidding is suspended also. Is there a reason for that?

Mayor McPherson: Well, right now, if you'll think back, we have several pending litigations. And when you have pending litigations, it's probably not the best time in the world to shop. And that was the recommendation that we probably should stay with in our present carrier this year rather than go out into the market and try to shop with our losses being what they are.

Mr. Stearns: Thank you.

Mr. Stake: And Mr. Stearns, last year this was shopped and they still...

Mayor McPherson: Second year of a two year.

Mr. Stake: I mean, they still were very competitive. Under the circumstances, I'm not sure we'd get any favorable results at this point myself knowing what I know about the business. Thank you, Mayor. Any other questions or comments from members of Council? (No response). Okay. Then I will make a motion that we pass this on to Council for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is Discussion, Authorization of professional consulting and structural engineering service (EMH&T). Mayor.

Mayor McPherson: Thank you. Well, what I'm pretty much going to discuss will be for this one and the next three for DLZ, Triad, and Asebrook. Everyone's aware that we have a selection committee that reviews all of the contracts for the engineering for the architects in the city. The selection committee this year was myself, City Attorney Bill Underwood, Council member Ron Stake, Councilman Mel Clemens, and Service/Safety Director Sharon Reichard. On the second page of the legislative request, you'll see how the companies faired in the process. We took the top four and began negotiations with them. Obviously, EMH&T came in number one. We negotiated the contract with them. Rates, terms, etc. And then proceeded down the list. Number two and number three, we could not come to terms with. There were several issues. One being the hourly rate and the other being personnel issues. We then went to DLZ, and DLZ was willing to come back on board as a back up engineer just as they were this year. And in essence, we've had no change. EMH&T, which is your first legislative request, we are requesting that they be our primary consulting and structural engineer for the City of Reynoldsburg. And we're asking for an emergency because the contract again, needs to be in effect January 1.

Mr. Stake: Okay. Thank you, Mayor. Any questions or comments from members of the committee?

Mr. Gilbert: Mr. Stake.

Mr. Stake: Yes.

Mr. Gilbert: Thank you. Mayor, thanks for updating us on this and putting a request in. I do have two requests. And I believe we have the regular Council meeting next week which is, is that our last Council meeting prior to the end of the year? Okay. So we do have some time. I would like to make two suggestions to be added to the contract under Section 2 where it's listed out in the bullet points (a) through (n). And those two items would be, the first would be to provide, have EMH&T provide a representative to meet over the term of the contract regularly or however often a meeting is called with the Public Records Retention Commission to oversee, I guess a public records status of the documents that are currently held by EMH&T that are deemed to be public documents. And to determine a schedule by which these documents can be recorded. And if at any point in the future, the contract is terminated or we create an engineering department, how those records would actually go about getting back to us. I just think for the members benefit, from what I've been informed over the years, there's a great deal of accumulation of these records. And I think it's important for our Records Commission to look at the situation in case that situation ever arises. And I think that would be a good gesture on EMH&T's part to have a representative to sit on at least a couple of those meetings so we can get an idea of where we stand in terms of public documents. That's just a suggestion from myself.

The other item is to have some type, and I'm open to the wording of this, but I think it is important at this point that we provide some type of, whether it's monthly, quarterly, bi-annual report that provides what, I guess I would term a full disclosure to the city by EMH&T as to the private business that they are conducting within Reynoldsburg's corporate limits. I think that is important for this Council and this city to be aware of. I think that the full disclosure helps Council to understand where EMH&T is involved on the private side of the fence so that we have every opportunity to make our determination with the public information that they provide us is the best possible information for us to make the best decisions for our residents. So those are two suggestions that I'm making from the table tonight for you to consider and for EMH&T to consider as we move forward in consideration of this contract.

Mr. Stake: Thank you, Mr. Gilbert. I appreciate your thought on that and taking the time to think about those things. Mayor, do you...

Mayor McPherson: Well, just a comment on their attending our Records Commission meetings. It doesn't have to be in the contract. All we need to do is ask them to be there and they'll be there. That's why they have the hourly rates. So we'll just invite them to the Records Commission meeting and provide their input. As far as requiring them to disclose their personal, or non-public contracts and who they deal with, I guess I'd defer that to Mr. Underwood. I don't know if we can put that into a contract or not. But I'll get with Mr. Underwood on that. And again, you need to understand, that would require us going back and renegotiating the contract. The contract has been negotiated and it's done, and it's here for your approval. So that would mean we'd reopen negotiations with them.

Mr. Gilbert: I was just going to say, that's fine with me. I would have thought these two items would have been a component of any contract that had been negotiated.

Mayor McPherson: Well, they have never been a component of a contract. And again, I'd have to ask Mr. Underwood as to whether or not they can legally be put in.

Mr. Stake: Mr. Clemens.

Mr. Clemens: If I understand it correctly Mr. Gilbert, you were interested in, say for the sake of Council, if things are being presented to Council from outside developers or outside interests and they're handled by Evans and Mechwart, we should know ahead of time. We should know that they're involved in the situation.

Mr. Gilbert: Certainly. And I guess, let me offer up an example for the members. And I think it's important for you to know this because I guess to me, and my time here on Council, there's no better example of what you just pointed out Mr. Clemens. The first committee meeting back from the summer recess, we were asked to consider adding a bridge to the Issue 2 application for this year. Now, in reviewing the minutes of that meeting on three separate occasions, Mrs. Reichard, Mr. Parkinson was asked, what the purpose or why we were being brought this information at the last minute and why it had been added to the CIP Program all of a sudden for consideration. And it was indicated at the time that the bridge was in disrepair. Which I don't dispute that. All you have to do is drive out there and see that. I don't dispute that aspect of this. However, I think the perception was created at the time that some how ODOT was driving this. Then the information was provided that it was basically just a follow up to provide the inspection of the bridge to the Ohio Department of Transportation. Two weeks ago, I was provided information that there's a potential new development in this area. Without getting into that and requesting a packet from the Development Department, a map of the area was provided to me of Summit Road, the very road that this bridge is contained upon, is being proposed to be extended through the 123 acres that's proposed for annexation. The engineer on the private side of this issue, which is directly adjacent to this bridge, is EMH&T. Now we asked a direct question at that meeting in September. What the purpose was for? And frankly, I think we could have had a little more disclosure at the time. Because we're talking about public funds. Now obviously, infrastructure is an important part of any type of development and providing that. Now if we have an entity that's on both sides of the issue and we have to make a decision as to the best use of public funds, how do we glean what interest is being represented the best? I'm not calling into question that a private side was pushed, their interest was pushed more in this situation or the public. I'm just saying it makes it difficult for this body to make the best possible decision for our residents. Particularly when that development, or potential development will have a financial component that if this project were to be paid for by private funds, could skew their calculations. So that's my most recent, let's say a specific example that I can point out to the members that I think full disclosure will help take care of that issue. I think it's important and I'm not the only one entertaining these questions. It's been done in the state and I know there's ongoing study as to this particular situation. I ask the members to consider this in the good faith that it's brought forward. You as well, Mayor. And the other questions in regards to the development and the questions that go with that will come forward at a later date and they will be entertained fairly as they always are with the Service Committee. And I appreciate the opportunity to explain myself on this Mr. Stake, Mr. Clemens. Thank you.

Mr. Stake: Thank you, Mr. Gilbert. Any other questions from members of the committee? (No response). Members of Council? (No response). City Attorney?

Mr. Underwood: Yes, Mr. Stake. The issue is the public records, the Mayor's right. We can invite, I think the only entity that has public records going back, is EMH&T. But we can inquire of DLZ if they have any public records that might be of use. But we could easily handle a disclosure. And we probably should do it for all contracts if that's something Council wants with an addendum to these contracts (Tape Change) that maybe requires, maybe not quarterly disclosure, but any time they have an interest in a contract that is within the city limits or would be contemplated to be within the city limits at some time, disclose that fact to the city. So that could probably be handled by an addendum to these four contracts. A very simple addendum.

Mr. Gilbert: It does not have to be limited to just one contract. It's in general. That's fine with me, Mr. Stake.

Mr. Stake: I understand. And Mr. Underwood, are you saying that you're willing to draw up that addendum?

Mr. Underwood: Certainly.

Mr. Stake: Okay. Alright. Mr. Baxter.

Mr. Baxter: Thank you, Mr. Stake. One other addition I would add is the protection of public records. As these records are off site in a third party or private firm, there should be something in that contract that states the public records will have some type of protection or disaster coverage associated to them. So in the event of a fire or a loss of business, the public records and works that we paid for aren't lost.

Mr. Stake: Okay.

Mr. Baxter: Just a suggestion for Mr. Underwood to be thinking about when he's putting that together.

Mr. Underwood: That's in the contract.

Mr. Baxter: I would expect that to be.

Mr. Underwood: It's in the contract already.

Mr. Stake: Alright. Very good. Any other questions or comments? (No response). I know we still have the emergency language in here but if we could send this on for its first reading and then the following week we can send it on for a reading as an emergency. Mr. Clemens.

Mr. Clemens: I think that, our last committee meeting, we also will have a Council meeting? Don't we usually have both of them before Christmas?

Mr. Hills: I think it depends on the work load. But generally what we've tried to do as Council is on the second committee meeting, have a Council in December, have a Council meeting following that. And it will probably depend on how many issues are up. That would be the 20^{th}, we would have a committee and Council if the issues are extensive enough that we need more discussion or debate. I think all of us are going to be here from my understanding from doing some checking, the week between Christmas and New Year's. So if necessary, we'll have a meeting on the 27^{th}. I think the Mayor has declared it a holiday for the city but I suspect he'd be here too.

Mayor McPherson: I'll be here.

Mr. Hills: If that be necessary. But I think that the goal historically has been to complete the years business on the second committee meeting. In this case with a special Council meeting on December 20.

Mr. Clemens: Which I was trying to bring up. If the contracts can be renegotiated by this coming Monday night, then we would have the next week...

Mayor McPherson: Oh yeah. We'll have the time.

Mr. Clemens: We'd have two weeks.

Mayor McPherson: Sure. Yeah. We'll have the time.

Mr. Stake: Okay then. Any further discussion or comments? Mr. Beougher.

Mr. Beougher: Thank you, Mr. Stake. In reviewing all four packages, I see that the two architectural firms both have it in their contract to have a million dollars of professional liability coverage and Triad has furnished their certificate. Asebrook has mentioned it as an enclosure but it was not included. At least not in mine. And I didn't see any mentioned in the engineering. Are the engineering packages different for some reason? Is there a reason we don't have errors and ____________ in them? I guess I'm asking the City Attorney.

Mr. Underwood: Engineering has a whole ____________ clause.

Mr. Beougher: Okay. Satisfies me. Thank you.

Mr. Stake: Okay. Thank you, Mr. Beougher. Okay then, I will make a motion that we send this on for its first reading. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is Discussion, Authorization of professional backup consulting and structural engineering services (DLZ).

Mayor McPherson: This will be your backup engineering contract to EMH&T. We just request that it be moved forward.

Mr. Stake: Okay. Any questions or comments? Mr. Clemens.

Mr. Clemens: I just have just one comment, one question. Since they were number 4, you say that we had trouble with Burgess _____________ as far as...

Mayor McPherson: Hourly rates were the big issues.

Mr. Clemens: The hourly rates.

Mayor McPherson: They would not come down to the hourly rates that we requested.

Mr. Clemens: Were their hourly rates higher than Evans and Mechwart?

Mayor McPherson: Much higher.

Mr. Stake: Any further questions or comments from members of the committee? (No response). Members of Council? (No response). Also we need an emergency on this as well. Right, Mayor?

Mayor McPherson: Correct.

Mr. Stake: Since there are no issues with this one, I will send this on for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is Discussion, Authorization of professional architectural and plan review services (Triad Architects). Mayor.

Mayor McPherson: Triad was the successful bidder on this. We were able to come to terms on the contract and we request that we move Triad forward as our prime architect for the City of Reynoldsburg.

Mr. Stake: Okay. Thank you, Mayor. Any questions or comments from members of the committee? (No response). Members of Council? (No response). Then I will make a recommendation that we send this on for adoption as an emergency. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is Discussion, Authorization of professional backup architectural and plan review services (Asebrook & Co. Architects). Mayor.

Mayor McPherson: Again, we would just request this to be moved forward with Asebrook and Company as the backup architect to the prime Triad.

Mr. Stake: Okay. Thank you, Mayor. Any questions or comments from members of the committee? (No response). Members of Council? Mr. Baxter.

Mr. Baxter: Thank you, Mr. Stake. As normal, I have one of my dumb questions and I forgot to throw it out here at the end.

Mr. Stake: They're never dumb.

Mr. Baxter: Being a person who doesn't get to see the other side of the equation, when you receive the bills back in and audit's done on a project, is it given to you based on hour and the associates which you're able to audit the contract against the billing? And to verify that we're receiving what we have contracted with the companies?

Mayor McPherson: Yeah. All of our billing is done pretty much monthly. And then the bill is compared to the work that was done.

Mr. Baxter: We see it as a total number. And that's why I asked this question. All I see is it's an "x" number of thousand and I never get to see the audit afterwards.

Mayor McPherson: Right.

Mr. Baxter: Alright. Thank you, Mayor.

Mr. Stake: Thank you, Mr. Baxter. Any other questions or comments? Yes, Mrs. Newman.

Mrs. Newman: Who reviews these bills? Does Stephen?

Mayor McPherson: Well it's reviewed first by the individual. Let's just say it's in the Street Department. It will be reviewed first by the person that requested it. Then by the supervisor. And then by the director of the department. Then it goes to the Auditor's office then they review it. So it's really reviewed three or four times before it's actually paid.

Mrs. Newman: Alright. Thanks.

Mr. Stake: Okay. If there are no further questions or comments, I will make a motion that we send this on to Council for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is Discussion, Appointments to Planning Commission; Board of Zoning and Building Appeals. We have a couple of openings. One is in the Planning Commission and the other one is in the Board of Zoning and Building Appeals. And I believe these run for 2 years? Mayor?

Mayor McPherson: Just as a comment, we did discover that there's also one other Council appointment that's needed. We have a Design Review Board member that's expiring on 12-31-04 that's also a Council appointment. So there would be three appointments. And yes, the terms are three year terms on the Design Review Board, and I really don't know what they are on the others without looking them up. I just had a note on that one.

Mr. Stake: Design Review is three years?

Mayor McPherson: That's what it says on the sheet. And I think, I honestly can't remember what they are on the other two commissions. I'd have to look them up.

Mr. Gilbert: Mr. Stake. Can I make a suggestion?

Mr. Stake: You certainly can.

Mr. Gilbert: In light of the new development with the Design Review Board and having no name, it's been pointed out that we're going to be having a regular Council meeting on the 20th, I would just ask for your consideration of any applicants between that time period, to make a submission to the Clerk by the 17th. And then we can give those consideration for that time period and have it wrapped up prior to the end of the month in light of the new Design Review situation. And I know you had some questions in regards to the time frame. Because we're facing the end of the year here, and Mr. Stake was sensitive to making sure the terms were filled by the first of the year. Normally we've had an application process. So we've been kind of going back and forth on this today. I just wanted to toss that suggestion out there in light of...

Mr. Stake: And I certainly will honor your request if the other two committee members will as well, to hold this for two weeks.

Mr. Clemens: That's fine.

Mr. Gilbert: If that provides us, if you're comfortable with...

Mr. Stake: And that way we can do all three of these at once. We can get the...

Mayor McPherson: Well again, this is just a reminder to Council. This isn't our appointment.

Mr. Stake: Right.

Mayor McPherson: We just wanted to make sure you were aware that those were coming and that

you had to appoint someone. So.
Mr. Stake: We'll take care of that.

Mayor McPherson: That's entirely up to you guys to what you do.

Mr. Stake: Okay. Thank you, Mayor. I believe President Hills has something to say here.

Mr. Hills: Mr. Stake. I've kind of got two hats on here. Because this came down under my initials because I received a phone call while I was Acting Mayor and the Mayor was at National League of Cities. And I can assure you, I wasn't aware that there was a third vacancy on Council or it would have been on there. I mean a third vacancy that needed appointment by Council on the Design Review Board. Certainly I can tell you, I'm not opposed to holding it until we are at one time doing all that we need to be doing. And I certainly do concur I will say with Mr. Brandt's comments that the two gentlemen who would accept reappointment certainly have been two in exceptionally good in attendance and participation. I don't think anyone can question that through their service that's been to the city. But I do think it's appropriate to deal with all three of these at once. And you do not know who the individual is who is on the Design Review? You can give it to us next week.

Mayor McPherson: Mr. Al Smith. 12-31-2004. And Mr. Charlie McGrath. I'm sorry that's Planning Commission. So it will be Al Smith.

Mr. Hills: He's a Council appointment?

Mayor McPherson: He's a Council appointment.

Mr. Hills: Charlie McGrath, is that the same thing?

Mayor McPherson: Well that's Planning. That was also Council but that's Planning. The Planning Commission will appoint him. They may not appoint Charlie but the Planning Commission appoints one member to the Design Review Board. So you don't have to worry about that.

Mr. Hills: Okay. To the Design Review.

Mayor McPherson: Yeah.

Mr. Hills: Al Smith is the Council appointment to the Design Review.

Mayor McPherson: He is the Council appointment.

Mr. Hills: Okay. There it fills in the name but I certainly concur that we can...

Mr. Gilbert: I believe there's some partisanship considerations. The BZA represented as an Independent. And I'm not sure about the other. I believe the other two are Republicans.

There’s partisanship requirements per the Charter as far as your affiliation, they try to balance.

Mr. Hills: I think the Clerk would have that information. I believe Nancy would have it. But I do believe that the appointment that would be required for the Planning Commission I believe would be a Republican. For the BZA would probably be an Independent or Democrat. And Design Review is not partisan I do not believe. I think that’s it. But those details, certainly I’m sure the Clerk would have them available tomorrow because this one didn’t. I initialed this to come down and obviously it wasn’t complete. I can be Acting Mayor and not get it right too.

Mr. Stake: There is a little bit on confusion here. I certainly would like to know about these a little sooner than we have. I’m not pointing fingers at anybody. I’ll take the responsibility for that. I think we need to get on board with these a little bit.

Mayor McPherson: (Inaudible).

Mr. Stake: Alright. Bill can take responsibility for that.

Mr. Hills: I was sitting downtown and got a phone call. Can I send this down? And I said yes. Sharon can tell you, I put her on the phone too.

Mr. Stake: I will say the two folks listed on here, Mr. Wilson and Mr. Brusk have had great participation and have been outspoken and I think have led those boards and commissions rather well. Mr. Clemens.

Mr. Clemens: Blame me. I wouldn’t have remembered any way.

Mr. Stake: The blame’s going around the whole table tonight. But I do like to open up the process. I do like to have new blood come in. At one time not too long ago I was the new person on Council and I appreciate new people on Council as well. So I think it’s important for the growth of the city. So any ways, we’ll hold this for a couple of weeks. And if that’s okay I will make a motion that we hold this for two weeks. Do I have a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted “Aye”). Opposed? (No response). Motion passes.

Moving right along, item number 10 is Discussion, Authorization of Health Services Contract. Mr. Mayor.

Mayor McPherson: Thank you, Chairman Stake. This is the annual Franklin County Board of Health, Health Services Contract. If you will go through it you will see that we’ve highlighted any changes. The money for this contract was put into the budget for 2005. And we’re requesting Council authorize us to enter into the contract.

Mr. Stake: Any questions or comments from members of the committee? (No response). Members of Council? (No response). And you’d like an emergency on this, correct?

Mayor McPherson: Yes. Again, they just, you can see by the date, they just got it to us. But it does go into effect on January 1, 2005.

Mr. Stake: Okay. Thank you. Then I will make a motion that we send this on to Council for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Clemens. Any further discussion? President Hills has a question.

Mr. Hills: One question. It would be a question for the Mayor. I see the City Attorney got it on 12-1 but there's a stamp from the, Mayor did you have this on September 14, or is that a bad stamp?

Mayor McPherson: It's got to be a bad stamp. We just got it the first day of December.

Mr. Hills: Well the copy we got says "received September 14, 2004, Office of the Mayor". I was a little surprised to see you have it in September and the City Attorney not get it until December.

Mayor McPherson: No.

Mr. Hills: I guess I was wrong again.

Mr. Stake: Well, you're to blame again I guess. Alright. So we have a motion and a second. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 11 Discussion, Supplemental appropriation for Police Department Salary Accounts. This is from the City Auditor. Mayor, do you want to address this?

Mayor McPherson: That's okay. If he wants to address it.

Mr. Stake: His name's on it so. I'm calling who's name's on there.

Mayor McPherson: I'll do it. If you'll recall, during the first part of the year we appropriated some money from the 100 accounts to various other accounts. We took some out of the Wages and Enforcement in the police department to put into a camera account that we were going to be short in. At that time, we knew at the end of the year that we might run short. However, we thought with the fact that we didn't hire people during the year and there was slower times that we'd be close but we'd have enough money in there to go ahead and to be able to do this. The one other thing that we did not take into account, or we took into account but we weren't sure what the percentage was, was the police department negotiations and the final amount of money that we gave them. If you'll recall, when we did that, and asked you to authorize us to enter into the contract, we did not ask for an appropriation for the additional monies for the increase in the police department salaries. So we came down to the end and it looks like we're going to be roughly $25,000 short in our 100 accounts and we're requesting that City Council appropriate the money from the appropriated General Fund to the 100 accounts so we can finish out the year.

Mr. Stake: Okay. Thank you, Mayor. If members will recall, we did transfer some money around and we did with the understanding that they might need to come back for some additional salary money and they're asking for $25,000. And this being a busy time of the year, I think if they're running low I think it's appropriate. And I also believe that if there's anything left over at the end of the year, it'll come back to the General Fund. Correct?

Mayor McPherson: It just goes back to the General Fund.

Mr. Stake: Any questions or comments from members of the committee? (No response). Members of Council? (No response). This is something we need to do rather quickly, so there is an emergency on this. So I would like to make a motion that we send this forward for adoption as an emergency. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 12, Discussion, Adjustment to overall Salary Schedule, and determination of amount of merit increase. I believe there's two things we need to do here. One is to adjust our pay grade. The 2.4% that was the CPI I believe. I'm not sure what the dates are. The Auditor might have more information on this. But I think it goes until September 30 and that's what it worked out to be. 2.4%. So we have that issue as well as the Mayor has requested a merit increase for all employees of 2.5%. And members will see on their legislative request where the money would be coming from. And I believe this is something we also need to get moving rather quickly. We're going to have two committee meetings before the end of the year. We can send it on for a first reading if that's what we want to do. Questions, Mr. Clemens?

Mr. Clemens: Just a question. You're talking about a 2.4 and then a 2.5. Are we talking about a 4.9 or 2.5?

Mr. Stake: No. The CPI, the pay grade schedule would be adjusted by 2.4. That really wouldn't give anybody any additional money I don't believe. Mayor, Mr. Whitney, they're both shaking their heads no. I don't think anybody would receive any salary increase from that. The Mayor has decided, and correct me if I'm wrong Mayor, that he would like to give all employees a 2.5% merit rate increase.

Mayor McPherson: Well, if you'll recall when we had our budget workshop, one of the things I indicated was that based on our present financial situation, I wanted to go with the 2.5%. And then if you read through the minutes you'll recall that I said at the end of the first quarter, I would then like to come back if the revenues would support it and request perhaps an additional amount of money for the employees that would give us somewhat of a parody with what the union employees get. Now we're not going to ask exact because that's never going to happen. I think I've even, Mel and I have talked about this, but when you do a lot of the other things that one gets the other one doesn't, you know it's almost impossible to be exact. But to be able to bring them somewhat on parody on the actual money. But again at this point, I think the 2.5 is a figure that the city can live with and still keep our balanced budget. And that was the percentage that I submitted. The salary adjustment for the schedule, the 2.4, that's an arbitrary figure that Council really picked. And you can base it on the index or anything. But that's a Councilmatic decision. But does not effect actual monies that the employees get. It only effects the schedule within where their salary is. And where it impacts most is at the beginning level. It's a higher hiring rate by 2.4%. And at the end, let's say you get a 2.5% raise and you're already at the top, the schedule only goes up 2.4%. So 2.4 would be a salary increase and then you'd have a tenth of a percent that would actually be a lump sum adjustment.

Mr. Stake: Mr. Clemens.

Mr. Clemens: Thank you. I'm not really happy with the 2.5 for the employees because I always would like to have more. And I would hope that after the first quarter, if it does look good we could do it retroactive. And also I'd like to say this, doing the 2.5 merit increase across the board shows and proves to me that the merit increase was a failure. We went through all this for nothing. And we might as well stay in the steps or stayed where we gave everybody the same increase. Because...

Mayor McPherson: Is that a motion to go back to the steps?

Mr. Clemens: You know how I feel about it. But I'm just saying...

Mayor McPherson: Well, I'll support that.

Mr. Clemens: I'm just saying, and I'm not blaming it on you Mayor or blaming it on anybody else.

Mayor McPherson: Well, there's no blame on it.

Mr. Clemens: It is a failure. Because we set it up as a merit increase. We were going to give each department "x" number of dollars and it was going to be peeled out on a merit deal. Some would get three, some would get two, some would get one. And it hasn't happened. We spent all this money going through this with consultants and surveys and all this kind of garbage I guess. Whatever you want to call it and nothing's transpired. We've come out with some things, don't get me wrong. I understand that. But as far as the pay scale, we might as well have stayed where we were and just gave a flat 4% increase or a 3% increase or whatever we did. Because the merit system is not working for the City of Reynoldsburg at the present time. Because you can't tell me that giving everybody the same on merit increase that everybody's equal. Because I know better than that and you know better than that. So I would like to see to think about, consider going back to the way we were before.

Mayor McPherson: Not exactly the way we were before. We don't want to give both a step and a merit, or a pay. One or the other.

Mr. Clemens: I enjoyed it.

Mayor McPherson: I know you did.

Mr. Clemens: Nancy and I did.

Mayor McPherson: That's why we're where we are.

Mr. Hills: That's why our salary rates are where they are today.

Mr. Clemens: That's true.

Mayor McPherson: Thank you. We agree, Bill.

Mr. Hills: There was a period of time that employees of Reynoldsburg were getting between an 8 and 12% increase per year. That put us in the base...

Mr. Clemens: We can thank Mr. Bressler for that. I don't like to speak about a Councilman from before but he thought it was best you could do things like this and it would save the city money by not increasing and you don't have to keep getting your steps. And I stayed in the steps instead of five years, or ten years.

Mayor McPherson: Just by moving you.

Mr. Clemens: Which was nice. And I don't think that should be allowed either. But I think we ought to consider, if this is what's going to happen, maybe within the first few months or after we get into the next year, let's reconsider, and not have to hire anybody to do it, but let's sit down and discuss it. Maybe we can make a change on this.

Mr. Stake: Mr. Baxter.

Mr. Baxter: Thank you, Councilman Stake. I have a lot of experience with this merit program. I do it in the private sector quite often. So when I hear that it doesn't work, and I don't know why it doesn't work, I'd like to know from administration, why aren't we looking at it from a merit standpoint? It fails because you don't execute on it. We need to execute on it. We need to look at reviews. We need to see who's done a good job and give them a merit based upon a good job. Not just saying, everybody's doing a great job so they all should get a merit. That's up to your department heads as far as I can see. If they think everybody in your department's done well, they take a look at what they have in their department, they share it across equally. But to come to Council and say I want to do across the board 2.4, says to me, you failed at a merit program. And I put this right on the administration. It's up to you to execute on that plan.

Mayor McPherson: If you recall, I told you when we asked for the 2.5 across the board, that no one fell below the level of getting the merit raise. No one.

Mr. Baxter: So everybody's exceptional.

Mayor McPherson: There is a schedule that you assign so many numbers for so many different things. There is a level where you don't get a merit. There's a level where you get a merit if you’re average, and there’s a level where you get a merit if you’re above average. And that’s the program that was developed.

Mr. Baxter: But I think my point here Mayor is, you didn’t execute on it. Not everybody was average. Not everybody is exceptional. Not everybody is poor.

Mayor McPherson: Absolutely correct.

Mr. Baxter: But I don’t see anything that shows me that.

Mayor McPherson: But everybody qualified. They hit the number that allows them to get the increase.

Mr. Baxter: Then increase they ought to get, and shared across your departments, but failed. I say it’s an execution plan that failed. Not the program. And I hold the administration accountable on it.

Mayor McPherson: Well I don’t think either one failed. It’s been working exactly the way it was designed to work. If you read the program, it is working exactly the way it was passed and designed to work.

Mr. Baxter: Thank you.

Mr. Stake: Mr. Hills, hold on a second. Mr. Gilbert.

Mr. Gilbert: I guess, I agree wholeheartedly with Mr. Baxter. And Mayor, I’ve sat in the meeting with Mr. Wade and yourself, and I don’t remember who the Human Resource Director was at the time, and Mr. Wade laid out the numbers what the step program was going to do to this city. And that’s without any disrespect or disregard to the non-union employees. I understand how hard they work. But your comments this year was how tough this budget was. And if you recall back to those numbers, if we were to have maintained or start over the step process again, it’s a never ending cycle of the base going up and then increase, and then the cost of living. It’s constant. It’ll run the city right out of business. And you agreed with it at the time.

Mayor McPherson: That’s totally incorrect.

Mr. Gilbert: No. It’s not incorrect.

Mayor McPherson: It is totally incorrect.

Mr. Gilbert: It’s completely accurate.

Mayor McPherson: Mr. Gilbert, I beg to differ with you. You’re totally inaccurate in what you just said.

Mr. Gilbert: That's the way you've portrayed it. Mr. Stake, can I finish my thoughts?

Mr. Stake: Yes, please. Excuse me, Mayor.

Mr. Gilbert: Thank you. I know it's accurate because you've used the word "raise" in your legislative request. It's not a merit increase or merit raise. I used the word increase, I'm sorry. It's a merit pay is my understanding the way we implemented the legislation. It doesn't increase anything. It's a one time allotment. Am I correct? This is not an increase to anything. It's a one time pay for what you determined to be the merit pay and how it's distributed throughout the city. And I think it was pretty elementary as far as how it could be implemented. The steps are bad news financially for the city. I agree with Mr. Baxter. There is a big difference here between, and I'm trying to think of the right way to say this, between going along to get along or exerting some leadership and trying to give a good faith effort to implement what we put in place to try and protect our ability to grant compensation to our non-union employees as time goes on. And I don't think that effort's been given.

Mr. Stake: Mr. Hills.

Mr. Hills: I guess I'll comment because I went through the whole Clemons thing, and Clemons came as a recommendation from the administration and I think everybody was on board with it at the time. And there's been a lot of confusion about this and I'm going to try to explain it the way I understand it. Because we take a bit here and a bit there and it gets a little confusing. What we do as Council following our own ordinances and policies that are in place is, we determine whether the ranges need to be changed on an annualized basis. And we can use that Consumer Price Index for urban wage earners and clerical workers as a basis for that. And then if that is, any percentage to adjusted agreed to by Council will be applied to all pay grades. And that is where we have the 2.4 which was the urban wage earners. And all that does is brings up the lower range 2.4 and takes the higher 2.4. You'll find that also, two elected officials in the city, being the Mayor and the City Attorney, their annualized increase is based off of that same thing. If you're looking for other places that do it, all members of the general assembly, all judges elected by the public, for their term of office, that is what is their annualized increase. Now if you look at the Clemons report from then on, Council is to determine an amount of dollars that is to be authorized for those people eligible for increases on a theoretic merit program that can be distributed. It's up to administration at that time to determine, Joe gets 12%, somebody else gets 2%. That's an administration function from that point. Now what we have done if I'm reading and understanding this ordinance appropriately, the Mayor had asked and already put in the budget, I want a 2.5% increase for all of our employees. The numbers you have in front of you tonight equate to dollars amount equaling to 2.5% of what the pay amount would be. And if we'd broken it down by the funds that the employees are going to receive it. It's basically honoring the Mayor's request but it's a Council allocation. Council determines the money. If Council wanted to, instead of "x" number of dollars here, and I'm not sure what the total is, if they wanted to do $200,000 less than that, they could. If they wanted to do $200,000 more. This is a budget this year that I think is everyone is saying, reasonably tight would be a complement. And certainly, is this what we've done in the past percentage wise? No, it's not. But what we are doing here as Council is, I think we're considering the request of the administration, I want to give a merit that equals 2.5% and I happen to think everybody's just as good as everybody else. Certainly that opens you for criticism as to your evaluation of your employees.

Mayor McPherson: Sure it does.

Mr. Hills: But what we are doing as Council is saying, okay Mayor you're right, we agree. Here's your 2.5, here's your dollars that equal 2.5% and go do with it what you wish. I think that is the way I understand the Clemons program.

Mr. Stake: Mr. Clemens.

Mr. Clemens: I didn't bring this up to bash the Mayor. He knows how I feel. I voted for it and after we spent $40,000 to have all this looked into, although I didn't like it. And I know there's other members of Council that didn't like it. But we did spend that money. I thought it was worth trying. I don't think it will work. I never did think it would work. We're talking about, when you say the step program, I don't care whether we have it or don't, or we should get flat increases. We've got half the city employees that we don't control that are just going through the ceiling. So I don't know what you're talking about when you say our other employees are breaking the city. We've got half the city employees or more that get annual increases every year. You're going to get 4 ½, 4 ½ and keep adding right on top. So half the city's going to be broke. The other half isn't going to be broke because we're going to take it out on employees that are non-union. Now until we can control salary cap on the top of the union employees, because they're going to keep going up and up and up, which they do, we're spending all of our money one sided the way I look at it. One of these days it's going to flip over like that. And that's the only thing I'm saying is, that I would like to go back just to the flat increases and work it out that way if we can do it sooner or later. The step program, I just brought that up as something else.

Mr. Stake: If Council members don't mind, Mr. Underwood's been standing there for quite a while.

Mr. Clemens: He's been standing there wanting to talk.

Mr. Stake: I'm sure he has something to say.

Mr. Underwood: I have a lot to say, Mr. Stake. Number one, I agree with Mel partially that the step program, there's nothing wrong with it if you require the employee to earn their way through the steps. If you don't given an automatic step increase every year. If you require the performance appraisal and they have to earn the next step, that's the way the step program should work. Not an automatic increase. Not just because they're here a year they get a step increase. Now if you look at our salary schedule on this 160, Mr. Hills is right. We're going to adjust the range every year. If you've got an employee that starts at the bottom of the range, you adjust the range up, now the employee is no longer in the range. But if you read the words, it says 'competitive labor market and to help it's employees wages maintain pace with inflation'. That tells me you should also adjust the employee wage so that they maintain their relative position within the range. If you're at the bottom of the schedule and you move it 2%, the employee at the bottom of the schedule should move 2%. That's what our legislation says. If we don't like it, we need to change it.

Mr. Stake: Mr. Underwood, I believe that if somebody falls, if they're at the bottom and we adjust it up, they go up to the minimum.

Mr. Hills: Absolutely.

Mr. Underwood: If they're at the middle of the range, should they not stay at the middle of the range?

Mr. Hills: No. That's not what this is saying. What you've just read, and what Clemons study goes on to say, we've got bits and pieces of stuff up here. We don't even have the full thing. But in this case, if an adjustment is made at 2.4%, and if you as administration has chosen from your merit monies to only give that person a 2% raise, it would put him below the range. And our own policies require us to bring him to the bottom of the range. No one can work below the range. And if you have many of those, you ought to consider how good of an employee should he continue to stay around.

Mr. Underwood: I'm still at the adjustment of the range.

Mr. Hills: I'm sorry?

Mr. Underwood: I haven't gotten into the merit increase.

Mr. Stake: The other way I understand this, and I'm reading from Section 3.20, page 2, 'Individual Merit Increases'. It says, 'All such employees shall receive the same percentage increase as determined by Council. Unless Council elects to allow a higher percentage of employees who'. And I don't have the second page to that. So if we say we want to do 2.5, which the Mayor has recommended, then that's the way it works. That's the way I interpret this.

Mayor McPherson: Can I just make a comment?

Mr. Stake: Sure.

Mayor McPherson: You know, and going on with what Mel said about the steps and what Bill said, you know when we first started talking about the steps and eliminating them, you need to understand what needed to be done and what Mel and I talked about doing as a matter of fact was, bringing the steps, you got one or the other first of all. You didn't get a step increase and a 5% pay increase like it was working. You didn't do that. That would eliminate one major problem. The second thing people needed to understand about the steps is it was a 5 step program and it was intended to bring a persons pay into line with what their work experience would develop over a period of 5 years. That's why it was designed. I can't tell you why the percentage 5 was picked. It could be 3, it could be 2, you know I would have no idea of how that was done. But where the problem came in was that the person was getting the percentage allowed in the step, plus they were getting the percentage that was allowed in the normal pay increase. And then if they got to the top of the level, rather than being frozen there, then they were moved 2 or 3 pay grades some place else and then they started over in the steps. Now that was a very flawed system. Steps are not bad. You know, but you have to sit down. You have to resolve how you're going to work them. And you can't give people double pay increases. That's the problem that we're running into right now. I don't want to get into school board issues, but they have for the first 15 years, they get certain percentage increase automatically, and then pay on top of it. That was the issue. And that was caused by 2 or 3 employees in the city. And not their fault, but that's how it ended up working out. That's why we had the problems with the steps. The steps system was not bad. It was flawed. So I mean, I want people to understand that. Because I keep hearing that you know, the step system is bad. It's not. And you know, the fact that Clemons/Nelson didn't recommend it, that's neither here nor there. You know, we all supported what came out of it but I think if Mel were to start working on getting the steps back in. The issues that would have to be addressed is, how much percentage do you think a persons ability to do the job is from the day they hire in to 5 years later? Is it worth 1%, or 2%, or 5%? Your predecessors probably felt 5% was the number. I don't know how they came up with that. And I don't think anybody here knows how. And Mel's probably got more seniority than anybody and he probably doesn't know how they came up with it. But you know, don't think steps are wrong just because Clemons/Nelson didn't make the recommendation. And you're absolutely correct. When you read that it says they will all get that percentage increase.

Mr. Stake: Mr. Baxter.

Mr. Baxter: Thanks for your patience, Mr. Stake. A couple of things I want to go off with. I agree with a lot of things that have been said here tonight. Especially with the fact that 2.4 seems like a small amount. I feel the same way that Mel feels. But where I have concern, and I just want to make sure that the city and everybody here understands what I'm trying to get at is, no matter if it's a step system or a merit system. Merit is based upon an annual review and recognition of an employees work effort. That person willing to step outside the blocks. That persons that willing to do that extra effort. I know many city employees who have done that and think that they should be recognized more for their efforts than those who have not done that. And to be simply flat, straight give an increase. And that's what we're talking about. A pay increase. Not a merit increase. That shows disrespect for those people who stepped up. Following here, what incentive do they have for continuing being a star, or shining for our city. And I think that's the point behind a merit increase is to say, hey look, continue to do a great job and we're going to reward you. By going flat across the board, you take that incentive away. In fact, you create a disincentive because of the fact you no longer need to work hard because you're going to get it any ways. So that's the point I'm trying to make. That in a failure to the program, that's what I mean. We're failing to give incentives. We're failing to create great employees by showing the merit each year and taking that time. Now if the step program, if it takes work to look at that program and say, you've done this, you deserve a step approach, that requires that work to happen. And if it doesn't happen, again the steps are going to fail like you said. You're not going to have what to expect. Thank you.

Mr. Stake: Thank you, Mr. Baxter. Mr. Clemens.

Mr. Clemens: Just to make it real quick. The reason the step program was set up in 5 steps was that the employee that started out at the bottom would get his increase plus his step increase. He had worked the 5, he would get up the 5 steps and that would put him up equal with the people that he was working with. If it hadn't been for that, they would never all be making the same. In other words, if he was a maintenance mechanic, you would never catch up. You would never be making the same as the maintenance mechanic you work along beside of. If he worked there 30 years he would be making that much more than you because you've never had the opportunity to move up. And that's what that was set for. Now where it failed was, with a few of us was, once we got through the step program, rather than, the Mayor had asked for us to be increased and rather than giving us the increase, we had a certain Councilman that thought it was best to move us into another grade. Which was fine because once he did that, like put me back in the steps again. And I just kept getting double again, and double again. And when I get there again, instead of no, we're not going to give him an increase in his ____________, we'll just up him in another step program. And I just kept getting double. And eventually a couple of us were getting quite a bit of increases that nobody really realized. And that was probably handled wrong. But that's why the step program was there. If you did your job, you got your increase plus your step increase and it got you up equal with the people you were going to be working with. Which most people work with each other around here for 30 years. That means when you've been here 50 years and doing the same job the guy next to is doing, you were up with him. And you weren't say, 15,000 below him. And that's how it worked at that time. That's why it was put there at that time. But it didn't work right. I don't know.

Mr. Stake: Okay. Any other questions or comments from members of the committee? (No response). Members of Council? (No response). I think we're pretty much in agreement with the 2.4 on the pay grades. I haven't heard any recommendations other than 2.5 on the merit rate increase at this time. Mr. Clemens.

Mr. Clemens: I think that, I would certainly make it, if I thought our finances could handle it, if at the present time, possibly after the first quarter comes in and if our income does pick up in our first quarter or second quarter, we can give a, add on to the increase. I think that would be fine. I don't want to see the employees go through with a 2.5 the rest of the year unless they really have to. Because it does look, we have no problem giving 4, and 4 ½, and 4 ½ to the safety department. And now we'll say, boy our incomes down and we don't know how we're going to pay for things so the other half of our departments are going to suffer at 2.5. I just want them to know that we respect their work too and so forth. That's something we can consider. Maybe 3, 4, 5, 6 weeks.

Mr. Stake: And I agree, Mr. Clemens. I certainly accept the work that our city employees do. Mr. Gilbert.

Mr. Gilbert: Well, this is about the merit. It's not about pay increases for the employees. So lets not blur this together so it makes some of us look as if we're not in favor of the non-union employees getting as much as the union employees. But the reality of the situation is, we have bargaining units. We're obligated to that. I'll agree with you that we shouldn't punish the non-union employees without similar raises. But you've got two forces colliding here and somewhere in the middle you've got to find the revenues. So you've got to do, something's got to give at some point. It's the reality of the situation. And the old stand by of beating us over the head about the non-union employees, that doesn't solve the problem. I think we're all there. I've always voted along with you on that and the rest of us. I know we've got some new faces here this evening. Lets not blur these two together. It's two separate items. The implementation of the merit program as opposed to (Tape Change).

Mr. Gilbert: Mrs. Newman.

Mrs. Newman: I have comments. I'm sure you wish I didn't at this point. Well, I'd just like to point out that the employees of the union, they pay union dues. They pay for that. And the non-union employees are not out that expense. That's number one. And then the merit increases, a merit increase should only be given to a person who is doing above average work. And shouldn't that not be determined by their supervisor against a recommendation made? Speak, Mr. Clemens. You're shaking your head.

Mr. Stake: Mr. Clemens.

Mr. Clemens: Yes. Check and see what they pay on union dues. And you can read their contract and see what they get for them being in the union that our employees don't get. And then come back and tell me about this. Okay?

Mrs. Newman: It's just something I thought should be considered.

Mr. Stake: Okay. I appreciate that Mrs. Newman and Mr. Clemens. Any other questions or comments? (No response). Okay. We'll have a couple of weeks to mull this over. But I will make a recommendation that we send both the 2.4 CPI salary schedule increase and the 2.5 merit increase for its first reading. Do I have a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 14 is ORDINANCE SETTING FORTH A UNIFORM PROCEDURE FOR THE SALE OF PERSONAL PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES. And it had its first reading on 11-22-04. Are there any further comments or questions on this? (No response). None being heard, then I will make a recommendation that we send this on for its second reading. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And last but not least is item number 15, ORDINANCE TO MAKE A FINAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2005 AND DECLARING AN EMERGENCY. It was read for the first time on 11-22-04. We have had some ongoing discussions about this. Mayor so you know, I'm going to try and get with the City Attorney this week on some things if you'd like to sit in as well. Or not the City Attorney, the City Auditor on some things in the budget. Sit in as well and we can discuss a couple of things. Some thoughts I might have on that for the next committee meeting. Any questions or comments from members of the committee? (No response). Members of Council? (No response). Administration? (No response). President Hills.

Mr. Hills: I would like to thank the administration for having responses in the packet to the questions. And I know it was an inconvenience for you Mayor. And I thank Sharon Michael specifically because I called her, again when I was Acting Mayor and said if some can answer we all ought to be able to try and answer. And so Council did have the Mayor's responses dated December 2, and therefore were in the packets. I would encourage everyone to read those closely as compared to the questions that were established because they weren't just as they come before Mrs. Frazier's questions, they were questions from a number of people who have filtered in through. An example would be like, Mayor your question here on Special Counsel Account and yours is that you spent $7,000 last year and you didn't anticipate anything changing but what it doesn't show is that you've asked for $12,000. So do you really need 12 or do you just need 7? Because you've told everybody else not to increase the budget but yours is up. Is there a basis for why it's up? Those are the type of things I'm saying. The responses read very nicely. Now compare them to the questions and you may see that there's still a further question. And Mr. Stake and I have talked about this. I've sat through a number of budgets. Some times you come in here and say, why don't I ask that? I think Mr. Stake is in agreement with anyone that has a question sitting up here at Council, we will be able to ask it. And we will try to get you the best answer that can be made available through administration. Thank you, very much.

Mr. Stake: Thank you, President Hills.

Mr. Gilbert: We'll discuss this next week?

Mr. Stake: Oh, yeah. What I'd like to do tonight is send it on for its second reading. I think we can have three committee meetings on this. This would be the second one. Is that alright? Okay. Mr. Gilbert.

Mr. Gilbert: Some people might have suggested changes if those get a hearing at the third committee reading.

Mr. Stake: Yes. And if you would get those to me.

Mr. Gilbert: I'll have them to you tomorrow.

Mr. Stake: That would be great. Thank you. We'll certainly sit down with the Mayor and Auditor and see what we can work out. Any further questions or comments? (No response). Okay. Then I will make a motion that we send this on for its second reading. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I will adjourn the Finance Committee at 9:16.

Finance Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
December 6, 2004