

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

November 1, 2004

Members of Community Development Committee present: Lane J. Beougher, Eric Gilbert, Mel Clemens, Ron Stake, Preston Stearns, Brett Baxter, Antoinette Newman.

Other member of Council present: Council President William L. Hills.

Mr. Beougher: I'll call Community Development Committee to order at 7:36. The second thing on the agenda is the approval of the minutes of the October 18, 2004 meeting. Are there any corrections, additions, deletions to the minutes as submitted? (No response). Hearing and seeing none, they will stand as submitted.

Item number 3 is the approval of the agenda. Are there any additions or deletions for tonight's agenda? (No response). Hearing and seeing none, it will stand as submitted.

Item number 4 is an ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 971.08 "Program and Facility Fees and Charges" OF CHAPTER 971 MUNICIPAL PARKS. And this has had its second reading on October 25. And we have received some additional information between our last committee meeting and now. Including a memo from Mr. Walsh which had some revised fees. And Ms. Smith has added those changes to Exhibit "A" that we can pass along for its final reading and passage if that's what we decide. Are there any questions or comments on this issue? (No response). Seeing none, I will move to send this forward with the revised attachment "A", Exhibit "A" for its third reading and approval at the November 8 Council meeting. Is there a second? Second by Mr. Baxter. Any further discussion? (No response). All in favor of sending this forward, please signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries.

This does not need to go to Finance. Is that correct?

Ms. Smith: No.

Mr. Beougher: Okay. Very good. This will go forward for a third reading and as a recommendation for passage on the 8th. And with that, I will adjourn Community Development at 7:39.

Community Development

- - -Susie Smith, Assistant Clerk of Council

(Transcribed - Susie Smith)

November 1, 2004

SAFETY COMMITTEE MEETING MINUTES

November 1, 2004

Members of Safety Committee present: Mel Clemens, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert, Lane J. Beougher, Antoinette Newman.

Other member of Council present: Council President William L. Hills.

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:40. The first item on the agenda is approval of the minutes of October 18, 2004 regular Safety Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

Next item, approval of the agenda. Are there any additions or deletions? (No response). If not, they'll stand approved.

Item 4, Discussion, Liquor Permit Request, Transfer, from Bar Gary M LLC dba Garys Watering Station to Battalion 8 LLC, 1355 Briarcliff Rd., Reynoldsburg, Ohio 43068. Chief Miller.

Chief Miller: Thank you, Mr. Clemens. We've conducted an investigation into this transfer, and essentially it's being taken over by two fire fighters who are actual fire fighters. And they are looking to work closely with the Reynoldsburg Division of Police. They want to make it a neighborhood pub. And the bottom line is, there's no reason to oppose this transfer.

Mr. Clemens: Alright. Thank you, Chief. Are there any questions for Chief Miller on this subject? (No response). If not, then we'll just let it stand as is and not send anything.

Next item, Discussion, Liquor Permit Request, Transfer, from Catfish Charleys LLC dba Catfish Charleys Pizza, bsmt. & patio to Slims Italian & American Cuisine LLC, dba Catfish Charleys Pizza, bsmt. & patio, 7679 E. Main St., Reynoldsburg, Ohio 43068. Chief.

Chief Miller: Mr. Clemens, we just received this last week. I would like another week. I can let you know by the end of this week. The investigation should be completed regarding this matter.

Mr. Clemens: Okay. That'll be fine. Thank you, Chief.

Next item, Solicitation by Charity Newsies Inc. Charity Newsies wants to have a fund raiser to do solicitation Saturday, December 11, 2004 at Aida and Main, and Brice and Livingston. The other two streets they asked for aren't in Reynoldsburg. They've done this many, many years and I don't think we've had any problems. Are there any questions about this? (No response). If not, I'd like to send it to Council for the first reading. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item, Discussion, Fee Schedules, various chapters and sections of the Reynoldsburg City Code submitted by Chief Building Inspector Stephen Moore. Mr. Moore: Thank you, Mr. Clemens. We're coming back with the fee schedule that we spent, I think about four meetings on, going over. We've reviewed the comments that were made by Council and by the City Attorney, and we've incorporated what we felt needed to be incorporated in this to make some of those changes. Also, I have, it seems like the more we go over this the

more we see. So I have some paper work to hand everybody today. Three pages. Mr. Hopper will be going over these. But these will be inserts to change the pages you have. As we've went through them, we've found other small items that we wanted to make sure got corrected.

Mr. Clemens: Chet.

Mr. Hopper: Good evening. There's a few things that we had discussed throughout the discussion, and I just wanted to highlight those. The first one, if you go to the second page, it's actually the first page of the changes that you got. We talked about the application fee being a non-refundable fee, and that we were going to put something in there to explain that that fee would then apply to the plans examination and/or building permit fees. That has been added. There was also some discussion about, in one spot, I think (f) was \$50 fee and then we went to (i) was 150 and just took (f) out and took the fee out of (f) and just put it all in (i). Next, we had discussion about the statement under 1305.02. We had a statement in there that had all building permits needed to have an application. We simply took that statement out of there under the suggestion of the Council.

Mr. Hills: Where was that, Chet? Let's try that again. What was removed?

Mr. Hopper: It's 1305.02. The very first statement, (a) on the, when we had it up for discussion, we had a statement in there that we added the word "all" so that "all" projects needed a permit application. And I think there was a discussion with Mr. Baxter that didn't like the word "all".

Mr. Hills: 1305.02(a) both read the same. The one you just gave us and the one we had. They're both the same.

Mr. Hopper: Right. But these are things that we discussed with your original package.

Mr. Hills: Are we back to the package we had Friday night? Is that what we're referring to now?

Mr. Hopper: That was the package we started with approximately 4 weeks ago.

Mr. Hills: Okay.

Mr. Hopper: So we're just kind of going over the discussions we had and what we've taken out of that package. This is the final draft of the new package.

Mr. Beougher: If I might, looking at the older version, they had included a sentence at the end of (a) that said, "all improvements to the property will require a permit application, plans, and approval". They backed that out but they didn't cross it out. Once it's in front of us, it would be easier if we saw it crossed out, lined out. I think that is what has happened. And so they do both look the same.

Mr. Hopper: Okay.

Mr. Hills: Just for what it's worth, this is still discussion, it would be nice to see this with Council at some time, unless there's objection from somebody on Council. We had three sets of this to start with. Then we had this set come to us Friday. And now we have substitutes to that set. I would suggest that before you ask us to ever think about voting on it, we have one set that includes old language lined out, and new language highlighted or underlined so we know. Because right now it's sort of hard to follow what you're saying. We're trying. But I would suggest that we may save a lot of trees if we have less paper and one set that really reflected what you want to say. Unless there's an objection from...

Mr. Clemens: I think that could be done. If we send this on for the first reading, have it corrected in the one new form with all the corrections in it. As Bill said, have the old ones marked out and have the new one, just have it for us by our next packet Monday night if you could. Would that be okay, Bill? That takes care of the whole thing. It would be a new one with the old adjustments, the old ones marked out and the new ones put in.

Mr. Moore: I guess, it might have been a misunderstanding on my part. You want, from the first package we had where we made the changes, you even want those changes strike out?

Mr. Clemens: No.

Mr. Moore: Because that's kind of what Mr. Hills is saying. Because he isn't seeing that language any more.

Mr. Hills: You want to show to Council, as it is currently codified, it has been previously passed, and you want it to be passed again, you need to take out what you took out, and you need to add in what you wanted to substitute. What you're asking us to pass is, an amendment of a previous document for your fees and whatever. So in order to do that, you need to see what the old document was and what changes you've made. This one, you've come out with multiple pages that, the first set you gave us, here's what it is today, and then you gave us...

Mr. Moore: The strike out. Then we gave you the final.

Mr. Hills: Then you gave us one that showed...

Mr. Moore: What it would look like.

Mr. Hills: What it would look like.

Mr. Moore: Right.

Mr. Hills: You've kind of just put the three of them together. You've got what it is today, and that is the fees you're charging today. And then as you've added or deleted fees, increased or reduced fees, or added or deleted language, all you have to do is line out what you added and underline what you put in or all caps, or something to italicize it. Show us that it's not what it was before.

Mr. Clemens: Just start out with the old one and then the new one that's finalized. Not what came in between.

Mr. Moore: Okay. Well that's where we're getting a little confused here.

Mr. Clemens: Just the old one and what we decided to codify it with.

Mr. Moore: Okay.

Mr. Clemens: And that's it. Strike out the old and hand us the complete set from there.

Mr. Moore: Okay. So basically what you're looking for is the original and then the strike out and you don't care about the final document which is what I think you got with no bolding or anything. This is what the final one would look like with all the changes.

Mr. Hills: But it's not final because we still have added things from Friday night and we've added three pages tonight. So it isn't final yet.

Mr. Moore: Okay. Right.

Mr. Hills: It may not be final once you propose it.

Mr. Moore: Well, we understand that.

Mr. Hills: We'll be able to figure out what it is.

Mr. Clemens: Go ahead, Chet.

Mr. Hopper: I think all we were doing was just going over the discussions we've had and what we felt was within the discussion. What needed to come back out or made changes to. That's what we did and that's kind of where we're at today. The next thing that's a significant change is if you go to 1305.10. It's the heat pump fees. What we did there is simply on (d), we've had discussions about replacement parts being a fee of \$25 and then on (e)(3), the hotel and motel is \$50 per unit. And there was discussion that it costs more for a new unit fee than it did for a replacement part. So we just made those two fees the same. (d) is now going to be \$25 for the repair and (e)(3), hotel and motel is also \$25 per unit. If you continue on, 1305.11, refrigeration permit fees, we took out the (2), we took out BTU's. And simply just are charging a flat fee for each unit that's installed for the a/c. And the next page after that would be (i), again we took out the BTU's and it's just the minimum permit fee for the repairs. The next change that we made, it's under the electrical permit fees, 1305.12. Under (c)(1), we had had this in the final draft but it didn't make it into the strike outs and that is the residential temporary service of \$50. And then the next change we made, 1305.14, fire protection systems. Simply clarified (2)(b) and (c) the above ground water supply piping and under ground water supply piping. And the next change would be 1305.16. We took the permit fees for junk yards completely out and replaced that with the demolition permit fees.

Mr. Moore: We brought up about junk yards. I'd just remind everybody. It was in our fee schedule and actually we don't have any junk yards. I did speak to Mr. Underwood also about this and he had the same suggestion Council did. We looked in zoning. I spoke with the Zoning Officer. Junk yards are covered under I think, it's General Industry under the zoning code and it's a Special Exception Use Permit. So really, there was nothing the Building Department did with that any way. And at this point, I believe land would be way too valuable for a junk yard to go into the City of Reynoldsburg any way. I don't see anybody buying land here for that type of use. But if they did, and if we got in that situation, it is covered under the Zoning Code by a Special Exception. So we didn't feel it was needed and so we moved it out. Just to remind everybody kind of that discussion.

Mr. Hopper: I think that's all the changes that were of significant importance that we made after the discussions we've had. Any questions?

Mr. Clemens: Mr. Hills.

Mr. Hills: Mr. Clemens, if I could. And we did comment about this the last time and I noticed it wasn't changed. You did add in a number of these areas, a minimum fee. Like in 1305.02, second page of old, first page of new that we got tonight. Paren (b), you added minimum building permit fee, \$35. But then down in paren c, paren 6, we still have residential storage buildings 100 square feet or less, \$10. So we have a fee listed under the category of minimum fee is 35, we've got the \$10 fee. Did you all look at that and just decide it was appropriate to say we have a minimum fee. But yet as you read on, we charge less than that minimum fee.

Mr. Hopper: Yes. The minimum...

Mr. Hills: Without any further clearing. It just...

Mr. Moore: The reason we have a minimum fee is for those projects. We don't know what they could be. It's things that wouldn't specifically be mentioned in our, since our code specifies everything, we're trying to get it down to more things. Like I said, we could have an alteration right now that if somebody wanted to add a window. Well, that's an alteration. We don't have that specified out. So instead of charging them the \$115 fee that we have right now, it would be nice to have a minimum fee that you could charge somebody that. But with not knowing specifically what those are, there's no way to say that you know, you're going to charge them \$10. Because you may spend a lot more than \$10 going out. On a shed, the ones under \$100, we specifically know what it is and know what our cost basically would be. So yeah, we can have a fee that would be less than our minimum fee, but we know specifics about that that allow us to charge that less fee. The minimums are there to cover those things that are odd ball, not typical, don't usually run into them type items that would give us the ability to have the fee, but be reasonable about it instead of having to jump to the big high fees for it. I mean, there's just no way for us to know what those are. I know you mentioned that and...

Mr. Hills: Well it just looks a little funny to me. If I was coming in as a resident out here, to read

your fee schedule, it tells me my building, minimum building permit fee is \$35. If I'm reading, I'm going to say, well it's going to at least cost me that. And then I go to the next section which talks about building fees for new buildings and additions and it says residential storage buildings 100 square feet or less, and the fee's only \$10.

Mr. Moore: Well, I understand. But that's specific to what we know what that would cost us to do it. I mean, I'm not opposed to charging more, but I don't want to charge less for a minimum fee.

Mr. Hills: I guess I've asked two or three times, we'll wait and see what Council does as it goes on through. But it just would seem to me that when you're going to make a generalized statement, minimum building permit fee of "x" amount of dollars, if you know under that you're going to charge somebody a lesser fee, you ought to just put in parenthesis, except buildings under 100 feet. To me it just, you're asking, well it's a little confusing to the reader. Maybe it isn't to other people. Maybe the builders will say, okay, that's fine. And they'll think they're getting a bargain because they're paying less any way. It's just, but I guess that's why we'll see, once we have a copy of everything that's marked out or added in, we'll be able to make it easier to detect whether things we talked about are included in the copy that we're actually proposing because this one wasn't.

Mr. Moore: It was one of those things where, again, that's where we took into consideration. I mean, we went through the minutes and actually read all the things that were proposed, but I'm not going to say we incorporated all of them. I mean, we looked at the ones, and we still felt comfortable with minimum building permit fee and then having a smaller fee.

Mr. Hills: Mr. Clemens, I just wanted to note that.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: Mr. Clemens, thank you. And I remember this conversation, President Hills. And I think it's easily solved just by putting a phrase next to the minimum fee and saying, "unless otherwise specified". I don't see a problem with having a fee lesser than the minimum and try to have a catch all. I think that's a great idea to before thought and say, we may not know everything but we know this minimum might cover at least that much. But to specify to your point and say, "unless otherwise specified" a \$10 charge would be great. I think to only charge \$35 for 100 foot less building just because it was our minimum charge. So I think to your point, just by putting this specification on it and say, "unless otherwise specified", I think that covers it.

Mr. Moore: Well, we can do that on all the minimum permit fees.

Mr. Baxter: And that's what I'm thinking is that covers both sides of the situation. It makes logic.

Mr. Hills: I think that's similar to what we talked about the last time we went through this.

Mr. Baxter: We talked about that and I think that would be a nice way to solve it. Thank you, Mr. Clemens.

Mr. Clemens: You're welcome. Are there any other questions for Chet or Stephen pertaining to the change of the fee schedule at this time? Mr. Baxter.

Mr. Baxter: Mr. Clemens, just one more question if I might. We've talked about this now for about 4 to 6 weeks and I was just wondering, have you had any response from the public about the fees or any questions from the citizens saying why they're going up, or no comments, or conversations at all?

Mr. Moore: Actually, no. I've had no one call or ask any questions about the fees.

Mr. Baxter: Okay. Great. Thank you.

Mr. Clemens: Are there any other questions? (No response). If not, you will update it for us and have it in our packet on what we've discussed this evening and add what Mr. Baxter and Mr. Hills had suggested. With that said, I'd like to move this on for the first reading to City Council. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you, Stephen, and thank you, Chet.

The next item, ORDINANCE AUTHORIZING THE ISSUANCE OF A PERMIT TO SOUTHEAST LIONS CLUB TO SOLICIT DONATIONS ON FRIDAY, NOVEMBER 26, 2004. This was held last week for a few reasons. One of the reasons was the insurance was for the wrong date. We have received insurance for the date of the 26th of November. So we have received the insurance. Also, there was discussion with Mr. Hills and myself and we had some calls pertaining to the Reynoldsburg Lions Club, if they were included or not included. That has since been resolved through the discussion with the two Lions Clubs together. I checked with the Reynoldsburg Lions Club this morning and they are satisfied with the outcome of their discussion with the Southeast Lions Club. They are going to take part in solicitation and receive a benefit from it. So they're no longer opposed. They're happy to have it move on. Are there any other questions pertaining to this subject? (No response). If not, I'd like to move this to Council with emergency language included so it can be passed in time for it to take effect. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

And at that, the Safety Committee is over at 8:05.

Safety Committee

- - -Susie Smith, Assistant Clerk of Council

(Transcribed - Susie Smith)

November 1, 2004

SERVICE COMMITTEE MEETING MINUTES
November 1, 2004

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

Mr. Gilbert: I'll call the Service Committee meeting to order at 8:04. The second item on the agenda is the approval of the minutes of the October 18, 2004 Service Committee meeting. Are there any additions or deletions to those minutes? (No response). None being heard, they'll stand.

Item number 3 is approval of the agenda. I'd like to hold items 6 (Discussion, Commercial Corridor Revitalization Project/Phase II Utilities, authorization of attorney services and appropriation of funds) and 7 (ORDINANCE TO ENACT A COMPREHENSIVE RIGHT OF WAY MANAGEMENT POLICY (Chapter 907)). I'll make that motion. Is there a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is a Discussion, it's a review by Council of a Special Exception Use Permit,

2087 Baltimore/Reynoldsburg Road. We had received the minutes on this and only with Special Exceptions, if there's no questions from the members, it will stand as approved without Council action. Were there any questions or concerns on this from the members? And it's my understanding that we would not need to take action on this this evening then. Correct, Ms. Smith?

Ms. Smith: Yes.

Mr. Gilbert: Very well. Then I'll make a motion that we table this indefinitely. Do I have a second? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 5 is an Ordinance authorizing engineering services regarding the preparation of plans, specifications, cost estimates, and advertising for bids for Bartlett Road relief storm sewer and changes to the previously prepared plans for the Broadwyn Drive relief storm sewer. This took a _____ route to the table via Mr. Clemens at the Safety Committee. And we had added this at his request. I had the opportunity to discuss this with Mrs. Reichard, and Mr. Ward, and Mr. Parkinson. And this legislation is for appropriating funds for the engineering services that are involved. We did not have a normal legislative request so what I would just ask before we move this forward, the item did have its first reading and I would just ask the Clerk to forward a legislative request up to the administration so that we could have prior to passage, a commitment to the project as well as how the project will be paid for and per Council rules, to be signed off for by the Auditor. If Mrs. Reichard, you could just look for that over the next couple of days. That way we'll have that per Council rules, back prior to the passage of the item at its third reading. Any other questions or comments from members of the committee at this time? (No response). None being heard, I'll make a motion that we forward this to Council for its second reading. Do I have a second? Second by Mr. Beougher. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I guess that'll allow me to adjourn Service at 8:07 p.m.

Service Committee

- - -Susie Smith, Assistant Clerk of Council

(Transcribed - Susie Smith)

November 1, 2004

FINANCE COMMITTEE MEETING MINUTES

November 1, 2004

Members of Finance Committee present: Ron Stake, Mel Clemens, Eric Gilbert, Lane J. Beougher.

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

Mr. Stake: I'd like to call the Finance Committee to order at 8:07 p.m. The second item on the agenda is approval of the minutes of the Finance Committee meeting held October 18, 2004. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted.

Item number 3 is approval of the agenda. I've got a change to the agenda. I'd like to hold item number 9 (Discussion, Commercial Corridor Revitalization Project/Phase II Utilities, authorization of attorney services and appropriation of funds). Are there any other changes? (No response). I will make a motion that we hold item number 9. Do I have a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is, Discussion, Creation of Chapter 175, Sale of City Personal Property. I believe Mr. Underwood has submitted us some proposed legislation on this. Set forth requirements on how the city can sell personal property. Members should have received this a couple of weeks ago. Mr. Underwood, do you want to address us on this at all?

Mr. Underwood: The proposed ordinance, this is a topic that comes up periodically. And I'm sure there's more than one opinion on it. But somewhat follows the Ohio Revised Code. It's more tailored to our city. There are other issues involved but I'm sure that Council will have several opinions on that. I tried to address the large items but there's also a _____ of small items that you may want to include in there. And you may, Mark Kipp suggested that we also talk about depreciation value as opposed to just the initial \$1,000 or greater. But depreciated value. So I think if you discuss it a number of times, then we can come up with a final ordinance that will make sense for the city and that can be set down and cast in stone at least for a period of time to be followed henceforth by all departments so it makes sense. We've done it generally by auction for a period of time. But we may want to refine it and send it forth to how we're going to get rid of it.

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

Mr. Baxter: I just have one question. The property we're talking about, is this city property, or property that can be seized by the police considered? What is the asset we're talking about? Are we talking about a stapler, a bicycle, a motorcycle, computer equipment, televisions?

Mr. Underwood: If we seized it, it's city property. It's city property we purchased, city property maybe we've seized, city property that's our property that we've purchased, seized, found, maybe it's been abandoned. It might be bicycles. It could be any property that is in the city possession. It might be staplers. It might be, who knows what. A wide range of values.

Mr. Baxter: Thank you.

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

Mr. Clemens: Yes. I understand what Bill means and I think we should all look at it closely as he said over the next few weeks and see if there's any changes we'd like to make to add to it. I think it's something that we need to do though. That we have something correct to work by.

Mr. Stake: Okay. Thank you, Mr. Clemens. Does the administration have any comment on this?

Mayor McPherson: Well, we'll review it over the next few weeks too. I'm assuming that it's not going to go forward. It's just going to be for discussion. And as we review it, also we'll have input into it.

Mr. Stake: Okay. Thank you, Mayor. Okay. So I guess what I'm hearing, everybody wants to take a look at this and we can expect some input from Council members, department heads, and anybody else who'd like to comment. So, are there any other questions or comments? (No response). Members of Council? (No response). Then I will make a motion then that we hold this for two weeks. 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 Supplemental Appropriation, City Attorney Special Counsel Account. This also comes from Mr. Underwood. Mr. Underwood around?

Mayor McPherson: He went out.

Mr. Stake: Okay. From the information we've received, we can see that we have some lengthy info here. At least on the yellow piece of paper that we have. It's my understanding in speaking with the City Attorney earlier today that he doesn't really expect any more expenses on Mr. Sowell. And he did indicate to me earlier today, or earlier this evening, that the amount that he would like to request would be \$5,000. And that would be primarily for the Speedway issue. He has stated that he is pretty much out of money in his accounts. So that's where we're at. Any questions or comments from members of the committee? Mr. Clemens.

Mr. Clemens: Would that put the brick wall back up too that somebody ran through? Or is that not included?

Mr. Stake: Well, it might be taken down. You never know. I don't think it'll put the wall up. There was a, he's not here to address this, but there was a, I guess a request to transfer money from the Streetscape account since it's primarily dealing with the Speedway problem. We did receive some information on the financial situation of Streetscape Phase I. (Mr. Underwood back in Council Chambers). Mr. Underwood, just to let you know, we're on the appropriation of funds for your Special Counsel Account. And I let the members know that you were interested in getting \$5,000. And that's primarily for the Speedway.

Mr. Underwood: Yeah. We transferred out of all the account and that's the only open case I think we have left this year. I've closed out Chester Wilcox's all but \$300. And I'll probably transfer that over to a neighborhood case we have where the neighbors can't get along. And I've got 6,000 left in the Speedway case with depositions left. And that might run close. I think 5,000 will be very adequate. Speedway is left. The EEOC complaint and the appeal from that termination, that employee, are done right now. If there's anything else filed, it is yet to be done. But those bills are all paid. And right now, the one remaining big case is Speedway. And that would probably keep us from running over. The 6,000 we have in there might do it. But I think that there's 5, it will definitely do it. At the time the request was turned in, the other cases weren't terminated.

Mr. Stake: Right. That's why I had asked you that question earlier today, or this evening. You did recommend that we get the \$5,000 from the Streetscape Phase I?

Mr. Underwood: Well, Sharon told me there isn't any money left there. So I can only, I was hoping there would be some and we could do that. She said there wasn't. So I don't know.

Mr. Stake: Okay. Well, I guess we can hear it from Mrs. Reichard on whether there is any money there or not.

Mrs. Reichard: Okay. Clarification is in order. When I last reported to you, if we had taken in, what I found since that time, had we taken in the money that we expected to take in, that was projected that we would have, we would have approximately \$250,000 left. As it turns out, there's almost \$200,000 we did not get. And that was the money that was projected for the sales of the items, the trees, and the, the naming of the trees, and the benches, and the trash cans, etc., etc. I think to date...

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

Mrs. Reichard: Oh, we're up to 45?

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

Mrs. Reichard: Okay. Let's just say it's around \$40,000 of that 200,000 has been raised. And so while the expenses have been kept in check, and yes we do, you know in terms of hard cash I think we have at this point we're right around \$50,000. I won't know until we get this thing closed out that we're hoping to do either at the end of this week or the end of next week, sort of a moving target unfortunately. That money is, we're going to need some of that for fixing that wall we're doing, whatever we need to do with Speedway. I will tell you that we are meeting with them on Thursday. I'm going to meet with somebody from Speedway on Thursday and hopefully we can get this thing, we can work some things out. We'll see. I don't know. But in terms of taking money out of the account when we haven't fixed the wall and whatever, it could be a little dicey.

Mr. Hills: Could I ask a question, Mr. Stake?

Mr. Stake: Yes. President Hills.

Mr. Hills: Mrs. Reichard, will you have the City Attorney with you when you meet since this is a pending litigation on this case?

Mrs. Reichard: No, sir. This is a, we're going to just see if we can just settle it one on one.

Mr. Hills: We're at litigation?

Mr. Clemens: Here's a problem. We do have our City Attorney to handle this and we're spending all kinds of money. If you're going to do something, I think it should be done through our City Attorney. After all, that's what the lawsuit's about. I mean, Bill's got _____ money and we've got other people that's working on it. I think anything that should be done, should be done through our City Attorney in cooperation with him. Why spend our money? It doesn't make sense to me. That's what we've got a City Attorney for. That's what we're being sued...

Mrs. Reichard: I've been working with Tom Young on this. Not with Mr. Underwood.

Mr. Hills: With who, please?

Mrs. Reichard: Tom Young.

Mr. Underwood: The attorneys have ethical considerations; you can't go around the other attorney and contact the private parties. Tom is working with the attorneys that represent Speedway and Sharon's been contacting Speedway direct. And that presents a...

Mr. Hills: Clarify. Tom Young is with Speedway?

Mr. Underwood: Tom Young is with Porter Wright. He's our...

Mr. Hills: He's with Porter Wright.

Mayor McPherson: He's our attorney.

Mr. Underwood: He's our attorney and that presents an ethical problem.

Mr. Hills: I think that's why Mel was asking the questions and I think that's why _____ with questions. But getting off that...

Mr. Stake: Yeah. Getting back on the subject here.

Mr. Clemens: Let's get back to the five grand. Do we have 5,000 we can give to Bill out of that account, Sharon?

Mr. Hills: Let's don't, I'd suggest let's don't get it from there for what it's worth. Let's take it out of the General Fund. We're still waiting, if I remember Council and the concerns I've heard, we're still waiting for a full accounting of what Phase I costs. And we haven't had that. We may get it this week. We may get it next week. We may have gotten it a month ago, but it's now changed. But again, that's just my recommendation.

Mr. Clemens: Take it out of the General Fund.

Mr. Hills: It's a little cloudy here right now.

Mr. Stake: We did receive, dated October 15, 2004, we did receive from the Auditor's office, a summary, financial summary on Streetscape I, and it did indicate that we would have left over, \$46,379. However, it's not all done so that could change. So I just did want to put it on record that we did receive something here.

Mr. Clemens: I know. I saw it but you know, we get something every other week and it goes up, it goes down, it goes side ways. So let's just take it out of the General Fund.

Mr. Stake: And I have no problem with that because I believe if, Mr. Underwood will probably need the money for something else if he doesn't use it for Speedway. That's fine with me. Any other questions or comments from members of Council? (No response). Mr. Underwood, you

would like an emergency on this, correct?

Mr. Underwood: That's correct.

Mr. Stake: Then I will make a motion that we appropriate \$5,000 to the City Attorney's Special Counsel account from the General Fund 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, 2005 Appropriation. Over the weekend, or prior to the weekend, the members should have received the 2005 Budget Appropriation Request. The black binder with all kinds of info in there for everybody. We do have a meeting scheduled. I guess we're going to have a special Council meeting on Saturday. And I don't fully understand why we have to have a special Council meeting but I guess we do have to have that. So I guess when I had spoken with the Mayor about this, I just intended a Saturday morning workshop and everybody could get together and discuss the budget. But unless there's, are there questions on the budget at this time? Or would everybody like to save that until Saturday morning? (No response). Well then, hearing no questions or comments, if we could save that until Saturday.

Mayor McPherson: Well just a comment. I think the notice is at 8:00. We'll probably have some coffee and donuts, or bagels, or something for you. Actually start the meeting no later than 8:30 and we'll try to expedite it. It's going to be a very informative and very, as quick as possible meeting and hopefully we'll be able to resolve any questions you have based on the information you received.

Mr. Stake: Okay. Thank you, Mayor. Then as far as (Tape Change).

Mr. Gilbert: Will that meeting include revenue information?

Mr. Stake: I believe it should. Yeah.

Mr. Gilbert: Okay. I just didn't see it.

Mayor McPherson: Yes. It'll be everything. It will be just like the other workshop we had where we go over all the revenues, the expenses, the whole nine yards. It'll have everything.

Mr. Stake: Well, correct me if I'm wrong but I believe revenues are in...

Mayor McPherson: It's in the book.

Mr. Gilbert: It is in the book.

Mayor McPherson: If you read through the book, it'll be basically the same. It might have some changes but I doubt it. That was pretty concrete when we gave you that book. But revenues are in there. Estimates of revenues are in there. Everything's in the book that you have now.

Mr. Stake: Okay. Thank you. Well now, I guess I'd like to hold this for two weeks so we can have our meeting Saturday morning if that's okay with everybody. So I'll make a motion that we hold this for two weeks. 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 ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (c) of Section 945.02 "Rate Schedule" OF CHAPTER 945 SEWER CHARGES. It had its first reading on October 11 and it was held in the last committee meeting at the request of the administration. And Mr. Kipp is here to update us.

Mr. Kipp: On Wednesday, October 13, I attended the Columbus Sewer and Water Advisory Board meeting where they give their pro forma and proposed their rate increases to the Water and Sewer Advisory Board. They've since met again on October 20 while I was on vacation and they didn't change anything that was presented at the October 13 meeting. That was a lot different than what was proposed, what we had originally proposed on their pro formas from last year. In water, they had increased their rate increases for 2006 and 2007 to 9 3/4%. And the big thing was, in their sewer, they were proposing increases in 2006 and 2007 to 15.5%. And they then talked a lot about how it would be greatly impacted by the weather. If we had a dry year the rates wouldn't have to go up as much. If they had a wet year where people wouldn't be using their water to water their yards and such, their revenues would be down and they wouldn't require such an increase. I wasn't comfortable with what they had and what our projections were. So my suggestion was just to amend this ordinance as proposed for just the year 2005. Then we'll see what they do next year before we would set any rates.

Mr. Stake: So this may end up being something we deal with on an annual basis? We will next year any way.

Mr. Kipp: Yeah. We will next year. And as long as they're projecting 15% rate increases, we'll probably wait and see what they do. The biggest problem is, they presented it for the first time on the 13th. Then they did the 20th. Then it goes just to their Council and their Council is pretty much so what the Water and Sewer Advisory Board accepts. So I amended both the water and sewer to just be for next year.

Mr. Stake: Okay. Any questions from members of the committee? (No response). Members of Council? (No response). Then I will make a motion that we send this on to Council for its second reading with the changes here in the revised legislation. Do I have a second? Mr. Gilbert. Okay.

Mr. Gilbert: And Mark, make sure you get one of our new legislative request forms too. Just a minor thing.

Mr. Stake: Okay. Thank you, Mr. Gilbert. Any further discussion? (No response). All in

favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Same thing with the water. Mr. Kipp, you don't need to get up again. It's the same thing. As members can see, well wait a minute, that is just for one year. Okay. So Mr. Kipp is proposing that we change the rates just for one year. And so I will make a motion that we send the ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO, Water Rate Schedule, for the second reading with changes. Do I have a second? Second by Mr. Clemens. Any further discussion? Mr. Beougher. Mr. Beougher: Mark, I have a question. And it's probably a dumb question but I'm going to ask it any way. I mean, 15% sounds like a lot. At what point do we start looking at other options? I mean, how many years of 15% increases can we really stand before it makes sense to look at other options?

Mr. Kipp: Well, it's pretty expensive to build your own plant.

Mr. Beougher: Well, sure.

Mr. Kipp: I mean, you'd have to get permission to do so.

Mr. Beougher: Absolutely.

Mr. Kipp: We would have to meet all the new decrees. I'm not sure what other options we actually have. Since our system's already built, to go to the City of Columbus trunk sewers and such.

Mr. Beougher: Right. Several years in other words.

Mr. Kipp: They projected it for the next two years, at that. But they really don't know, the bottom line, until they get all their costs figured.

Mr. Beougher: Thank you.

Mr. Stake: Okay. And I'd like to point out that we are not voting on a 15% rate increase for next year.

Mr. Clemens: No.

Mr. Stake: Okay. I want to make sure that's clear. Okay. There's a motion on the floor and a second. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I'll adjourn the Finance Committee meeting at 8:31.

Finance Committee

--Susie Smith, Assistant Clerk of Council
(Transcribed - Susie Smith)
November 1, 2004