

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES
OCTOBER 16, 2006

Members of Community Development Committee present: Antoinette Newman, Doug Joseph, Preston Stearns, Donna Shirey.

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

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

Mrs. Newman: Are there any changes to the agenda? (No response). Hearing and seeing none, they'll stand as written.

The next item on the agenda is the approval of the minutes of April 17, 2006. Are there any changes to that? If anybody can remember that far ago? (No response). Seeing and hearing none, they'll stand as written.

The fourth item on the agenda, it comes to us from the Parks and Recreation Department. And it's to amend Section 971.08 of Chapter 971 Municipal Parks, to set and change fees and charges for Parks and Recreation programs and facilities. Mr. Walsh.

Mr. Walsh: Thank you Chairman Newman, members of Council. Each year, the staff of the Parks and Recreation Department prepares program and pre-program analysis for each of the programs that we provide and that we are anticipating in providing for the upcoming year. We use this analysis to project the necessary fees we believe are important to generate adequate revenue to cover most of our direct costs. As you know, we do try to cover most of our direct costs in the programs that we provide. Those programs, with the recommended fee changes, are shown in the document that you have. Items that are lined out are recommended for removal. Items in italics are recommended to be added. We also did a couple of other things to try to streamline this process a little bit better. On page 1 of the proposed fees, you'll notice that the art classes have been condensed quite a bit. Since they, we do have varying expenses on art classes based on the type of the class and the type of media that is used. We are proposing to set up a fee structure as categories in which we can place each of the new art classes as they're created. This way, we don't have to have Council action if we want to replace for example, The Basics Of Drawing Wild Cats, with The Basics Of Drawing Domestic Cats, because obviously, we have to do it the way we are told to. We also are proposing the same structure with the Mad Science Camps that are shown at the bottom of the page. The last page has some additional, some new items that had been requested from us in the past, and we thought we would add those on there for discussion if need be. So if you have any questions, I'll be happy to try to answer them.

Mrs. Newman: Mr. Walsh, did you say that was the last page that has the additions?

Mr. Walsh: It would be page 4.

Mrs. Newman: Okay. That's the last page.

Mr. Walsh: Clear at the bottom under other fees.

Mrs. Newman: Okay. I see. Alright. That looks fine to me. I don't have any questions or comments at this point. Does anyone else? Mr. Stearns.

Mr. Stearns: Yes. Thank you Chairman Newman. Mr. Walsh, under Other Fees, there where it says, Gazebo Reservations.

Mr. Walsh: Yes.

Mr. Stearns: I have had some of my constituents use that, non-profit organizations. Does that fee still hold for them? At one time, they were told that they were exempt from that. Does that go for all organizations?

Mr. Walsh: I think since we set fees by legislation a few years ago, we don't have anything in there that says that Gazebo Rentals can be given away for free. So we do, occasionally trade off the rental fee for service in the parks. That does happen some times with Boy Scout and Girl Scout Troops. If they're doing some kind of service project and things like that, we don't charge them for that. That's typically how we've handled that.

Mr. Stearns: Okay. Civic organizations would not be considered in that, right?

Mr. Walsh: I don't think we have that in there that way. Do you remember, Mayor?

Mayor McPherson: In the past, I don't think we have necessarily charged civic organizations. But in reviewing this structure, they probably should be charged, and in the future, would be charged. They're not exempt.

Mr. Stearns: Okay. Thank you.

Mrs. Newman: Anyone else? Mr. Joseph.

Mr. Joseph: Thank you, Chairwoman Newman. Mr. Walsh, I noticed that in some cases, we have a flat fee for the programs. In other cases, we have one fee for residents and one fee for non-residents. Why do we have that structured that way for just some programs and not all programs?

Mr. Walsh: Do you have any specific ones?

Mr. Joseph: Creative Drama Programs - \$47 for residents, \$67 for non-residents. But then for Mad Science, it's \$70 for anybody.

Mr. Walsh: Some programs get more participants than others. So we put in non-resident fees for those that we seem to get those kind of requests on. Others don't necessarily get that. Now, there are some programs that we do that we may not typically get a lot of residents. So we do want to get some non-residents in as well so we don't put a non-resident fee in to make it a little bit more attractive. The reason we would do something like that is that we would like to be able to run programs for residents. If we don't get enough people to sign up for some things, we do have to cancel them. So we try to make it attractive enough to a non-resident to fill up the class to the point where we can run it. Others, we don't have that significant issue, such as soccer. We do have non-resident fees for soccer. We're not really having any issues with people signing up for soccer. So we are going to charge more for a non-resident. It's obviously a more popular program and we can charge a little more for that.

Mr. Joseph: And what's the percentage for residents versus non-residents on an average for any given program?

Mr. Walsh: I wouldn't want to guess at a number, but it's a very small percentage.

Mr. Joseph: It's a very small percentage of non-residents?

Mr. Walsh: Yeah.

Mr. Joseph: Okay.

Mrs. Newman: Anyone else? Members of Council? Mr. Baxter.

Mr. Baxter: Councilwoman Newman, thank you. Paul, one of the things that I would like to see going forward, and I know it's probably not in this legislation, but I think it's a great way for our community to reach out for those disenfranchised residents that don't have the funds to be able to have their kids attend many of these types of camps. Would we consider, either now or in the future, a program that would allow for those people who can show that they're disenfranchised to be able to participate. And do we have programs with local community businesses to help generate those funds to be able to pay for those? Because I'm not suggesting anything otherwise, but it's a way, in my mind, that we can reach out to our community, get them while they're young, and make sure that we set them on the right path.

Mr. Walsh: We have that program now. We call it our scholarship program. And we do run it through the LASYR Funding. LASYR Funds are used to pay for that. So we do that now.

Mr. Baxter: Very good. Thank you so much, Chairman Newman.

Mrs. Newman: Anyone else? Mr. Hills.

Mr. Hills: One question. Mad Science. That program apparently didn't go this year for youth, did it?

Mr. Walsh: Yes. Some youths, some do go and sometimes they don't.

Mr. Hills: Is there just one class, or is there multiple, different classes within these groups?

Mr. Walsh: There are different types. We have the Mad Science Camps, and then we have the Mad Science Classes.

Mr. Hills: No. This is not the camp. This was, I came in the other night, and stopped by to pick up some things out of my Council box, and a gentleman and his daughter were there for a meeting that was to start. And fortunately, Mary and Steve were upstairs because they were able to find out that that, what they were attending their first night, but yet had been cancelled. And I don't know whether they weren't aware, but Mary was able to get in touch with somebody. So, does that one normally meet in the evenings? I think it was supposed to be 5:30 to 7:30. The poor little girl left here in tears, because she wanted to learn about the science.

Mr. Walsh: Yeah, and we hate that when that happens. If we don't get a, when we have contracts with, such as like with the Mad Science people, we have agreements with them to have minimum members in the class; we can't hit the minimums, we do call off the class.

Mr. Hills: And then do you....

Mr. Walsh: Every participant is contacted.

Mr. Hills: And they're refunded their deposit?

Mr. Walsh: Absolutely. They're refunded the full amount. Yes.

Mr. Hills: Okay. Well, I'm sure they were checking with you the next day for their deposit.

Mr. Walsh: Absolutely. And this does happen sometimes if the word does not get to them. If they weren't home and we leave a message and they don't get it. That sometimes happens.

Mr. Hills: Voice mail is great, but it's not any good if you don't listen to it, right?

Mr. Walsh: Yeah. That's true.

Mr. Hills: Alright. Thank you. Thank you Mary and Steve too. I appreciate that.

Mrs. Newman: Any further discussion? Anyone else? (No response). Alright. I'd like to send this on to Council for its first reading. I need a second. Mr. Joseph. All in favor? (All voted "Aye"). Those not in favor? (No response). It seems to have passed, so we will send this on to Council for its first reading.

And I will close the Community Development Committee meeting at twenty of eight.

Community Development Committee

October 16, 2006

-- Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday, Asst. Clerk of Council)

SAFETY COMMITTEE MEETING MINUTES

OCTOBER 16, 2006

Members of Safety Committee present: Brett Baxter, Ron Stake, Doug Joseph, Donna Shirey.

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

Mr. Baxter: And I will open the Safety Committee meeting at twenty of eight, and I'll call it to order at that time. The first item on the agenda is approval of the agenda. And at this time, I would like to place Item 5, Discussion, Registered Sex Offenders, residency; and Item 6, Discussion, Sidewalk assessments Phase IV and Phase V, on hold for two weeks as we wait for some additional information to come forward. Do I have a second? Second from Councilman Joseph. All in favor? (All voted "Aye"). Opposed? (No response). Motion carries. Is there any other changes? Hearing none, I'll move on to...

Mr. Clemens: Chairman Baxter, could I add as item 3a, Code Compliance? I just have something to say on this.

Mr. Baxter: Yes. I move that we add Code Compliance as 3a to the agenda. Any objections? (No response). Hearing none, all in favor? (All voted "Aye"). Opposed? (No response). Motion carries. We'll add that as item 3a, Code Compliance.

Item number 3 is approval of the minutes of October 2, 2006 Safety Committee meeting. Are there any changes or additions to those minutes at this time? (No response). Hearing none, they'll stand as submitted.

The next item on the agenda is item 3a, Code Compliance. And Councilman Clemens, you had a comment you wish to make?

Mr. Clemens: Thank you, Chairman Baxter. Yes. As most of you know, I don't publicize it, but I've done it for 15 years in my district, in Ward IV, I drive around and I turn in a lot of complaints to the Mayor, and also to the Building Department, and also to the Police Department, and I've done this for a long time, and they're always taken care of pretty quick like. I'd like to thank the Mayor and Chet. I did turn in over 100 complaints right around the 1st of October, and they were taken care of by a letter to the property owners. The only problem I have, and this is the first time this has happened in all the years I've done this, and years as the Service Director it never happened. And I'll read you the first line. "You are receiving this letter in regards to a complaint that I received from Councilman Mel Clemens". I don't know why my name was in there. Not that I really give a damn, but I just don't know why it was there. I mean, you know, I've asked people to call it in to the city and voice their complaints on violations and so forth. And I would hope that certainly, when somebody calls in, that we don't send out a letter with their name on it. Turning in violations on their neighbors and so forth. Because I turned in these violations. Some of them are my friends, and some of them are my neighbors. Now, like I said, I don't really care that my name's there, because if I'm going to be sending out letters with my name on them when I bring in violations, I want to take credit for it, too. I want people to know that I'm out doing it. But that's the part that bothers me. Maybe Mayor, maybe you can tell me why my name is on there. I don't understand why. I mean it's a nice name. I don't really care. But I don't know why it's there.

Mayor McPherson: Yeah. It was my decision to put your name on it. Because I felt people needed to know that you're out there working. You're the only Council member that I'm aware of, that comes in with complaints in your district. And I thought it was time you got a little bit of recognition for it. I'd even talked to you about it a couple days after that.

Mr. Clemens: Not my name. I didn't know it was on there.

Mayor McPherson: Well, I assumed you knew your name was on it because you know, again, it was just a matter of, so many people ask us, who filed the complaints? If we have a name, we respond to it, and in your case, I just thought, since you're out there every day working, somebody ought to know you're out there every day working...

Mr. Clemens: I didn't have any problem with my name there.

Mayor McPherson: ...but I was the one that made that decision.

Mr. Clemens: The problem I would have is, if homeowners call in, and they turn in violations, I would not want their name used, because it does create hard feelings.

Mayor McPherson: Well, if their name is given, that's a public record. And the name typically is used. Just like if we get complaints at the Police Department, that letter goes out, the name of the complainant will be on that letter. So you know, it's nothing that we just started doing. It's just we've never done one in such bulk.

Mr. Clemens: Okay. Well that's fine. There'll be more. I don't really....

Mayor McPherson: Well, and you know, again, I think people need to know that you're out there working, and secondary, I think they need to realize that when we get a list like that, we follow up on it, so it was a two-fold purpose for issuing the letter.

Mr. Clemens: And you did follow up on it. I appreciate it.

Mayor McPherson: Yeah. And we've had a whole lot of people call in and wanted to know what to do with their trash cans and all. And why after 45 years, do I have to move it? But regardless of that, they now know that you know, that's against the law. And you know, I think if you want to go to the last paragraph, which I think is far more important than who did it, I think that says something to the affect that we try to get voluntary compliance. And you know, so it all ties together. It wasn't a letter to slam anybody or tell people you know, hey, we're going to fine you. The bottom line was, you know, it's been observed and we'd like to seek voluntary compliance. And that's what the letter's all about.

Mr. Clemens: Well, like I said, I do appreciate it. It was taken care of. And I intend to do more. And I have over all the years. Which you know, I'm a complete pain and I know that as far as a lot of people are concerned. I just didn't want to....

Mayor McPherson: And you need to understand, in all the other areas that we sent those letters out on, I believe it probably said the Zoning Compliance Officer of the Building Department. So I mean, we specify where the letters come from.

Mr. Clemens: Well, I would say, I want people to do this. And I suggest the other Councilmen do it too when they have the time. Because it is a help as far as the Mayor's concerned. I happen to be retired and I have the time to do it. And I will continue to do it. And you can use my name. I was just surprised to see it since I wasn't asked and I hadn't seen it before. And that was the....

Mayor McPherson: We've used your name in other letters too. But they just didn't have that volume.

Mr. Clemens: Yeah. But those weren't good letters.

Mayor McPherson: They were okay.

Mr. Clemens: Thank you.

Mr. Baxter: Yes. President Hills.

Mr. Hills: If I could follow up a little bit, because I do know, and Bob I think as you know, there are Council people that call, and call the Safety Service Director, yourself, about issues. And they certainly are addressed. I haven't brought this up in 2 or 3 years, but you and I used to go around and around about this. I think it would be an outstanding idea for all city employees, on their way to and from work, when they're out, they're all over the city all day, have a legal pad and note pad, write down where there's issues. It may not be in their department, but we need some, as Mr. Clemens went out and did some self-policing, anything he had on the list was already in violation or you wouldn't have had the list. Now if Mr. Clemens can go out and find 144 of those in his Ward on a given day, there's many throughout the city. And I do encourage you and the staff here that are here full time all day, to start filling out lists and get them to the appropriate people. And let's try to get them addressed. And I think then, we may get more voluntary compliance when they get reminders. Thank you.

Mr. Baxter: You're welcome, President Hills. And the question I have Mayor, that letter that was sent out, is that a first occurrence? Whereas, if a second one was sent, would there be fees associated to that as we have written in our Maintenance Code?

Mayor McPherson: That was the first letter. And yes, there will be fees if we have to follow up.

Mr. Baxter: Okay. I just wanted to make sure of that. And I also agree with you President Hills, that many of the Council members here also drive their neighborhoods and call in and report. I know I've done it myself and I'm sure many of the other Council members here have done the same thing. Because we speak about the ones we do find. So I don't think Councilman Clemens, we could ever reach your level of commitment, but I'm glad to see you're out there.

And my Ward's right over there if you want to...

Mr. Clemens: You're not as old as I am.

Mr. Baxter: So I thank you for your service, sir.

Mayor McPherson: No one is.

Mr. Clemens: That's true.

Mr. Baxter: Councilwoman Newman.

Mrs. Newman: Yes. At last. The Mayor must want to stir up some more community disputes if he's putting Mr. Clemens' name in this letter. That's tongue and cheek a little bit. But I have turned in a few complaints. I've felt that perhaps I shouldn't be doing that at times. Maybe overburdening the staff. But why couldn't the inspectors just go out and look for themselves when someone like Mr. Clemens turns in a list? And verify it and follow the usual procedures? Or when anybody else does?

Mr. Clemens: I think, and this is just me, a lot of these are minor violations. And Bob knows this. And I've been big on cars parked across driveways. Such things as that. Those are minor. And I understand that. The police drive by, any more they don't recognize that. It's there and I wouldn't expect them to stop if they're on a call or anything like that. We do have it. We discuss this every Spring. And every Fall, try to get people not to park across sidewalks and people have to, kids have to go out in the street to get around them, and off the sidewalks, and when baby buggies go around them or bicycles go around them. And I think that when we get more police and we're staffed better, this is something that I'll jump on the Chief about. Because I am big on this. And I have, and the other Chief and I used to discuss this quite often. And I understand that this is minor and they have other things on their mind. But it is an ordinance. It is a violation. Such things as these have to be handled. The public deserves them to be handled. Because the minor violations is what the public sees. They don't, people standing and robbing a bank. And they don't see them driving with an OMVI, driving drunk in the car. They see the minor violations in their neighborhoods and they expect us to take care of them. Now I know we've been down, as far as Code Compliance, but we were lucky, we came up to two Code Compliance Officers. I think now we're down to one. I think we have one of our Building Inspectors helping out. The city's big enough now, and I think the Building Department is slowing down enough, in the next year or so, that a lot of this will probably be turned towards Code Compliance as far as the homes and things like that. Because they'll have more time to do it. But I do believe what Mr. Hills said. People working for the city, our Street Department, and our Water Department, they see these violations. There's signs, they should pick them up and they should report them. And it's not hard to see a violation if you see a sign in the right-of-way or you see a car parked on the grass. Things like that. I think we all should help. But I know it's a problem. But we'll correct it. And I've only been trying to correct it for 40 years. I won't be here the next 40 but I'm sure it'll be corrected in that length of time. As long as people are working on it. Like I said, I do appreciate what the Mayor and Chet have done. And I think the Building Department, Chet,

I think he's working towards this goal with these new ordinances he's brought before us and the new changes. But I don't like to pass laws and change laws unless they're enforced. That's the big thing, is the enforcement of them. But I think that they're leading in that direction. I know that Rick, the Code Compliance Officer, the one we have now, he's done an excellent job. I see his reports and I know he's out working. I've called him, my wife's called him and so forth. And he'll take care of it immediately. So I think we're moving in the right direction. And I think that the Administration is pushing that. And like I said, I hope we keep it up. And I think Council understands that. And I think we understand that in all the neighborhoods, it's just not my neighborhood, it just happened to be, my neighborhood's an older neighborhood, and I think Mr. Stearns' Ward is an older Ward. So we're probably two that's concerned as you get in the older sections of town. So I think it's something we keep our eye on. I know that I do. And I know that a lot of the Councilmen do. And I would encourage you to do it. Because once a house on a street goes down hill, the whole street goes down hill. And I ran on that issue and it's a serious issue with me. And I appreciate all the work that's been done by the Mayor and the Administration. That's all I've got to say about it.

Mr. Baxter: Thank you, Councilman Clemens. And I also have to thank you for mentioning that our Code Enforcement Officers, both when we had them, and now that we're down to one, have been doing exemplary job. We read the reports and you can see that they're consistently looking for the issues and trying to resolve them. And when I call, I get results. They go out, and they take a look at the situation and they try to get it resolved. So Mayor again, thank you for the good job in that area. And Councilwoman Newman, I think I see you half raising your hand again.

Mrs. Newman: Yes. One thing I'd like to say is, I think that the Building Department, or whatever department produces the copies for the Council on those reports, needs to get a new ink cartridge or something. Because you know, there has been once or twice that I have not been able to read anything on those reports. Because the images were so faint. The next thing I have is, that I would not want the emphasis on all the city employees to look for code violations all the time. Because I feel that that could very well be a distraction to them when they have another job to do, which is their primary focus. Then the last thing, I agree, that maybe each one of these violations in and of itself, is a minor thing. When you get, what was it, 200, Mr. Clemens?

Mr. Clemens: No. Not quite. 130 or 150, something.

Mrs. Newman: Even 100. That sounds pretty major to me. So to me, it's very important.

Mr. Clemens: You know, as far as the other employees, and I'm not saying, you know, I don't expect them to go out and look for these kinds of things. I'm saying, if you're driving down the street, you're driving a truck down the street and you see this, all you have to do is jot it down. I don't expect them to stop and go out and look for things. But if I drive down the street, maybe it's just me, I'm not blind. But I look for, if I see something here and I just jot it down. That's all I'd be asking. I would not want them to do away from the duties they're on.

Mrs. Newman: Okay.

Mr. Baxter: Certainly. Any other comments on this topic? (No response). Hearing none, I'll go ahead and move on to the next one. This is the discussion of the barrier at State Route 256 and Main Street, listed at the request of Chairman Baxter. Held 9-18-06 and held 10-2-06. And I'm going to ask that Steve DeBolt come up and talk with us if you don't mind, about one of the concerns that have come up over the last couple of weeks. And he had already been on it and we've spoke about this already. And what we're talking about here is the sidewalks that appear to be there, but we're not quite sure, are they sidewalks or not? And if they are, then we have a concern there because of the fact that traffic that's going back and forth there, really has difficulty even recognizing that they're there. And it was brought to my attention from a resident about two weeks ago that, as they were coming to work, there was a person crossing there and they didn't even realize it was a crossing area. There was no signage that they could see and the person was just going back and forth, back and forth. So I brought it to your attention. You had already recognized it.

Mr. DeBolt: I just want to add Chairman Baxter, that in that area in question, if you have a handicap ramp there on the curb, it is technically a crosswalk. And the brick was inlaid in that area to have that. And that's why we did separate the barriers. To give the public the opportunity to get across in that area. Again, sliding the one barrier down on the other side of the cross walk, and we put a 'No U Turn' sign there. I think that has been pretty successful in combating that turn that was being made there by some of the residents trying to get around the barrier.

Mr. Baxter: And I agree with you. I received a call from some of the people in the area saying that they have noticed a reduction of those people trying to cut around it and go the opposite direction. So I agree with you. It has helped.

Mr. DeBolt: And also I know, the last few weeks after you had the original meeting on the issue, we tried to study it by talking to some of the residents, businesses, and getting some statistics on the traffic count there. As well as the number of accidents in that area. And I think everybody would agree, the main goal there is the safety in the area. And just statistically, in '05 and '06 while the barrier's been up, there's just been 4 accidents in that location there. And in the prior 2 years, just prior to that, there were 19 accidents. So I think we can all agree that the barrier served the purpose and we probably would all agree, as well, that it's not the most aesthetically pleasing way to do that. So having said that, we're also looking at some other areas in that area that I'd like to call the triangle between Jackson and 256 down to the Main Street. A gentleman came to the town hall meeting and mentioned about the stop sign that's down on Jackson, and maybe it should be on the other side on 256. So having known that we had the issue with the barrier, aesthetics, the safety, and even the traffic flow, we're looking at that whole area as a, kind of a triangle, and maybe trying to put together some options for proposals to address all those issues at one time. So I'd like to come forward at some point here in the next couple of months and do that. Again, we had some traffic counts down. I've been out to talk to some of the businesses and some of the options have been discussed in the past. But I'd like to again, spend a little more time reviewing them and come forward with something that I think would be in the whole area's best interest. Businesses and residents.

Mr. Baxter: Well, I appreciate that. I know I had made comment about the fact that we need to look broader to see if there is a way to solve that problem. I'm really glad to see the Administration has stepped up and decided to take a second gander at it and see if we can come up with some solutions.

Mr. DeBolt: Definitely.

Mr. Baxter: Any comments from committee? Councilman Clemens.

Mr. Clemens: Yes. My only thought on this, as a safety issue, and as far as those crosswalks are concerned, I don't know anybody that can get across that street safely, period. Whether you have the barriers there or you don't have them there. That crosswalk shouldn't be there. As you look at it, and I know it'll cost a little bit of money, but possibly we should take those ramps out of there and re-do it to a sidewalk. Because I would hate to see somebody try to cross that street in the middle of the afternoon, or in the morning or, a lot of people when they go across, they run across. They sit there and they take off. With the barriers there, you know what I'm saying, so I would like you to look into that part of it. If we go to the situation where we want to do away with the crosswalks, we should take the ramps out of there and re-do the curb.

Mr. DeBolt: One of the options is to remove the ramps. It was one of the proposals. Altogether.

Mr. Clemens: Okay.

Mr. Baxter: Very good. Any other comments? (No response). I do have a speaker slip on this. A Joan Maurer. If you'd step up to the mike and give your name and address please. Good evening.

Ms. Maurer: Good evening. My name is Joann Maurer. And I'm going to give you the business address. It's 7342 East Main Street. So I am probably the business that is most directly affected by this barricade. Because the accessibility to my business has become horrible. I mean, I had people constantly complaining that they cannot get in. And in the business I'm in, which is a dance business, you know, if you're not accessible and easy to get to and convenient, people won't come. And so like I said, I feel like I've been hurt a lot by this barricade. Because it's a big issue. And I've had the business there since 1988. So we've been there for almost 20 years. And it's just been in these recent years now with that barricade, that it's really hurt you know, my business. And because the parking was always a problem in that area. And I've been in Reynoldsburg. My family located to Reynoldsburg in 1960. So I've seen all the changes in the Reynoldsburg community. I've also been a part of the Reynoldsburg education faculty for 24 years. So I'm coming in, not only for a business perspective, but I see the safety issue from students going to Hannah Ashton Middle School. And I understand a recommendation was recommended to your board about possibly putting a light there. And I know if you look at the light in Pickerington at the intersection of Center and Columbus Street and Lockville, they have a situation very similar to what we have right here on Main Street. And I don't understand why we can't put a light there and time it so that you have people turning from Lancaster Avenue, then you have people turning from 256, and then you have the traffic going east and west on Main Street. I

think that would be a solution. And I guess I need someone to explain that to me why that's not feasible, and why that wouldn't work. Because then I think it would help in some of your safety issues. Because you would have the traffic directed in that area right there. And then people, you could have the crosswalk where people can cross safely. Because it would be at a light. So they could cross at that intersection. Because he's right. I mean, you get students will want to cross the street to go and you've got that barricade there and they're going to go around it, which means they're out in the street a lot longer time. And just the other day, it was just this weekend, I was in getting my mail and I saw someone go around that barricade. They were headed east on Main Street and they went around and came back, and they were going west. So I know it's still happening. And I know trucks for years were going 256 and they were veered off of Jackson. Well now, with them not being able to turn left on Main Street because of the barricade there, they'll go straight. And I know there aren't as many but there are still enough trucks that will still go down that street. That to me, I think it's an accident waiting to happen. Because you're going to get a student someday running out to cross the street to go get in their parents' car, and a truck's going to be coming down and not see them. It doesn't even have to be a truck. Just the traffic alone has gotten really bad. It's increased immensely on Jackson. And also, with all the construction and everything else going on, the traffic on Graham Road is really bad. And that's where I'm at during the day, is at Graham Road. And I mean, we even had a car drive into one of the houses right there in our entrance way right into Graham Road. A car went right into the side of the house. So to me, I think something needs to be done. And I really think that it is a big eyesore out there. Because here we're beautifying Reynoldsburg and making it look beautiful, and then we're killing Olde Reynoldsburg. And you're really hurting the businesses down there. And I didn't think the purpose was to try to get rid of the businesses that were there. I think we wanted to keep everyone here. And like I said, especially businesses like mine which are for the community, to serve the community. And I just didn't think you'd want to be chasing us away. And so that's my major concern. Like I said, I'm coming from a business owner's perspective. And I'm also coming from an educator concerned about the safety of our students.

Mr. Baxter: Thank you for your comments. Any questions? Councilman Newman.

Mrs. Newman: No. I would just like to thank you for your comments. And they were very well presented, and they make a lot of sense. And I do think that if we did remove the street crossings there, you know, the pedestrian access, that it might defeat some of the ideas we've had for developing Olde Reynoldsburg. Because it needs to be a walking-friendly area for the right type of businesses to develop and for people to spend some time there. So I really wouldn't like to see that. And we have had suggested to us, the same kind of traffic control signals that they have in Pickerington at that intersection. And I know it's not going to be a cheap solution. But it might be the best solution. And thank you again for coming in.

Ms. Maurer: Thank you.

Mr. Baxter: Any other comments? (No response).

Hearing none, I'll then close the Safety Committee meeting at 8:02.

Safety Committee
October 16, 2006
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday, Asst. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES OCTOBER 16, 2006

Members of Service Committee present: Mel Clemens, Doug Joseph, Preston Stearns, Donna Shirey.

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

Mr. Clemens: I'd like to call the Service Committee meeting to order at 8:03. The first item on the agenda, approval of the minutes of October 2, 2006 Service Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

Item number 2 is approval of the agenda. I've got two things I want to add to the agenda. Item 3a, September 21, '06 B&Z meeting. It has to do with a variance. Item 3b, car sales at the corner of Hentz and Main Street. Do I have a second? Second by Mr. Joseph. All in favor, say aye. (All voted "Aye"). Thank you.

The first item is the September 21, '06 B&Z meeting. I happened to be reading the minutes and something came to my attention. Maybe somebody here could explain it to me. It may not be nothing, but I was reading here where it says that Mr. Kucera says, "We'll insert an item here. Does that fall under plot, grade, and utility plan, their parking"? And Mr. Brusk says, "I think it would just be a variance for parking". Okay. This item was added to the agenda and discussed. And all it pertained to is from 50 cars down to 49. And it had a second by Mr. Brandt, and they voted on it and it was passed. I wanted to ask, I don't know, Mr. Brusk or the Zoning Officer, Luke, was that advertised? Was that just added?

Mr. Haire: No. That was not advertised. The issue came up, because they would like it to be changed, at the meeting.

Mr. Clemens: But they got a variance on it and they voted on it.

Mr. Haire: Correct. The board made that decision at the meeting.

Mr. Clemens: Yeah. But it says in 1147.01, request for a variance - name, address, telephone number and all this, description, address, and all this, it has to have a statement, describe it, it has to be advertised, for you have to have a permit. You can't just add a variance on without advertising it.

Mr. Haire: Correct. That may be something you want to take up with the Chairman of the Board.

Mr. Clemens: Well, maybe you know, Mr. Brusk. You were there. I mean, how can...

Mr. Haire: Typically that's not practice. No. Typically there's an application turned in, but that was a result of changes that the board requested at the meeting.

Mr. Clemens: You can't change, you can't have, you can't pass a variance without advertising it, posting it, period. That's what the ordinance says. That's what you do. Am I right or wrong, Mr. Brusk?

Mr. Brusk: You're correct. But this was sort of a _____ type of thing. Because there were other, this was done when other variances which had been posted were in there and it was just a way to arrange to get it through.

Mr. Clemens: Was it advertised and posted?

Mr. Brusk: Specifically, that particular one, no. Was the rest advertised and posted? Yes.

Mr. Clemens: But that one....

Mr. Brusk: Was the intent there? Yes.

Mr. Clemens: That one wasn't.

Mr. Brusk: Okay.

Mr. Clemens: I'm just asking you. I just happened to read it and I just, I saw where somebody added an item that was a variance, and it was discussed, and it was voted on, and it was passed. We've got the book there that we go by. We've had these discussions before. We've been into problems before. It's a minor variance. But still, the law requires certain things to be done. It has to be posted.

Mr. Haire: I've not issued a Zoning Certificate for that property yet so if that's something that Council would like to pursue, we can require that to be posted. We can hear it again this month. Actually, it'll be held November 16....

Mr. Clemens: I don't think it's anything Council....

Mr. Haire: ...hold a Public Hearing.

Mr. Clemens: I don't think Council has anything to do with it at all. I think it's something that has to be done because....

Mr. Haire: Well, it's something that I'll bring up to the board at their next meeting.

Mr. Clemens: The law has to be....

Mr. Haire: October 19. We can bring that up and discuss it then, how they want to proceed with that.

Mr. Clemens: Well, the only thing I'm saying is, they don't have the variance.

Mr. Haire: And that's fine. Like I said, I can bring that up at their next board meeting and they can discuss that and make a decision as a board how they want to proceed with posting that, or re-hearing that.

Mr. Clemens: Like I said, it's a minor thing, and I understand that. But we go by the ordinances we pass and I think we should follow them. That's why I brought it up. And if Council has any other thought in it, that's what our book says and I think that's what you do. Members of the committee? Mr. Baxter.

Mr. Baxter: Councilman Clemens, I agree with you on that point. Although it is a minor issue, we have found time and time again that we've run into issues with these types of requests. And every time we've looked the other way, we've run into a problem where Council is being asked to either override what the B&Z's done or to change it. And that's what we're looking for them to do. So I agree with what you're saying in principle, and I understand why it was handled the way it was, but I think the law is the law, and we need to follow that. So that's my opinion on it. And thank you.

Mr. Clemens: I can understand, don't get me wrong, I'm not criticizing B&Z because they tried to do something, but it just happened to be incorrect. And I think it should be corrected to make it legal.

Mayor McPherson: Mr. Clemens, if you would just copy that page out of the minutes and highlight it and see that Nancy gives it to me, we'll address that issue at the next meeting which I believe is October 19.

Mr. Clemens: Thank you. The next item, and I know this is, I've been a part of the discussion on

this, and this has been going on for a couple of weeks. And that's the car sales lot at Main Street and Hentz Drive. It's not a bad looking car lot. Don't get me wrong. My problem with it is, and I've discussed this with Luke, and Luke's been working on it, and I've discussed it with Chet, and I've discussed it with Jed, I just don't like the way it's moving on it, they do not have a Zoning Certificate. Am I correct on that?

Mr. Haire: That is correct.

Mr. Clemens: And as far as my knowledge is, they don't have an Occupancy Permit. Is that correct?

Mr. Haire: I believe they have a Temporary Occupancy Permit.

Mr. Clemens: When was that issued? Do you have any idea?

Mr. Haire: I'm not sure. But when I spoke to the applicant today, he informed me that he did have a Temporary Occupancy and permission from the Building Department.

Mr. Clemens: But you can't have an Occupancy, you can't be open without a Zoning Certificate.

Mr. Haire: Correct.

Mr. Clemens: Am I right or wrong? You have to have a Zoning Certificate?

Mr. Haire: The Zoning Ordinance says that yes, you need to have a Zoning Certificate prior to occupying the building.

Mr. Clemens: That's right. Now this goes back to 2003. And I was looking it up and it was a complicated affair then. It came before B&Z for variances as far as setbacks and so forth and they turned them down. And they appealed to Council. Council required certain setbacks in the front, and we gave them a small variance on the side, a lesser variance on the side. It's my understanding that the property has been sold. This is a new owner. Am I wrong on this?

Mr. Haire: Yes. That is correct. There is a new owner.

Mr. Clemens: Now, it's my understanding that the variance goes with the person that applied for it. Is that correct?

Mr. Haire: There was never actually a variance granted for the property.

Mr. Clemens: No. That's what I say, there wasn't. But my thought is, the property was probably sold and they weren't told about what they had to do as far as what our ordinances are. But we do have ordinances right now that have setback requirements. And of course, you don't have to have those because they're not supposed to be open. Now, and I talked to Jed on this and I realize he's

working on this, and they're working on the property owners to come before the B&Z for variances. Have they applied for them?

Mr. Haire: No. I just spoke with the applicants today, or the owners of the building today, and they have agreed that they will apply for those. They don't quite understand why they're being requested to do that. Their main concern with it was that the city had just paid to pave a portion of that that should have been in the setback as part of the Streetscape project. The city paved their parking lot; twenty feet of it. And their main concern was, why is the city going against their own rules and paving this project? And that was their main concern. But they've agreed that they would comply with anything that we would like to try to help them get through this process.

Mr. Clemens: When are they going to apply for their variances? November?

Mr. Haire: I had asked them to get that in by early next week so that I can get it on the next agenda which will be November 16 meeting.

Mr. Clemens: So in other words, they'll be open until then?

Mr. Haire: Yes. From my speaking with Mr. Hood, that's his recommendation that we pursue it that way that they try to obtain voluntary compliance before we do any enforcement against them.

Mr. Clemens: You know, our problem is, since they're there and they're open, when they come before the B&Z they kind of got a little heads up on us. You know, the only reason I brought this up is, because I brought the last thing up, is they shouldn't be open, period. They shouldn't be open, period. They don't have the proper certificates. They shouldn't be open. They should have not been open. They've been open 3 or 4 weeks. Other people know it. I don't know why these things go on, and on, and on, and we get in a situation like this. And that's why I say, I must have slept on the wrong side of the bed because it just all came to a head on me today on different things. But I'm just bringing it up so Council knows what's going on in this. Because this has been a, I know I've been working on this a long time, I think the Mayor's been working on this. But I'm not happy with it being stalled and being put off, put off until the middle of November to start with since they should have never been open to start with. If that's what Mr. Hood thinks should be done then that's fine. He's the City Attorney. I'll abide by that. But I think we do have setback laws. We enforced it on the Mayor on his business. We run his out of business because we enforced the setback law. Now we've got somebody that's, cars parked all over the place and we're not enforcing it. My thought would be that they stay there, they're open whether it would be our fault, their fault, or who's fault, but they should abide by our setback now until they get a variance, period. If our setback says 20 feet, or whatever it is on Main Street, 40 feet, that's where the cars should be. Then they come in and apply for the variance. And if B&Z gives it to them, then they move them to whatever it is. But at the present time, I think they should follow the law. We have a setback law. If they're going to be there and we're going to allow them to be open until the middle of November, they should abide by whatever the setback is on the Hentz side and on Main Street. That's my thought. I don't know whether the City Attorney agrees with me or not, but, and then let them come in and apply for a variance. And if they get the variance, then they move the cars to where they belong. That's how I feel about it. And since it falls under my committee, I thought I'd bring it up. Yes, Mr. Stearns.

Mr. Stearns: Yes, thank you Chairman Clemens. Mr. Haire, I know this one time I went through the establishment next door to there. And it seems like the turn around radius coming out of that carry out there, the drive-thru, it's like you don't have enough space to make your turn adequately. And it looks like the dividers that they have along the side of there is too _____. Maybe it's some encroachment onto the other business. Has anybody noticed that? Or has anybody made a complaint to that matter?

Mr. Haire: I haven't received any complaints on that, no. But as part of the approval process, they'll have to apply for a variance, and also a major site plan. And those barriers, and how they're designed, and where they'll be located, will all be considered during that as well.

Mr. Stearns: Yeah. I think that's something that needs to be looked into. Because you don't have enough space to pull out there and turn around and go back out on Main Street. Thank you.

Mr. Clemens: Any other problems? (No response) My only problem is, I think that they should abide by the law that we have now until they get a variance, period. And as far as I'm concerned, that's my feeling on it. Any other questions?

Mr. Baxter: I was waiting until your committee members had a chance to talk Councilman Clemens, before I jumped in. I just have some questions to help me understand the process if I could. The Temporary Occupancy Permit was issued (Tape Change).....any stipulations? Or what is the process that is given to our residents or our business owners? Do they just come in and apply for a temporary even if they don't have zoning? Is there anything behind that structure?

Mr. Haire: I'm not in a position to discuss that. That would be Chet Hopper, the Building Official actually issues those. And I don't believe he's here this evening.

Mr. Baxter: Okay. So you don't have any communication with the Building Department prior to issuance of Occupancy Permits?

Mr. Haire: Typically, I do. This was applied for in November last year and I wasn't employed by the city until May. So most of their permits were done prior to me being with the city.

Mr. Baxter: Okay. I understand that. I was just wondering....

Mr. Haire: I'm not sure how it was done.

Mr. Baxter: Do you communicate with them today prior to these things?

Mr. Haire: Yes.

Mr. Baxter: Do you have process and procedure in place saying....

Mr. Haire: Yes. Typically, building plans are turned in with the Zoning Certificate application.

And then they're reviewed. They're forwarded to my office for zoning compliance. And Chet won't sign off on the building plans until they've got zoning compliance in place.

Mr. Baxter: Okay. That's what I wanted to hear. Thank you.

Mr. Clemens: And they don't have zoning compliance. That's the problem. They don't have a Zoning Certificate.

Mr. Haire: Correct.

Mr. Clemens: So if you don't have a Zoning Certificate, you can't be in business. Correct?

Mr. Haire: Yeah. According to the code, yes. That's correct.

Mr. Clemens: According to the code. Any how, are there any other...

Mr. Baxter: Do we have the right to pull a Temporary Occupancy Permit? It is temporary. Or can we get voluntary agreement around it saying, hey look, you know, we want you to be here, can you meet some of these requirements that you know you're going to have to be met in the future. And I think that's the point you're trying to get to. Can we say today, can you follow these things?

Mr. Clemens: The thing is, they're open. They're open.

Mayor McPherson: Mr. Clemens, we talked about this when I saw them open, and I went to Luke and told him what the background was. And he followed up and that's where we are today. Bottom line is, there's not a way they can comply with our code. It's 40 foot back from the right-of-way. That puts it inside their building. If you want them closed down, I'll check with the City Attorney tomorrow. There is no way they can comply with our Zoning Code. There's just not a way possible.

So the only thing we can do at this point, and based on the conversation that chastised and we got on the last one, is go to them and just say, you've got to close your doors, but you know, that's going to be a decision that's going to have to come from the City Attorney, and we'll discuss the issue with him tomorrow. You know, when you go down there and look, it's not like when Council approved the mobile homes out there. You know, they can park within 15 feet of the road. These cars can't. They have a 25 foot setback by Traffic Code. And then they have a 40 foot setback by Zoning Code. So you know, you've got two codes there that neither one of them they can comply with, and you know, it's still got to go to BZBA, and if BZBA turns it down, then they're not going to be there any way. So I'll check with Jed tomorrow. We'll see what the procedure is to notify them they need to close up. Because that's the only alternative. They can't comply.

Mr. Clemens: And let me get to this. It is further back than 40 feet. We've been through this before. The building's further back than the 40 feet. I'm not saying they shouldn't have it and I'm not saying they shouldn't have a variance period.

Mayor McPherson: Point is, they don't have it and that's the law, and that's what was pointed out to me on the last one, and that is the law. So we'll deal with it as it is.

Mr. Clemens: That's the only thing I'm trying to bring forward is, it is the law.

Mayor McPherson: We had just tried to get voluntary compliance - tried to get them to go through the process and not cause them to close up, but it's very obvious that, you know, at this point, you know, we're probably in a corner, we're going to probably have to tell them just to close up..

Mr. Clemens: I don't think....

Mayor McPherson: ..but I'll check with the City Attorney tomorrow.

Mr. Baxter: Mayor, I don't think that's what we've said here. I think what we said here, is there voluntary compliance that could be put into place so that the man, or gentleman, or whoever owns this....

Mayor McPherson: No, but that's what I'm telling you. You can't do it.

Mr. Baxter: Let me finish please.

Mayor McPherson: There is none.

Mr. Baxter: Let me finish please. Is there voluntary compliance if a variance was to be created? The one he's reaching out for if the BZA was to approve something, is that something he can then comply to?

Mayor McPherson: Well, it's hypothetical. You don't know what the variance is going to be. The variance is probably going to be, he's going to want a 10 foot setback. You know, that's what they asked for the first time and it was denied by Council. So the likelihood of it being passed at 10 foot, you know, I have no idea. But that's a long process. That's not going to happen until after he goes to BZBA, it'll probably come to Council. It'll be 6 weeks after that. It's going to be the first of the year before any decisions are probably made on it.

Mr. Baxter: Okay. So that temporary permit, Occupancy Permit then allows a business to then run outside of our law and occupy the premises?

Mayor McPherson: I think the Temporary Occupancy Permit allows him to be in there under any zoning that's applicable under the current Zoning Code. It just so happens that the zoning for a car lot is a Special Exception that he's going to have to get a permit for.

Mr. Haire: That's incorrect. Car lots are actually permitted here. The only issue is that this was...

Mayor McPherson: Setback?

Mr. Haire: ..this was a grandfathered use because of the parking setback. When this was a gas station, it was a grandfathered use. Non-conforming uses, once they're vacant for 2 years, have to comply with the current code. So the only issue with this property is that the parking lot as it existed before, was repaved, and now is being used to park cars on it. And it was a non-conforming use. It was vacant for 2 years so it has to meet current code.

Mr. Baxter: Very good. Thank you.

Mayor McPherson: So I am to assume the zoning occupancy is fine. It's just that he's in violation of the code for setbacks.

Mr. Haire: Basically, the setback, he's paved over what should have been a grass setback. Actually the city has paved over.

Mayor McPherson: Or we've paved over what should be a grass setback.

Mr. Haire: Correct.

Mr. Clemens: The Occupancy Permit is only for the building. The use of the building.

Mr. Haire: Correct.

Mr. Clemens: The Zoning Certificate is for the use of the lot which they can't use because they don't have it, period. They don't have a Site Plan, they haven't gone through the route of it.

Mayor McPherson: That's what I was trying to point out. They can use the building.

Mr. Clemens: Right.

Mayor McPherson: They just can't park their cars there for sale. That's the problem.

Mr. Clemens: We went through this before. And it's further back than 40 feet. And I realize they can get a variance. They can have cars back there, and they can have cars on the side because I think it's only 15 foot on Hentz Drive. So it can be set up and they can use it as a car lot. Not as many cars. They won't be up against the wall and so forth. But they can have them on the side because the setback's not as far on Hentz Drive as it is on Main Street. The only thing I'm trying to say is, and Bob said it, we've got a law, we've got a code, we've got the laws that say what you do and what you don't do. Do it. That's the way I look at it. And we've been down the route on so many....

Mayor McPherson: Well, I'll check with Mr., with City Attorney Hood tomorrow and we'll see what direction we have to go.

Mr. Clemens: Whatever Jed says, I'll go with that. Okay.

Now let's get back to what's on the agenda. Item number 4. Luke, Nancy and I talked about this and we got your revision and so forth. What we'd like to do is, you and I and her get together this coming week so we can get this drafted into something we can give to Council and kind of shorten it up a little bit so it works out as far as you're concerned, and it works out as far as Nancy and I are concerned. Then I can bring it back and put it on the next committee meeting so it can go forward for the first reading if that's alright with you.

Mr. Haire: Yeah. That would be great. What I've done here is, just went through, and all the sections that would need to potentially be changed, I've incorporated into it.

Mr. Clemens: Right. What we want to do is see how we can handle those and shorten up the ordinance and so forth.

Mr. Haire: Okay.

Mr. Clemens: So we'll get together, the three of us, and get something worked out that we can get back to you and come back to City Council. Okay?

Mr. Haire: Okay.

Mr. Clemens: Is that alright with the other members of Council? And after saying that and shooting off my mouth all evening, I'm going to adjourn this committee at 8:25.

Service Committee

October 16, 2006

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday, Asst. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES
OCTOBER 16, 2006

Members of Finance Committee present: Ron Stake, Mel Clemens, Brett Baxter, Antoinette Newman.

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

Mr. Stake: And I will call to order, the Finance Committee meeting at 8:26.

Item number 2 is approval of the agenda. I do have a speaker slip request by Ken Wright to speak on the income tax topic, and I would like to make that Item 11. I make a motion to make that item number 11. Second by Mr. Baxter. All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item 3a is Preliminary Discussion, Presentation 2007 Budget. I know the Mayor was hard at work last week putting these numbers together along with the Auditor's Office. And I appreciate both the Administration and the Auditor's Office for getting this information to us by Friday and in our packets this weekend. Mayor, would you like to give us a brief overview?

Mayor McPherson: Yeah. You'll find in your packet, we have two budgets. The one that says 'Preliminary Proposed Reductions', that is the actual budget. The second one that you'll find is marked 'Preliminary At Full Funding'. In that one, we've added back in some of the major items that were taken out of the budget, or that we haven't done over the past few years.

If you look back over the, 2, 3, 4 pages back, you're going to be able to find in there, all the holiday pay, people we're paying overtime to, etc. Now on the real budget, the budget that we're requesting, you can start back in that, if you, back about 4 or 5 pages, you're going to see that we have a page headed '2007 Budget General Fund'.

When you look on that, the 2007 Initial Budget Request, that's taken from the other budget. These are items that we have not requested that we feel that were probably needed, but there was no money for. 2007 Street Program, we started back in 1998 and moved it forward to 2006. It shows you what we spent every year on our Street Program. At a high of 1 million, one twenty-six, to a low of this year's zero. We also included in that other CIP Project that we would normally submit to City Council. You guys have the CIP Budget book. It's to the tune of \$500,000 just on necessary projects. Not, as you look through there, you'll see there are a lot more than that. But these are the ones that we felt were essential to the operation of the city.

The next section shows that even though we've demonstrated a very real need for the additional safety services, these are all the positions that can't be staffed under our current financial constraints. These positions are needed. We can't afford them. There's four police officers, a police sergeant, and on down the list. You get down to the next section with salary increases, the city must have the ability to attract and maintain a quality staff. Modest increases have been given in the past. Our employees should be compensated fairly. We estimated about \$140,000 and we need to do that. That also is not in the budget. We haven't replaced our Human Resources Director for over 2 years. We have a Building Department Assistant Chief Building Officer, or Official that we have not replaced. We have Parks and Recreation part time, three quarter time, we have not replaced. There's also a mechanic that we didn't add to that list yet. There's also two equipment operators; one full time, one part time. So as you can see, when you

go through that list, there's a whole lot of things that we feel that we need, that the money is not there to fund. And we just wanted to point some of those areas out.

I also went back today and tried to update the individual departmental budgets as best we could. And we are generating a preliminary list of additional reductions in the line items of the budget. There was \$33,000 taken out of the Mayor's budget; 5400 taken out of the Development Department; 470,000 out of the Parks and Recreation. That included that 60-\$80,000 park study that we talked about a year or so ago. Safety/Service Department, we eliminated this year, \$46,700; Building Division, \$23,000; Division of Police, 145,690; Street, 262,500; Storm Water, 14,000. We estimate that not on this dream list if you will, or this budget, that if we had all the money we wanted to spend, there would be another \$1,290,000 that we did not ask for in the budget that you have in front of you. The only thing I can do at this point is tell you that, other than a couple of typos in here, this is probably going to be pretty close to the budget that we're going to stick with. And so our request this year in the General Fund anyway, is \$12,741,000. The estimated revenue this year, this coming year will be \$12,327,000. If you look slightly to the left of that cover page, you will see that there is a transfer of \$400,000. That is the major difference, and that \$400,000 is debt service. And I think the Auditor mentioned the debt service early on in the year that we were going to end up being short in the Debt Service Fund.

If you go on back, there's a couple of things I would like to just point out as we're going through this. On the excess general revenue page, that's 4 or 5 pages back, it shows the income tax revenue stream since 1998 through projected for 2007. If you look, our general revenue, what it costs us to run the operations of the city on a day-to-day basis, has always been lower than our general revenue. What throws us out of whack is the general debt expenses. And that's shown on there consistently. It's the general debt that's hurting us right now. So if you project this forward, this year we're going to have a negative. Next year we're going to have a negative. And it's pretty much like I told everyone a couple, three years ago, our budgets are going to continue to go in the red. And I believe the comment was made, well, we dip into our "savings" which is carry over. We will again this year, have to dip into that. But there's no other way to operate the city without doing that. And I've tried to show everyone with all the various exhibits, exactly where we've cut. What we're not buying. What we're not spending. We still have all the police officers that were approved back in June. They're not hired. And we will move forward under the budget that I proposed to the city. And you know, I hope everyone reviews it and I'll be more than happy to answer any questions for you as we go along. Again, I hope that within a couple of weeks, if there are any changes we'll have the final document to City Council. But it's going to look awfully close to the one you've got in front of you right now. So any questions, I'd be more than happy to answer what I can this evening.

Mr. Stake: Thank you, Mayor. Are there any questions from members of the committee for the Mayor? Mr. Clemens.

Mr. Clemens: I think, and I want to thank the Mayor for getting it to us, and for bringing us in a budget such as this, but I think we should have the time to look at it.

Mr. Stake: Yes. I agree.

Mr. Clemens: You know, study it over and get the opportunity to talk to the Mayor.

Mayor McPherson: I personally think you ought to just pass it tonight.

Mr. Clemens: We could do that. But, give us time to talk to the Mayor.

Mr. Stake: Well, there's quite a bit of information here. It's going to take a while to digest all this. And I'm sure some Council people have their own ideas about some of the spending and those kinds of things. But I did want to get it on the table this evening so that you could get a look at it; we could get a brief overview from the Mayor. And also, the City Auditor has presented us with some numbers here he'd like to talk to us about. Mr. Harris.

Mr. Harris: Mr. Stake, Mayor, members of Council, one of the things that the Mayor included in the budget document for you to look at, and I just wanted to take a couple of minutes and explain this document. We will be producing this on a regular basis. This will be a five-year plan. I think one of the things we need to do is not only look at the current year and what's happening in the current year, but I think we need to look forward and see what direction we're going. And I think if you look at this document, it takes the General Fund, General Debt Retirement, the CIP, and the account that we used to have, which is now pretty much closed, the Comprehensive Absences Fund, and those are really the funds that the city has to, the Council has some discretion they're expending on. And as the Mayor's pointed out, over the last few years, because of declining revenues, especially in certain areas of the city, some of these savings accounts as he would put it, and I guess that's a good way as any to put it, had to be dipped into in order to maintain vitally-needed city services.

I think if you look at what we have put on here, we've taken the budget from this year, which I think the Mayor has done a good job in trimming down and looking at every possible way to move things out of the budget; and I think the Administration and everybody involved has done a good job, but you can still see from this, the General Fund will be continuing to go down. And that's the way it is at this point unless there's additional revenue stream. And certainly, I'm sure everybody, as they look over these things will have questions. I know the Mayor has said he's certainly willing to work with anybody or answer any questions, and I and my staff will also be willing to meet one on one, or whoever wants to come in and talk about this, and we'll certainly be glad to show you where we came up with our numbers and try to help you out.

Mr. Stake: Thank you, Mr. Harris. Are there any questions or comments for Mr. Harris from members of the committee? (No response). Members of Council? (No response).

Mrs. Frazier: Mr. Stake.

Mr. Stake: Yes.

Mrs. Frazier: Can I ask?

Mr. Stake: Yes. Mrs. Frazier.

Mrs. Frazier: On these funds, the General Fund, Debt Retirement, Capital Improvements, this Compensated Absences doesn't get funding from anywhere else except it was set up by Council

from the General Fund. Is that correct?

Mr. Harris: That is correct, and it was put there back in 2000, because we did have an excess surplus in the General Fund. We do have employee absence, Compensated Absences, whether it be vacation, sick pay, or comp time that we felt it was a good idea to fund, for when somebody retires there would be a fund to pull the money out instead of showing it as part of the regular operating budget, which it really should not be. Over the years, that fund has been depleted. It was never increased. I didn't put any permanent funding mechanism in that fund. So therefore, the money is now depleted from that fund. So over the last, since 2000, there's been \$500,000 come out of that fund. The same way, if you look at General Debt Retirement, back in 2000, there was a million five put into that fund. At the end of this year, we're going to have about \$185,000 in that fund. And that's the reason the \$400,000 will need to be moved from the General Fund into General Debt Retirement in January with the ordinance that won't be effective January 1 so that we can pay the debt service for the city in 2006.

Mrs. Frazier: So it's not like, this is to show where 4 or 500,000 went; not a revenue stream.

Mr. Harris: No. There was never any revenue stream from any of this.

Mr. Frazier: Because the others are funded from the income tax, etc.

Mr. Stake: Councilwoman Newman.

Mrs. Newman: Yes. Thank you, Mr. Stake. (Speaking to persons talking in the audience). I'm finding you're muttering in the back there quite a distraction. So you can either shut up or go out in the hall and talk, please. Because my brain power isn't what it used to be and I'm easily distracted. Thank you.

Mr. Stake: Okay. Are there any other questions or comments for Mr. Harris from members of Council?

Mayor McPherson: Just one more comment, Chairman Stake.

Mr. Stake: Yes, Mayor.

Mayor McPherson: The one thing that you'll notice on the face of the documents, it does say 'adjusted for no Capital Improvements and no police increases', and that's kind of a given. But the medical insurance rates are also based on a possible change in carrier. Our present carrier requested 12% increase on our rates this year. We have subsequently shopped our rates. And so if we don't get some agreement from UHC, it's entirely possible that we'll be coming forward changing carriers and then that rate will possibly change. But that's a big one. That's several hundred thousand dollars.

Mr. Stake: So you'd be requesting a change?

Mayor McPherson: I'd be requesting a change in carriers to keep the premium very close to what it is right now.

Mr. Stake: Well, keep me informed of what's going on with that.

Mayor McPherson: Oh, yeah. Well, I hope to know by Wednesday. So we'll keep our fingers crossed.

Mr. Stake: President Hills.

Mr. Hills: Just to clarify, that if you had put in the medical plan for '07 the same as it was for '06 or that 12% increase we've been told. Your number reflected on the General Fund 2007 Budget Request of 12 million 741 would be up around 12, 9 or 13 million, correct?

Mayor McPherson: If we had requested the increase rather than keeping with what we have now...

Mr. Hills: What our known costs are today.

Mayor McPherson: Yeah. It would have been approximately \$400,000 more.

Mr. Hills: You have reduced a known need of 13, 1 down to 12, 7 by saying, in your recommendation there's going to be a change of insurance.

Mayor McPherson: Well, no. Our recommendation is going to, we put in here what we feel the premium's going to be. And that's a zero increase. So we already have the one in here.

Mr. Hills: So the number you have here....

Mayor McPherson: What we did not put in there was a 12% increase.

Mr. Hills: The number you have here is United Health Care to go for another year at '06.

Mayor McPherson: Or one other company.

Mr. Hills: The same amount of dollars in '06 have been moved to '07 as a cost.

Mayor McPherson: That's correct.

Mr. Hills: Thank you.

Mr. Stake: Okay. Are there any other questions? (No response). Okay. If there are no other questions, obviously we need to take some time to look at this. I would make a motion that we hold this for two weeks. Do I have a second? Second by Mrs. Newman. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I'd like to back up to item number 3, approval of the minutes of the Finance Committee meeting held October 2, 2006. Are there any changes to those minutes? (No response). None

being heard, they'll stand as submitted.

Item number 4 is Discussion, Authorization for City Auction. It was held on 9-5-06. It was held again 9-18-06. And held again 10-2-06. We recently received some information from our City Attorney Jed Hood in regards to this. Mr. Hood.

Mr. Hood: Thank you, Chairman Stake. This seems rather mundane compared to the _____ discussion this evening. But my office, Mr. Roth and I, did rewrite the ordinance and it does what you asked it to do as far as the advertising and the personal property as opposed to the fixed asset list the city must keep. So with that, if there are any questions about this, the only thing that I would submit to Council now that we have had our first snow flurry, that maybe this is not necessarily proper for an emergency and it would go through the normal course as any other ordinance.

Mr. Stake: Very good. I was going to make that recommendation as well. Thank you. Are there any questions from members of the Finance Committee for Mr. Hood? (No response). Members of Council? (No response). Well, none being heard, then I'll make a motion that we send this forward for its first reading. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 5 is ORDINANCE MAKING TRANSFER OF FUNDS TO CLOSE PROJECT KNOWN AS "PLEASANT VIEW SANITARY SEWER PROJECT". It had its first reading on 10-9-06. Mr. Harris.

Mr. Harris: Thank you, Mr. Stake. After having this on the agenda a couple of weeks ago, I've had discussions with the Mayor and the Service Department. There is one piece of property that will need some additional work in that subdivision. So they have opened up a purchase order in order to cover that. So at this point, I'd like to just have you send this to Other Legislation until this is done.

Mr. Stake: Okay. Are there any questions in regards to that request by Mr. Harris? Mr. Baxter.

Mr. Baxter: What's the time frame on that happening? Do we know?

Mr. Harris: It's involving grass seed. So I guess it's all going to depend on the weather to see if it's going to be now or in the Spring.

Mr. Baxter: Okay. Thank you.

Mr. Harris: But the reclamation of the land is certainly part of the project.

Mr. Stake: Okay. Any other questions or comments from members of Council? (No response). Then I'll make the motion that we send this ordinance to Other Legislation. Do I have a second? Second by Councilman Baxter. Any further discussion? (No response). All in favor, please

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

Item number 6 is ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT FOR HEALTH SERVICES AND DECLARING AN EMERGENCY. I believe we do still have some time. We can go the three reading route with this. Correct, Mayor?

Mayor McPherson: That's correct.

Mr. Stake: We just need to have the emergency language shown so it's in effect the first of the year.

Mayor McPherson: Exactly.

Mr. Stake: Are there any questions or comments from members of the Finance Committee? (No response). Members of Council? (No response). None being heard, I'll make a motion that we send this forward for its second reading. Do I have a second? Second by Councilwoman Newman. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 7 is ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS (Service/Safety Department; General Administration); and TRANSFER OF FUNDS (Building Department, Auditor's Office, Police Department, and Street Department). It's had its second reading on 10-9-06. This is a year-end cleanup item, I believe. Are there any questions in regards to this item from members of the Finance Committee? (No response). Members of Council? (No response). It's had two readings already. Then I will make a motion that we send this forward for its third reading with recommendation for adoption. 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 8 is ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR PROFESSIONAL CONSULTING AND STRUCTURAL ENGINEERING SERVICES. It had its second reading on 10-9-06. This is the first of our professional contracts, one of which to be extended for two more years. Are there any questions from members of the Finance Committee in regards to this item? (No response). Members of Council? (No response). It's had two readings. Then I will make a motion that we send this on for its third reading with recommendation for adoption. Do I have a second? Second by Councilman Baxter. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And item number 9 is ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH DLZ OHIO, INC., FOR PROFESSIONAL BACKUP CONSULTING AND STRUCTURAL ENGINEERING SERVICES. It had its second reading 10-9-06. And this is the second professional contract with an extension for two more years. Both are at the same rate that we've had in the past. Are there any questions from members of the Finance Committee, or

comments? (No response). Members of Council? (No response). Then I will make a motion that we send this forward for its third reading with recommendation for adoption. 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.

And item number 10 is ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND PLAN REVIEW SERVICES. It had its second reading 10-9-06. And this is the third of our professional contracts. And this extension would be for one year, correct? At the same rates we've had in the past?

Mayor McPherson: (Inaudible).

Mr. Stake: Okay. Are there any questions from members of Council or members of the Finance Committee? Comments, members of Council? (No response). Then none being heard, I'll make the motion that we send this forward for its third reading with a recommendation for adoption. Do I have a second? Second by Councilwoman Newman. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And item number 11 is speaker slip, Ken Wright would like to address us on the topic of income tax. And Mr. Wright, if you'd just keep in mind our rules of discussion this evening, I'd appreciate it.

Mr. Wright: Pardon me?

Mr. Stake: Keep in mind our rules of discussion. You've read the rules, correct? You're familiar with them. You've been here before a few times.

Mr. Wright: Oh yeah. You mean as far as length?

Mr. Stake: Yeah.

Mr. Wright: Okay.

Mr. Stake: Thank you.

Mr. Wright: No problem. My name's Ken Wright. I live on Roselawn in Reynoldsburg. And I have a little bit different perspective on the tax increase. In the beginning, Reynoldsburg citizens were asked to vote for an increase in their city income tax rate. City Officials said they needed the extra money for additional police officers. I stopped taking the proposal seriously when it became about unspecified Capital Improvements as well. Later, that portion was earmarked for street maintenance. Three new police officers were hired, and soon the city was threatening to lay them off if the income tax increase failed. The city paid \$25,000 to hold a special election in which the citizens of Reynoldsburg resoundingly defeated the additional income tax. It was then decided that the three new police officers could stay anyway. But just as if the vote had not happened, the income tax measure bounced like a rubber ball and landed right on the November

ballot. Soon there were new threats about layoffs in the Police Department, as well as other city departments. If the proposed income tax increase fails, we were told we will have to do without an Assistant Chief Building Official, a Chief Mechanic, two Equipment Operators, and a Secretary in the Police Department. We'll also have to do without the Fourth of July fireworks and support, and city support for the Tomato Festival and parades. And you can forget about fixing the crack in Taylor Road, Mr. Jenkins, because Reynoldsburg has no street funds. That is unless you count the projected \$800,000 surplus left over from the soon completed Phase II of the Streetscape Project which has been promised to us by Mr. Nolan of EMH&T. So now I'm going to go the polls on November 7 and vote no again to the income tax hike. Or as I call it, the income tax heist. One more thing, I believe Councilman Doug Joseph deserves a big thank you from the Reynoldsburg voters for standing firm in opposition to the proposed increase in Reynoldsburg city income tax. Thank you, Councilman Joseph.

Mr. Stake: Thank you Mr. Wright. Are there any questions or comments for Mr. Wright? Mayor.

Mayor McPherson: I just have some clarification. I'm so tired of hearing this crap about the police officers we hired and keeping them. We were authorized 41 police officers. We have 41 police officers. The people that we hired were replacements. I have said that so many times, I'm sick of saying it. Listen. They are replacements. They are not new police officers. They are not new slots in our Police Department. They are just what we were authorized prior to that ordinance that were being passed. Do you understand what I'm saying? Or am I not making myself clear?

Mr. Wright: Mr. Mayor, I was definitely paying attention while all this happened.

Mayor McPherson: Well then why did you bring it up again tonight? You apparently are very confused on the issue.

Mr. Wright: I'm not confused on the issue. I know what happened. I saw the published reports in all the papers, and I saw what was said here. And to me, it was a threat, after these people were hired. I know what was said. After the election it was said, after the election it was said....

Mayor McPherson: It was said during the election. It was said prior to the election.

Mr. Wright: Well....

Mayor McPherson: Nobody wanted to hear it.

Mr. Wright: It did make it into the papers.

Mayor McPherson: I can't help what makes it into the papers. You're here every week. You ought to have heard it. I'm sure you heard it. You probably just didn't want to hear it.

Mr. Wright: I heard it after the election that it....

Mayor McPherson: Well, you ought to listen (inaudible).

Mr. Wright: ..that they were just replacements after all.

Mayor McPherson: And let me tell you something else. You said about this money that's going back, that has to go into the Street Debt Service. That doesn't go to our General Fund. What makes you think that goes to our General Fund?

Mr. Wright: The 800,000?

Mayor McPherson: The 800,000.

Mr. Wright: Well, I figured streets are streets.

Mayor McPherson: Well, you figure anything you want. But it's not the facts. So if you're going to base your not voting for this on things you think instead of asking, then you're not going to vote for it. It goes back into the General Debt Retirement Fund. It goes back into the money, the bond issue that we borrow. We can't just take that money out and spend it.

Mr. Wright: Why would money, why would money that was appropriated to build Main Street, go into a Retirement Fund?

Mayor McPherson: It is not going into a Retirement Fund. Who told you that? Who in the world told you that money was going to go to a Retirement Fund? They've got their head in the wrong place if somebody told you that.

Mr. Hills: Mr. Mayor, I think you said Debt Retirement Fund and he's just talking about a retirement fund. So it must stay within the affiliated project. And I think....

Mayor McPherson: Yeah. It's got to stay in the project.

Mr. Hills: I would like to say, I think that's part of the problem with some of your "facts". The Mayor said Debt Retirement Fund and you're talking about monies going to a retirement fund. So I would suggest, and I would hope, that you get all of them together and not just use the ones to your benefit but look at the whole thing as a picture and weigh whether it's a benefit or a debt. Mr. Harris, did you have something?

Mr. Wright: It's just a slip of the tongue, sir. But I still stand by what I said. And I saw it happen. I saw it happen. And I saw the....

Mayor McPherson: You saw what happen?

Mr. Wright: The tactics that were used.

Mayor McPherson: What tactics?

Mr. Wright: To get, the ones I just mentioned here, to get people to vote....

Mayor McPherson: Name me one time, nobody ever made a threat.

Mr. Wright: For tax increase.

Mayor McPherson: Nobody ever made that threat. What are you talking about?

Mr. Wright: It was made continuously by the people....

Mayor McPherson: Who made it?

Mr. Wright: Everybody that was in.....

Mayor McPherson: Maybe the people you run around with made it. But we never made it.

Mr. Wright: Yes, you did. Everybody that was in favor of the tax increase and trying to get the public to vote for the tax increase. There was a threat....

Mayor McPherson: If people want to know what's going to happen, read the budget.

Mr. Wright: I saw it in the paper that said that we're going to have to lay these officers off....

Mayor McPherson: Geemany Christmas. Do you do anything besides read the paper? Try listening in the meetings.

Mr. Wright: Maybe I read the paper too much.

Mayor McPherson: You apparently don't listen in the meetings or you'd realize that some of what they put in the paper, they only have space for so much. They can't put everything we talked about in there. For God's sake, open your ears and listen.

Mr. Stake: Thank you, Mayor. And Mr. Wright, I'd just like to point out, that even though somebody says something in the paper, it doesn't mean it's correct. I do appreciate the job the press does in trying to cover the issues of the City of Reynoldsburg. But I do see many quotes in the paper by people and they're given the wrong facts. And you know, so don't believe everything you read. Mr. Harris, do you have anything? Thoughts you'd like to add?

Mr. Harris: Yeah. As a point of clarification, when Council authorized the Auditor to go out and borrow the money to fix Main Street, there was a purpose clause in that ordinance. That money has to be used for the purpose that it was originally borrowed to do. In this case, it was the Main Street Revitalization. Any monies that are left in that, must by State statute, go into and repay that bond issue. They cannot be used for streets in Mr. Wright's neighborhood, on Kingsley Drive, or anywhere else. They must by State statute, go into repaying the bonds from which the money was borrowed.

Mr. Stake: Okay. Thank you, Mr. Harris. Are there any other comments on this issue this evening?

Mr. Wright: Could I say that I appreciate the explanation that the Auditor just gave. But I'm not basing my opposition solely on that point.

Mr. Stake: Okay. Thank you. And with that, I'll adjourn the Finance Committee meeting at 8:55.

Finance Committee

October 16, 2006

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday, Asst. Clerk of Council)