

SAFETY COMMITTEE MEETING MINUTES

November 19, 2007

Members of Safety Committee present: Doug Joseph, Ron Stake, Antoinette Newman, Donna Shirey.

Other members of Council present: Preston Stearns, Brett Baxter, Mel Clemens, President of Council William L. Hills.

Mr. Joseph: I=d like to call the Safety Committee to order. Before we get started though, I=d like to allow the Mayor a few moments to make a few announcements.

Mayor McPherson: Thank you, Chairman Joseph. I=d just like to remind everyone that this coming Monday, the 26th at 7:00 is our annual tree lighting. We call it a tree lighting although all the lights in the city are lit at the same time. This year we=re going to have the French Run Elementary Choir will be doing the singing. The Tomato Queen and the Court will be doing the cookies. And we have the Women=s Republican Club are going to be doing the hot cocoa. Please try and arrange your schedule so you can be here at 7:00 for the annual tree lighting. And then of course, on the Saturday, a week from this coming Saturday, 12 to 1 is the Christmas On The Town in Olde Towne. It runs from 3 to 8. And we=ve been asked a lot about when the carriage rides are going to be again this year. They=re going to be from 3 to 6. So anyone that can, please save that Saturday from 3 to 8 and come out to the Olde Towne celebration and get a carriage ride and just enjoy yourselves. Any questions, please feel free to give me a call. And the media that=s here tonight, please print it. So thank you very much.

Mr. Joseph: Thank you, Mayor.

The second thing on the agenda tonight is approval of the agenda. Are there any changes, or additions, or deletions to the agenda tonight? (No response). Seeing none, the agenda will stand approved.

The third item is approval of the minutes of the November 5, 2007 Safety Committee meeting. Are there any changes to those minutes? (No response). Seeing none, those minutes stand approved.

The next item is Discussion, Resurfacing East Main Street with ODOT - Taylor Road area. Mr. DeBolt.

Mr. DeBolt: Thank you Mr. Chairman, members of Council. As you know, we=ve just completed the repaving of Main Street from the bridge out here at Lancaster, just out to about 350 feet or so west of Taylor Road. And as you know, we=re starting to work on next years Street Program. And I haven=t really worked much with ODOT District 5. District 6 here is in Franklin County. And I heard it through the grape vine that maybe they were doing some work out on US 40 some time in the future. So I made some phone calls and finally somebody got back to me. And I just asked them. I said, are you going to do some work down on that end of town? And they said, as a matter of fact, yeah. We=re going to pave 310. Next year, from 310

all the way out to Reynoldsburg. In discussing it with District 5, and District 6, and the project plans, there's a gap there that they're not going to connect the pavement. So I asked, at this late stage, since they're going to be selling the job here in the near future, if we can still make some in roads to have that done. And they agreed that they wanted to get that done. It was just an oversight. Therefore, we've worked up some legislation where we can still get that done here in the next couple of weeks. Hopefully, if we do it an emergency. They think it's important enough. Even if they have to postpone the sale for a week or two to get it done, they're willing to do that. So they're working with us. So I put together a piece of legislation to make that effort. And on Thursday when this came together, I knew I had to get something ready for Council today. So with the information that I had at that time, I provided that memorandum. But then they weren't available on Friday when I was trying to get it together, the two contacts that I had. But they were available today. So I provided a revision of the information of what it's going to take to get the job done. It's going to be \$42,000 in construction costs. They verbally committed to me to provide us with the 80/20 matching split that they've done on the other ODOT projects. But they were able to put it in writing as of today. So based on that, we can get the 80/20 split which we've done on other projects. So it would make it very cost effective to do that work out at the intersection to close that gap between the two projects. So if we have the funds available, and the Auditor said we do, I'd like to see if we can move forward and get that done.

Mr. Joseph: Okay. Mr. DeBolt, some of the concern that has been brought up to me tonight is that, the contract that's in the original request form you supplied us last week, doesn't have anything in there about the dollar figures. Is that going to be modified between now and next week when we pass this item?

Mr. DeBolt: Yes. I talked to Mrs. Frazier today. And the preliminary on this legislation doesn't necessarily have to have the dollars in there. Whereas, the final legislation does. And they will be coming back to us with the final dollar amount here once the job is bid here in the next couple of weeks. So it does not necessarily have to have it. The preliminary legislation just is our commitment to participate in the project.

Mr. Joseph: Okay. Are there questions of Mr. DeBolt from members of the committee? Mr. Stake.

Mr. Stake: Thank you, Chairman Joseph. Mr. DeBolt, we would need then, final legislation passed next week?

Mr. DeBolt: We would need a preliminary legislation passed on next Monday. And then we'll turn around and do the final legislation right after that at the next committee, and then Council session at the very next cycle.

Mr. Stake: Okay. And a copy of the preliminary already with the legislative request.

Mr. DeBolt: Correct. And the current legislation. Yes.

Mr. Stake: Okay. Thank you.

Mr. Joseph: Yes, Mr. Hills.

Mr. Hills: If you're saying that Mr. DeBolt, that you pass it the next committee and Council meeting, what's the difference between the preliminary and the final?

Mr. DeBolt: They needed preliminary. It's been standard in the past when we did 256. And I think ODOT out here, they need to know that we're going to officially want to participate. And usually it's many months later. Some times 6 months later when they actually bid the job out. And then they know the numbers and they come back and give it to us, and then we do the final legislation and we allocate the money.

Mr. Hills: Mr. DeBolt, you just stood there and said we're going to pass it. In one Council meeting we're going to pass the preliminary, and the next Council meeting we're going to pass the final. There'll be no final legislation until after it's been bid and we have an idea what the costs are, correct?

Mr. DeBolt: They'll give us an estimated cost.

Mr. Hills: But they're going to get that off the bid is when we enter into the agreement. Aren't we doing what we have done with any and all other projects with ODOT? Which is just giving ODOT a motion in essence, saying Mayor, go enter into contract. They're going to do some resurfacing within our governmental limits, and we're going to participate. Isn't that what you're trying to get done tonight?

Mr. DeBolt: Correct. With the preliminary.

Mr. Hills: And there isn't a dollar involved with that?

Mr. DeBolt: No. We don't have to allocate.

Mr. Hills: No, we don't.

Mr. DeBolt: Yes.

Mr. Hills: But the last three, the last two, up to this one, we always talked about the dollars, and then fill them out and enter into it the way it should have been done at first. If I'm wrong on that Mr. Joseph, I'm wrong. But somebody tell me I'm wrong and show me where.

Mr. Joseph: Mayor, go ahead.

Mayor McPherson: You're absolutely correct. What you have in front of you is a preliminary legislation. What Steve's alluding to I believe, is that ODOT has told him that they're going to bid the project within the next week or 10 days. At which time, we will then have the final numbers and he'll be back asking for the final legislation to enter into the contract with them

with a specific dollar amount. That may or may not happen in a week. It may not happen in 10 days. All that=s before you tonight is the preliminary legislation authorizing the Mayor to enter into the agreement. And then once we do that, as in the past, you then will get the final legislation and a request to go ahead and pass that after ODOT does their bidding. So you are absolutely correct, Mr. Hills.

Mr. Hills: Okay. I just wanted to be sure because the question that was raised from that again Mr. Joseph, after that statement is made, in the letter on the 15th they say here it is and here=s the test contract which is the 350 west of Taylor Road and the _____ corporation line. Now we have a 19th letter which again says I=m attaching the stuff to it. It=s not attached here. Did you get anything other than this cover letter?

Mr. DeBolt: No. Because that did not change.

Mr. Hills: But then, I guess by next Monday, you=re going to have to have a document put before us that would modify that 350 east of Taylor corporation line to put in whatever he said in the letter I guess. I don=t know. See we=re creating new documents that I don=t think need to be created.

Mr. DeBolt: No documents need to be recreated. I just provided the updated cover letter based on the information that I talked to them on Thursday.

Mr. Hills: Well, the updated cover letter throws in the 80/20. And the 80/20 may be their standard. And I think it is.

Mr. DeBolt: Well, we asked for them to put it in writing since it was just verbal conversations on the phone.

Mr. Hills: Which we would have needed in the final that is going to a dollar amount. I think we=re just, this is a two step process. And there=s no point in trying to put part of a step in with this until you=ve authorized the Mayor and given him the authority to enter into the agreement to resurface the road.

Mr. Joseph: Other questions from committee or Council on this? Mr. Baxter.

Mr. Baxter: So, is the process moving forward, going to be taking the piece we have in front of us today, and waiting for the final numbers to come in, make it the final? And then have the Safety Committee then just offer up a motion to enter into contract separately? Or use this particular piece we=re working on right now and turn it into a motion and then wait for the next legislation to come?

Mr. Hills: What this one does, is authorize ODOT to modify their plans for a larger period to bid. To include this piece of tract into their overall bid. Correct?

Mr. DeBolt: Right. Yes, sir.

Mr. Hills: And they can't do that unless we say okay because it's in our corporate limit. I agree with what Steve's saying that they're trying to patch a hole and I think you made them aware that there may be a hole. So rather than do it by change order, they're saying okay fine, let's go ahead and we'll patch that hole now. And all they're asking from us, are we going to participate?

Mr. DeBolt: Yes. Correct.

Mr. Joseph: Okay. Any other questions or comments? (No response). Okay. So again, you want this done as an emergency, you can have that for next week?

Mr. DeBolt: Yes, sir.

Mr. Joseph: Okay. I'll make a motion we pass this on as an emergency item. Is there a second? Second by Mrs. Newman. All in favor, please say aye. (All voted Aye). Opposed? (No response). Motion carries. Thank you.

Okay. Item 4 is Discussion: Liquor Permit Request - transfer - from 7820 Main Street LLC, 7820 E Main, Reynoldsburg, Ohio 43068 to 7820 Reynoldsburg Sunoco Inc dba Sunoco, 7820 E Main, Reynoldsburg, Ohio 43068. Yes, Lieutenant.

Lieutenant McKinley: Good evening, members of Council. We did conduct an investigation, a liquor investigation into the opening of this business at 7820 East Main Street, and found no reason to object to the permit.

Mr. Joseph: Are there any questions from committee or Council on this item? Mrs. Shirey, go ahead.

Mrs. Shirey: Thank you. This is just a transfer, correct? This is not a new liquor license?

Mr. Joseph: That's the way I understand it. Okay. With no problem on that, we'll just return that to the Clerk.

Item 5, Discussion: Liquor Permit Request - new - Aldamen Group Inc, 7055-57 E. Main St, Reynoldsburg, Ohio 43068.

Lieutenant McKinley: We just also concluded an investigation into this property at 7055 East Main Street and found no reason to recommend denial of the permit.

Mr. Joseph: Okay. Any questions on this liquor permit request of committee or Council? Mr. Hills.

Mr. Hills: Just one clarification if I could, Councilman Joseph. Both of these previous were C1 and C2. If I understand that, that's carry out beer and wine, correct? On the C1 and C2? I think Jed knows that off hand. It is carry out beer and wine, right?

Mr. Hood: (Inaudible. Speaking off mike).

Mr. Hills: And the reason I wanted to point that out that, we do have other than that tonight.

Mr. Joseph: Yes. Okay. Seeing no questions for the comment on this, we=ll return this to the Clerk.

Item 6, Discussion: Liquor Permit Request - new - Spot Family Fun & Billiards Club Corp dba The Spot Billiards Club, 1762 Brice Rd., Reynoldsburg, Ohio 43068.

Lieutenant McKinley: We=ve also just recently conducted a liquor license investigation for this business at 1762 Brice Road and found no reason to recommend against the permit.

Mr. Joseph: Okay. Are there any questions on this item from members of committee? (No response). Council? Mr. Clemens, go right ahead.

Mr. Clemens: I certainly object to it, but none of my objections fall under the guidelines of the liquor department as I read their guidelines which are kind of loose. Well, really loose. Well, loose as you can get really. But, this will be considered when other issues come up as far as that=s concerned.

Mr. Joseph: Okay. Other questions or comments from committee or Council? (No response). Okay. Seeing none, we=ll return this item to the Clerk.

Number 7 tonight is ORDINANCE TO ADOPT AAMENDED AGREEMENT CREATING CENTRAL OHIO TRANSIT AUTHORITY@ TO INCLUDE THE CITY OF DUBLIN AS A MEMBER CITY; AND REPEALING AND REPLACING ORDINANCE NO. 3-71 PASSED JANUARY 11, 1971 THAT ADOPTED THE ORIGINAL AGREEMENT THAT CREATED THE CENTRAL OHIO TRANSIT AUTHORITY. The second reading was on 11-13-07. Do any members of committee or Council have any questions or comments on this before we move it on? (No response). Okay. Seeing none, I=ll make a motion we pass this on for third reading. Is there a second? Second by Mr. Stake. All in favor, please say aye. (All voted AAye@). Opposed? (No response). Motion carries.

And I will close the Safety Committee at 7:47.

Safety Committee
November 19, 2007
- - Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)
SERVICE COMMITTEE MEETING MINUTES
November 19, 2007

Members of Service Committee present: Mel Clemens, Antoinette Newman, Brett Baxter, Donna Shirey.

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

Mr. Clemens: I=d like to call the Service Committee meeting to order at 7:48.

The first item on the agenda is approval of the agenda. Do I have any additions or deletions to the agenda? (No response). If not, it=ll stand approved.

Item number 4, ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: ADDITION OF SECTION 1385.03 AMinimum Space And Use Requirements@ TO CHAPTER 1385 GENERAL PROVISIONS. First reading 10-22-07. Held 11-5-07. We=ve been discussing this for 12, 13, 14 weeks. And as I brought up last week, I would like to amend it on that minimum space. Because as I looked over and did some measurements and thought about some of the houses in Reynoldsburg and so forth, under Exhibit AA@, item 1, the area for sleeping purposes, on the last sentence where it says 100 feet of floor space for each occupant thereof, I=d like to change that to 70. Because you take your first 70 and add 70, that=s 140 square feet, and that=s basically a room 12 x 12 or 10 x 14. And I think that=s more or less some of the homes that we have in Reynoldsburg. Because if you took the 70 and 100 square feet for two occupants, that=s 170 square feet and that would have been 10 x 17 and so forth. I think some of our homes I don=t believe, have that area. So I would like to amend that section of it. So we will change that unless there=s some objections from the committee. Or members of Council. We=ve had discussion on this and what I=d like to do, I=d like to move this on for second reading. But if there=s anybody that would like to speak on this or, Mr. Joseph, yes.

Mr. Joseph: Yes, Mr. Chairman. As I was reviewing the minutes of the last meeting, and there was a number of discussions on whether it violates peoples privacy rights for this type of ordinance, and I wanted to know if the committee might be willing to consider some type of hardship exception. Because I know Mrs. Shirey made a good case of what if you had a case of someone who had some relatives or someone like that living with them on a short period of time. They would be in violation. I don=t think that what we=re trying to do should really impact that kind of situation. I=d like to suggest maybe some kind of family hardship exception that would be temporary, and would allow for some flexibility in that area.

Mr. Clemens: I have no, I can=t say I don=t have any problem with it. My only problem is, we=re in that situation now with family relatives that have caused this to come forward. And

this is the exact copy as far as taking away property rights and so forth. The City of Columbus= ordinance which they=ve had. And it=s not there for that reason. I have no problem if we can work something out. And I=d be willing to meet with Jed and we could discuss it if there=s some way we can, we=d have to look it over. Because I don=t want to get in the situation we=re in now because then we get into the situation where everybody=s family and that=s what we=re into right now. But I would like to move it on for the second reading just to get it moving. I=ll meet with Jed and we=ll discuss this issue or any other issues Council members have before it comes back to committee. And then if it=s not acceptable, then we=ll hold it until the next meeting.

Mr. Joseph: One idea to make it a little tighter so that not everyone was claiming it was, maybe make it so they have to notify the city for the amount of time they=d be looking at. That way there would be a document of record that they=re looking at rather than someone saying, well, yeah, it happened last month. We had all these people here and it was a hardship thing. They actually submitted something to the city saying, we=re going to invoke our hardship exception. It=s only for two weeks or whatever it is. That would be less likely for abuse I think if people actually had to go that extra step of submitting something to the city.

Mr. Clemens: That would be fine. Mrs. Newman.

Mrs. Newman: I feel that that=s getting even more into the invasion of privacy. Could we come at it from another angle? For example, what=s going to cause this ordinance to be looked into for example. On complaint? Or are the authorities just going to have the right to go down anybody=s street, knock on the door and say, have you got some extra people living here? And I want to come in and check. I think that, for example, if you=ve got your mother and father living with you while one of them is sick or they=ve come for the holidays or something, nobody=s going to complain about that. How=s the city going to find out about it? Why would they take any action? But I=d just like to, is there some way we could put something in there that the city would act only on complaint?

Mr. Clemens: My understanding, I talked to Jed with this, a complaint would have to be filed personally. And when you file a complaint personally, it=s a little bit different than calling on the telephone.

Mrs. Newman: So where does this....

Mr. Clemens: It also would be looked into by the city and it=s there for a reason. We=re not there to really hamper anybody=s household or anything like that.

Mrs. Newman: Well, I know that.

Mr. Clemens: But I mean, and I understand, and we=ve discussed this part of people, your neighbors, I=m going to turn in my neighbors because there=s so many people there. They

would have to come down and file a written complaint. And that=s a little different than just calling up on the telephone and having somebody go down and check it. Very few people will file a written complaint unless there=s a reason because they expect to get sued or something like that. That=s one reason. Mr. Baxter.

Mr. Baxter: I was going to head toward the direction rather than looking to write exceptions into a law which then makes it convoluted and difficult to enforce, is to add an appeal so that if there is an issue, and we=ve done this in other legislation whereas we make the Mayor, or Service Director, or some other entity an appeal organization where if there is a complaint, and a notice has been given to the resident that they=re in violation, that they can come back to the city and address the issue and make it an authority, Council, whoever you like, to hear that complaint, and then make a determination at that point. That gives an opportunity to keep it fair and in the public eye, and not something that then can be handled behind the scenes and make it feel like it=s undermining civil and personal rights. It=s out in the open and has opportunity for everybody to hear and discuss. So I=d recommend that as a solution. And secondarily, I think the right answer is, is having a personal complaint put into the record rather than make a phone call and turn somebody in.

Mr. Clemens: That=s correct.

Mr. Baxter: I would agree with you on that. And I think to your point of moving it on to second reading, I would be in favor of that as well.

Mr. Clemens: Mrs. Shirey.

Mrs. Shirey: Thank you. I want to thank Mr. Joseph for bringing that up in regards to family members. I think all this stems from, the fact that in the beginning when it was rental property where we had workers that were going to be here for 9 months. Is that correct?

Mr. Clemens: That=s correct.

Mrs. Shirey: Okay. Since the issue deals so much with just rental property and not specifically a homeowner, why can=t we do something where it=s designed specifically for rental property where you are renting it out to somebody and it=s stated in a document that you=re only permitted to have >x= number of people there. And then when those people move out, you have to have a new agreement, bring into the city. So whoever rents, if that agreement is brought into us, you=re only allowed two adults, we just have to look at that avenue. Why penalize the homeowners in the City of Reynoldsburg when you have renters coming in and just renting the property?

Mr. Clemens: I agree. But I don=t know who we=re penalizing. Because if you have three families move in together and there=s eight kids, and there=s eleven people living in the house and there=s not room for them, that=s another thing we=re looking at too. It=s no different than

up on campus or any place. It's a safety and a health issue. We don't want three families moving in with ten kids. And that makes about sixteen people in a house that's only supposed to have six or seven people in it. So there's all kinds of issues as far as this is concerned. And that's why this is a tough ordinance. That's why Columbus has it. And this is no different than theirs as far as interfering with anybody's rights as far as that's concerned. And they haven't had that problem. But I understand what, Mr. Joseph, and I understand what you mean too. And surely, I'll work with Jed, our City Attorney, and see what we can come up with. Maybe we can satisfy everybody and the issues that's been brought up. I have no problem with that at all. I would like to move it on for the second reading and then we can hold it. At least get it moving. I hate to keep holding it without moving it along. But those are issues that we'll look into and we'll have an answer for you at our next committee meeting. And if those aren't suitable, then we'll hold it and change it as we go. There's no hurry as far as passing it before the first of the year or what. We just want to get something that we can get working because we know the situation's going to happen. It's going to happen again, and again, and again because it's there and there's no reason why it won't happen. And you're right. It is for that one reason. And Jed and I talked about this rental part. I don't know whether constitutionally, you can just do it for rentals and not for the rest of the people to be honest with you. Just pick out a section and say okay, this is all the rental property can do. But the private sector can do this. I'm not sure you can even do that. But that's something that I'll gladly meet with Jed on and bring back what we found out about these issues. Mr. Hills.

Mr. Hills: Mel, I agree. And I like the concept you're talking about but the problem comes down, the homes that we're talking about here are privately owned homes.

Mr. Clemens: That's correct.

Mr. Hills: The rental agreement is with the person who owns the home. And our contact with that essence is the home owner. That's the one that's paying the utility bills and registered in the city. So it's taking that extra step that sometimes creates a problem. It's how much can you tell someone what to do with something they own.

Mr. Clemens: That's correct.

Mrs. Shirey: Well, and along that point, is that, I'm sorry, not to have interrupted you but, along that point, if someone comes and wants to move into the City of Reynoldsburg to purchase a home and they have six kids and they're buying a small home in the Huber area or something, are we going to tell them no because this how many people you have in your family, you cannot purchase this home?

Mr. Clemens: But see, there's no problem with that. If you read the ordinance, the ordinance says, nobody under 18 is involved. So you could move in with twenty kids if they're under 18.

Mrs. Shirey: Okay. But if they have an adult. If they have someone who's over 18 and going

through college like I did.

Mr. Clemens: I hope they don't have six living with them going to college. That could happen. I'm not saying it couldn't. But that's why we got it for the 18 and under. And I can understand the problems because we don't want to interfere with private owner. But here's the problem with that. The same situation could exist that we have now with no rental at all. I'm moving in ten people, moving in twelve people, I'm not renting it to them. They're only working for me. So what do we do then? And we've got no way to prove it one way or the other. All he has to do is give them a two dollar an hour raise or a dollar an hour raise and make up for the rent. We have no way to _____. So we have to come up with a conclusion one way or the other. And it is a problem. It's just not only a problem, there's two in Huber and one below it. There's not only a problem there. It could happen anywhere. It could happen in any part of the City of Reynoldsburg because of the houses that are there now. And there's any section of town, there's a bunch of them that's empty and there's a bunch of rentals and there's a bunch of houses that could be moved into. But I'm willing, like I said, I'm willing to meet with Jed and go over all these problems that we brought up and maybe we can come up with some answers that satisfy everybody. If not, then we'll keep working on it until we can come up with something that everybody feels that, the correct issue and know the correct way to do it. But I would like to move it on for the second reading and then hold it and work on it next week. And not bring it up for third reading until everybody's satisfied on the committee. Mr. Baxter.

Mr. Baxter: And to the point of the exceptions, we're always going to have the possibility of, I have eight kids or six kids and they're under the age or over the age. By putting in an appeal process, that gives the city and the residents an opportunity to address those issues and resolve them in a common sense method. So to your concern, I think that then gives them an opportunity to say, you shouldn't do this, but here's the safety issues however you address them and make sure that they're safe. So in that case here, I don't think that we've prevented them from giving them an opportunity to appeal and either move forward or decline.

Mr. Clemens: And like I said, the object is not to interfere with the homeowners. We're trying to do it for the betterment of the property owners, not for the destruction of them. That's something we don't want to do. Are there any other questions? (No response). If not, I'd like to make a motion to send this to Council for the second reading. Do I have a second? Second by Mr. Baxter. All in favor, say aye. (All voted Aye). Opposed? (No response). Thank you.

And I'll call the meeting over at 8:00.

- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)

FINANCE COMMITTEE MEETING MINUTES November 19, 2007

Members of Finance Committee present: Ron Stake, Mel Clemens, Doug Joseph, Preston Stearns.

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

Mr. Stake: And I will call the Finance Committee to order at 8:01.

Item number 2 on the agenda is the approval of the agenda. Are there any changes to the Finance Committee agenda? (No response).

Item number 3 is approval of minutes of November 5, 2007 Finance Committee meeting. Are there any changes to those minutes? (No response). None being heard, they=ll stand as submitted.

Item number 4 is Discussion: Approval of two appointments to the Licking County Tax Incentive Review Council. And we have a legislative request from the Mayor requesting a motion to approve and reappoint James E. Hood, City Attorney and John A. Brandt, Development Director to serve two year terms on the Licking County Tax Incentive Review Council. Terms expiring on December 31, 2009. Are there any questions or comments in regards to that from members of Finance Committee? (No response). Members of Council? (No response). Mrs. Frazier, this is just one reading on this, correct? Motion. Okay. Then I will move that we send on to Council a motion to reappoint James E. Hood and John A. Brandt to the Licking County Tax Incentive Review Council. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

Item number 5 is Discussion: Appointment to Design Review Board. We have Al Smith=s term is expiring on December 31, 2007. He has indicated a willingness to serve for another three year term on the Design Review Board. Are there any questions or comments from members of the Finance Committee? (No response). Members of Council? (No response). Then I will also move that we send this motion on to Council with recommendation for adoption to reappoint Al Smith to the Design Review Board. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

Item number 6 is Discussion: Health Savings Accounts. And this comes from our

Auditor, Richard Harris.

Mr. Harris: Thank you Chairman Stake, members of Council. As the city moves forward from going from the PPO policy to the HSA accounts with the high deductible health plan, this is a request that Council authorize the establishment of those health savings accounts for employees and elected officials, and authorize the Auditor to fund the savings accounts in accordance with amounts to be determined by Council probably prior to the end of the year. I will need to have this in place prior to the January date in which those accounts will be funded. The amount of money to fund those accounts will be put in the appropriation ordinance. But I do need the authorization to go ahead and establish the accounts and fund them in accordance with the appropriation.

Mr. Stake: So you need emergency legislation in order to have all that ready to go, right?

Mr. Harris: Yeah. Because I have to, if you look at the Chapter 160 that you're looking at amending, I need to put those in, I think the 15th of January. So I'll need it effective prior to that in order to get everything established.

Mr. Stake: Okay. So we want to have verbiage in there that we have an effective date of January 1, 2008 included in the ordinance, correct?

Mr. Harris: Right.

Mr. Stake: Are there any questions or comments from members of the Finance Committee for Mr. Harris? (No response). Members of Council? (No response). Then I'll make a motion that we send this on for its first reading. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye@). Opposed? (No response). Motion passes. Thank you.

Item number 7 is Discussion: Authorize renewal with United Health Care. And this comes from the Mayor.

Mayor McPherson: This is pretty self explanatory. This is our renewal. You're aware, we extended the contract with UHC through the month of December. This is requesting renewal from January 1, 2008 to December 31, 2008.

Mr. Stake: Right. And we are renewing with United Health Care, although we are not renewing the exact same plan. We have another plan that we're going to.

Mayor McPherson: That's correct. Instead of the PPO we're going with the HSA.

Mr. Stake: Right. We're going with a consumer directed health plan that has a high deductible and it's being funded by a health savings account for the employees.

Mayor McPherson: That=s correct.

Mr. Stake: For all the eligible employees and elected officials. And this also needs an emergency although it can have a few readings, correct?

Mayor McPherson: Correct. The sooner we do it the sooner we can get the paper work going with UHC. So if you want to hold it over until the first meeting or two in December, that=s fine. But just remember, we have a lot of paper work that=s involved once we can move forward with this. It has to be done by the 10th.

Mr. Stake: 10th of?

Mayor McPherson: December. Assuming we=re going to meet on the 10th. Third and tenth.

Mr. Hills: We=ll be meeting on the 3rd, 10th, and 17th. We=ll probably finish committee and Council meeting on the 17th. Madam Clerk, does that look right to you?

Mrs. Frazier: Yes.

Mr. Hills: So we=ll be having two committee meetings and two Council meetings in December, it=s just that we=ll have committee on the 3rd, Council on the 10th, and committee and Council for a year end wrap up on the 17th. And for anyone, that 10th to 17th could get a little touchy. So if there=s something that is, it may be better to go ahead and move something out a little earlier than it would to wait and stack them up on the 10th and 17th because there=s going to be a lot of other things come past at the same time.

Mayor McPherson: Yeah, I would agree. And unless there=s a lot of discussion on this renewal, it=s pretty standard and perhaps you could consider passing it next week as an emergency.

Mr. Hills: That=s pretty much I think where we=re going.

Mr. Stake: Does members of Finance Committee have any problems with that? (No response). Members of Council? (No response). Councilman Baxter, did you have a question?

Mr. Baxter: Yes, Chairman. Not a question, just a statement. There has been a lot of work done on this already. And I believe the administration has worked very hard to try to put this together with our associates, with the plans. So it=s not as if it hasn=t been discussed thoroughly, and we=re aware of what=s happening. And I=m okay if we move forward with it for next week.

Mr. Stake: Okay. Well, if everybody=s comfortable with that, I certainly am. And I=ll make a motion that we send this forward with recommendation for adoption as an emergency. Do I have

a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

Item number 8 is Discussion: Transfer Funds (Street Department) - operating supplies. And I see Mr. Ward is with us this evening.

Mr. Ward: Good evening. I'm requesting to transfer \$5,000 from our Traffic Light Electric account to our Operating Supplies account. During this year, we have spent about \$4500 more in fuel than we have all of last year. Street light parts, we have spent about \$8,000 which is up quite a bit from last year. The amount we have spent on signs and sign materials is up over \$7,000. And so we're just really running real low in the 200 accounts. We have excess money in the 300 accounts, specifically in the Traffic Light account. After AEP did an audit last year, and after we had switched to these new LED bulbs in the traffic lights, last December we got a \$14,000 credit on our Traffic Light account. And so I'm requesting that we could transfer that money so we could have enough to operate on until the end of the year.

Mr. Stake: Okay, Larry. We appreciate you looking around in your budget to see where you did have money to be able to transfer around instead of coming forward for an appropriation. That's something that we've suggested in the past and we appreciate you doing that. Are there any questions or comments for Mr. Ward from members of the Finance Committee? (No response). Members of Council? (No response). How soon do you need this?

Mr. Ward: I would like to have it as an emergency. Otherwise, we're going to _____ funds.

Mr. Stake: Next week? Any problems with that from anybody? (No response). Okay then, I'll make a motion that the City Auditor transfer \$5,000 from account number 260.268.5313 ATraffic Light Current@ to account number 260.268.5259 AOperating Supplies@ to cover expenses until the end of 2007. Do I have a second? Second by Councilman Stearns. I'm making a motion that we do this as an emergency by the way. Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes. Thank you, Larry.

Item number 9 is Discussion: 2008-2012 Capital Improvements Program. Mayor.

Mayor McPherson: Thank you, Chairman Stake. This is the 5 year Capital Improvements Budget that we submit to City Council every year. For those of you that don't want to look through the entire packet, page 1 and 2 of the, about 3 or 4 pages back on the addendum, sets out all the changes from last year's CIP Program that you adopted. And again, I'd like to point out, the CIP is a guideline. Just because we put a project in here does not mean it's cast in stone. And most of these projects, well all these projects, before they're actually undertaken, someone, depending on the department, comes back to Council and goes over the details. So this is our Capital Improvement Budget. And during the next 5 years, you'll see a lot of these projects coming back before City Council.

Mr. Stake: Okay. Are there any questions for the Mayor from members of the Finance Committee? (No response). Members of Council? (No response). Then I'll make a motion that we send this forward for its first reading. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 10 is Discussion: Authorize Salary Increase - 160 employees and authorize Auditor to pay (added at the request of Chairman Stake). The Mayor did call me about this and I said it was okay to add it to the agenda for this evening, because if this is something we want to do, I want to make sure it had as many readings as possible and I want to get it started. So Mayor, go ahead.

Mayor McPherson: Well again, this is the request that we're making for the employees for an annual pay increase. This year we're requesting 3.5%. As you go through the list that we submitted, you will see this is for all non-bargaining unit members. And you'll also see there are some that are frozen. Those are the ones that are in the United Steel Workers, presently in negotiations. And so their salaries are frozen until the negotiations are concluded. And you can look at the list and see what every person that's employed by the city that's non-bargaining unit makes.

Mr. Stake: Okay. Thank you, Mayor. Are there any questions for the Mayor or comments from members of the Finance Committee? (No response). Members of Council? President Hills.

Mr. Hills: Just a couple of notes. Especially for those that have been newer to Council. Historically, the 160 employees, or those that are non-union employees, have always received, not less than the contract percentage. That is all this is. Next years contract is 3.5. It's noted in the Mayor's memo. But then secondarily, these numbers are already in, have been incorporated into the interim budget. The interim budget that we're going into the next administration does include a salary adjustment for the 3.5. So it's not an appropriation of additional dollars right now. It's just recognizing that this is a, now Bob and I could get into a 3 year argument of merit versus cost of living or whatever it is. It's just an adjustment. Well I will give him, he said he had 41 days but I think it's 42 if you count them up.

Mayor McPherson: We agree. It's an adjustment.

Mr. Hills: So this is something that is not based on merit. It's something that we've adjusted our non-contract employees on an annual basis for years. Just for, in passing.

Mr. Stake: Thank you, President Hills. Are there any other questions or comments? (No response). Then I'll make a motion that we send this forward for its first reading. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 11 is ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (a) of Section 953.01 AWater Rate Schedule@ OF CHAPTER 953 WATER CHARGES. It had its first reading on November 13, 2007. Are there any questions or comments from members of the Finance Committee? (No response). Members of Council? (No response). Then I=ll make a motion that we send this forward for its second reading. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Item number 12 is ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR REFUSE PRIVATE HAULER CONTRACT. It had its first reading on November 13, 2007. Are there any questions or comments in regards to this item from members of the Finance Committee or members of Council? (No response). Then I=ll make a motion that we send this forward for its second reading. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Item number 13 is an ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: VARIOUS SECTIONS OF CHAPTER 160 EMPLOYEE COMPENSATION. It had its first reading on November 13, 2007. And we did have a memo come from the Mayor this week that has an addition to that. I=d just like to point out that on page 18 we would add 2a, AThe following shall apply to each full time employee or newly elected official who=s term begins January 1, 2008 or after who elects to be insured through the city and is eligible for Medicare coverage. The city will reimburse said full time employees or elected officials for qualified medical expenses and prescriptions that meet the insurance plan deductible coverage up to the same contribution level of those not eligible for Medicare coverage.@ I=d just like to point out that if you=re on Medicare, you=re not eligible to participate in an HSA. And that would leave the Medicare folks with a huge deductible to satisfy without any funding for that and the city would be funding that portion for them just similar to what they would be doing by putting money in the HSA. Are there any questions or comments from members of the Finance Committee? (No response). Members of Council? (No response). Then I will make a motion that we send this forward for its second reading with recommendation for adoption. I=ve got a note on here, two readings. So I make a motion that we send this forward for its second reading with recommendation for adoption as an emergency. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Item number 14 is an ORDINANCE TO AMEND THE ACITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL@ ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED, CHAPTER 3 EMPLOYMENT, SECTION 3.20 AAdministration of Pay Plan@, Subsection (b). It had its first reading on 11-13-07. Are there any questions or comments in regards to this item? (No

response). I also have a note on here, this would like to be passed in two readings with an emergency. Are there any questions or comments from members of Finance Committee or members of Council? (No response). I=ll make the motion that we send this forward for its second reading with recommendation adoption as an emergency. Do I have a second? Second by Councilman Clemens. Any further discussion? President Hills.

Mr. Hills: I=ve just got to make a comment for those people who=ve been here for a long time. This came out of the old Clemons/Nelson study that everybody adheres to, refers to. And this one bothers me a little bit that we=re taking it out. And I=ll be candid, the Mayor=s tried to get it out for the 8 years since it=s been in there. This was established and set up the way it was because we had hoped that there would be a time that there would be true merit increases for employees of the City of Reynoldsburg. And to do that, you had to base an evaluation of some sort of their services. And elected officials and/or appointees would have to value and say, is this person worth the same as the other rather than everybody getting the same amount of money for doing the same job? The goal at the time it was set up, and I don=t think the Mayor will disagree with this, it was going to be, let=s just take some unusual numbers, Council has \$5,000 and it=s going to be spread to everybody, and then Council would appropriate another \$5,000 that would be spread as to how administration wanted to pay those people on a true merit type system. That program never really got implemented. There were some bumps along the way and some headaches. And it=s a pain. Because you=re asking a director that has been appointed, to go tell me, is (a) better than (b), is (b) better than (c)? And those some times don=t work well. So this gets rid of that. And I guess I can look at it and say, maybe there=s going to be a new administration, we ought to look at a different way of doing it. But the goals I think, were good in trying to put this in. They=ve just never been implemented. And if (tape change) 5, 6 years without implementing it, I=m not sure it=s going to get implemented. But I just couldn=t pass without making at least a comment. So I think Mel was here at the time. Ron?

Mr. Stake: I just came on Council that year when it came out.

Mr. Hills: It just came on. This had some good intentions. It just has never been effectuated the way it was written.

Mrs. Newman: I just wanted to make a remark here. This kind of thing giving merit increases might work pretty well in the private sector. But I think with the, how do I say this, the salaries of people working for the city, that=s pretty open information. And I think it could cause a lot of hard feelings among the employees. Because they would find out.

Mr. Hills: Oh, absolutely. Nobody=s salary=s ever quiet.

Mrs. Newman: No. And there would just be a lot of hard feelings whether deserved or not, and whether it was just or not. People don=t look at it that way. So I think this is a good idea to do away with this.

Mr. Stake: And as President Hills said, we never did do it that way and it always seemed kind of ridiculous to call it a merit increase when we're giving everybody the same amount of adjustment. So if we're going to do that, let's call it that. Let's not call it a merit increase. Mayor.

Mayor McPherson: I just want to say my two cents because Bill and I have been going back about this for several years. The reason we didn't implement the merit was because the first paragraph in Section 1 makes it crystal clear as to how you're going to pay the employees. And Council basically says, and this is if you meet the minimum requirements, All such employees shall receive the same percentage increase as determined by Council unless the Council elects a higher percentage for employees who have not yet reached a certain level with the respective pay grades. It's crystal clear no matter what it just said in the evaluation, Council said in no uncertain terms, you pay everybody equally. And that was where our argument's always been. It could have changed either thing. It could have changed merit. It could have changed that paragraph. But it never got changed until now. So yes, thank you.

Mr. Stake: Councilman Clemens.

Mr. Clemens: Yes. This \$40,000 we payed Clemons to do, it wasn't this Clemens.

Mr. Stake: That's right. We should clarify that. Clemons only got half. Nelson got the other half, right?

Mayor McPherson: Yeah. Nelson got the biggest portion of that.

Mr. Stake: Okay. There is a motion and a second. Is there any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 15 is an ORDINANCE AUTHORIZING EXTENSION OF CONTRACT WITH UNITED HEALTH CARE FOR ONE MONTH. This had its first reading 11-13-07. This also needs to pass on the second reading. But this basically is, and we did get renewal verification documentation over the weekend with this. But this just extends our present plan through the month of December for our new plan which makes a lot of sense with an HSA to go into effect the first of the year. Any questions or comments from members of the Finance Committee or members of Council? (No response). Hearing none then, Councilman Baxter, do you have a question?

Mr. Baxter: This is the ordinance to extend for one month, correct? To pay for December?

Mayor McPherson: Yes.

Mr. Baxter: And that's two weeks away.

Mayor McPherson: That=s why we need to get it passed next Monday.

Mr. Baxter: So we=re looking to pass this next Monday?

Mr. Stake: Yeah. I said two readings. This will be going for a second reading with recommendation....

Mr. Baxter: Okay. I didn=t see the emergency language on the docket. We=re going to have that then. Thank you.

Mr. Stake: Yeah. Well, I=ll make a motion that we send this forward with recommendation for adoption as an emergency. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Item number 16 is an ORDINANCE TO MAKE AN INTERIM APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2008. It had its first reading on 11-13-07. Are there any questions or comments from members of Finance Committee? (No response). Members of Council? (No response). I will note that this is an interim appropriation. The new administration I would hope, at this point forward, would be working on the final appropriation that should come to us, I would think as soon after the first of the year as the new administration feels comfortable. That budget request will need to be approved by Council. But any, I would think that any new employees, any additions, capital purchases or anything like that, the new administration would have in that final appropriation. And it would be my preference, I don=t know if it=s everybody=s preference here to deal with all of that at once instead of in piecemeal. I think that would make it a little bit easier for everybody up here to understand, the new Council to understand, and make it go a little bit smoother. Are there any other questions or comments? (No response). Then I=ll make a motion that we send this forward for its second reading. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Item number 17 is ORDINANCE TO AMEND THE ACITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL@ ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED, CHAPTER 4 COMPENSATION AND HOURS OF WORK, SECTION 4.091 ACompensatory Time (Senior Police Management)@, addition of paragraph 5. to Subsection A. It had its second reading on 11-13-07. And this in a nut shell, recognizes the Lieutenant who=s now working as the Acting Chief and pays the Lieutenant as Acting Chief. And we had some verbiage that was submitted that, I think everybody else had plenty of time to see and is comfortable with. And I don=t know, this would be going for its third reading. If we could pass it as an emergency, we can get this into effect here as soon as possible. Does anybody have a problem with that? (No response).

Then I'll make a motion that we send this item forward with a recommendation for adoption as an emergency. Do I have a second? Second by Councilman Joseph. Any further discussion?

Mr. Stearns: Question, Chairman Stake. Is this retroactive?

Mr. Stake: No.

Mr. Stearns: Okay. Thank you.

Mr. Stake: All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And this is just the second part of that. An ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.04 AOTHER COMPENSATION by adding Subsection 4. This had its second reading on 11-13-07. Any discussion on this item by members of Finance Committee? (No response). Members of Council? (No response). This also would be, this is a companion ordinance with the previous one so we need emergency as well. So I make a recommendation to send this forward with recommendation for adoption as an emergency. Do I have a second? Second by Councilman Clemens. Any further discussion? Councilwoman Newman.

Mrs. Newman: Mr. Stearns asked if this was retroactive. You said no. But the Lieutenant is going to be paid for all the time he works as the Acting Chief, correct?

Mr. Stake: In the meantime, I'm sure he has been putting in for overtime.

Mrs. Newman: Oh, I see. Alright. I didn't even think about that.

Mr. Stake: And we have considered him Acting Chief in the meantime. All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I'll adjourn the Finance Committee at 8:29.

Finance Committee

November 19, 2007

- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)