COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES
Tuesday October 7, 2003

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

Mrs. Cannella called the meeting to order at 7:30 p.m.
Minutes of the May 19, 2003 Community Development Committee meeting were approved without objection.
The agenda was approved without objection.

Mrs. Cannella: Item 4 is the Resolution of Support for Communities in Motion Day and public transportation. This comes from COTA as a motion of support basically. That's all it is. It's (Communities in) Motion Week formerly known as Try Transit. And it's about a public transportation industry special day.. week to educate, promote, and celebrate the benefits of public transportation. And of course, COTA is putting it on and they want to increase their visibility and build support for their public transportation. They will celebrate it the week of October 13 to the 18th. Beginning October 13, they will offer one week of free service on the High Street Link. On the 14th, it's the Employee Education Day. And on October 15th, it's Park and Ride Celebrations. They will be handing out some information at the different stops. The 17th is a public event. COTA will be co-sponsoring a Transit Fair on the Statehouse lawn. On the 18th, they'll be a part of the OSU homecoming parade. The COTA/OSU Championship bus and the COTA trolley will be part of the OSU homecoming parade. They will have the COTA logo will be featured on advertisement and they will have, pom poms will be distributed throughout campus area beginning October 14th. Well, they're really doing a big event on this. Does anybody have any questions about it? (No response). If not, I'll send this as a motion of support for Communities in Motion Day and public transportation. Do I have a second?

Mr. Stake: Second.

Mrs. Cannella: All in favor, say aye. (All voted "Aye"). Opposed? (No response). And with that, it will go on next week's agenda.

And I will conclude Community Development at 7:37.

Community Development Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
October 7, 2003

SAFETY COMMITTEE MEETING MINUTES
Tuesday October 7, 2003

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

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:38. The first item on the agenda, approval of the minutes of September 15, 2003 Safety Committee meeting. Do I have any amendments to this? Adjustments? (No response). If not, they'll stand as approved. The next item, approval of the agenda. Do I have any deletions or additions? (No response). If not, that'll stand approved.

The next item is Discussion, Agreement for Kroger Development NWC U.S. 40 and Taylor Road (traffic signals; roadway improvements). This was discussed with re-zoning topic at special Service Committee meeting on 9-22-03 but it is a Safety Committee topic. That's why it's here in the Safety Committee. I think we all received the information from Kroger Company as far as the agreement that we're asked to enter into, or the Mayor's asked to enter into. It's here before us this evening, so if there's any questions, now's the time for us to discuss it. Are there any questions from the Safety Committee? (No response). Members of Council? (No response). If not, I'd like to make a motion to move this on to the special Council meeting later on this evening. Do I have a second?

Mrs. Frazier: Send it to next Monday, Mel. You can't add to the special agenda.

Mr. Clemens: Okay.

Mr. Gilbert: Mr. Clemens, will that be as an emergency?

Mr. Clemens: I can move it to our next Council meeting as an emergency. Would that be all right Nancy, to work it that way?

Mrs. Frazier: Yes. That's fine.

Mr. Clemens: I make a motion to send it on to Council for approval at our next Council meeting with an emergency. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response). This will move on to Council meeting with a motion for an emergency.

The next item on the agenda, Discussion, Authorization of contract for road salt. I believe Larry's here this evening. This is to spend $85,200, and the money's already in the budget if I'm correct.

Mr. Ward: Yes. The money is in the current budget, plus what will be appropriated for 2004. American Rock Salt was again the low bidder this year. Although the price did go up $2.19 over last year. But that's a lot less than what we were really expecting with the winter that we had. So we would just like to ask Council to give the Mayor permission to enter into the contract for the salt.

Mr. Clemens: Do I have any questions for Larry pertaining to the salt contract? We go through this every year and it is something that we need.

Mr. Hills: Mr. Clemens.

Mr. Clemens: Yes.

Mr. Hills: Just one question Larry, and I think I saw something in the Dispatch today. Columbus got theirs at a lesser price this year than they did the prior year. Is that because they were buying from a different source? Do you know? I think their price was more than ours. I'm not sure on that. But I saw something in the paper that their, unless it was incorrect, I think the statement that was their's was less per ton this year than last year.

Mr. Ward: I didn't see that. The only one that is in the co-op is the Airport Authority.

Mr. Hills: Okay. So out of the co-op, this is the best price. Right?

Mr. Ward: Yes sir. Out of 5 different...

Mr. Hills: So we are taking the lowest price on the co-op we're working with?

Mr. Ward: Yes.

Mr. Hills: Okay. No questions. I saw that in the paper and I wasn't sure if Larry was aware of it.

Mr. Clemens. Thank you, Mr. Hills. Are there any other questions from the Committee or any other members of Council? (No response). If not, I'd like to move this on to our next Council meeting for adoption with an emergency measure on it. Do I have a second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you, Larry.

Mr. Ward: Thank you.

Mr. Clemens: The next item, Authorization to bid in-car computers for the Reynoldsburg Police Department. Chief Miller.

Chief Miller: Good evening. Thank you, Mr. Clemens. As you know, last year Council approved our accepting a federal grant to purchase in-car computers for the marked fleet, and we'd like to have permission now to go out for bid. We've been taking a look at the process and what it's going to take to get this accomplished and we need permission to go out for bid.

Mr. Clemens: Okay. We've discussed this before, before we passed it as an ordinance. Are there any questions for Chief Miller pertaining to this from members of the Committee? Yes, Mr. Beougher.

Mr. Beougher: I know that we received a new cruiser from the Attorney General's office. Do we still have enough computers to go around or what's the match up?

Chief Miller: Well, we're going to have to wait and see what comes back on the bid. We will try and equip all cruisers. If not, what we may very well do is have some sort of a docking station so that, very rarely is the entire fleet out on the road at the same time, so depending on what happens, we will be able to equip every cruiser.

Mr. Beougher: Okay.

Mr. Clemens: Are there any other questions from members of the Committee?

Mr. Hills: Mr. Clemens.

Mr. Clemens: Yes, Mr. Hills.

Mr. Hills: Just one question. And Chief, just for clarification purposes. When we do bid this, we are going to bid with whatever, including all necessary equipment and software that we would need for installation and it will be totally operational in a bid packet.

Chief Miller: Yes, sir. The package of ________________ is what it is and it can't get any bigger and we are keenly aware of that.

Mr. Hills: Okay. Thank you.

Mr. Clemens: Are there any other questions from members of Council? (No response). If not, I'd like to make a motion we send this on to the special Council meeting this evening for adoption. Second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response). It will be sent on to special Council meeting.

Chief Miller: Thank you, sir.

Mr. Clemens: Thank you, Chief.

That brings an end to the Safety Committee meeting at 7:45.

Safety Committee
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
October 7, 2003

SERVICE COMMITTEE MEETING MINUTES
Tuesday October 7, 2003

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

Mr. Gilbert: I'll call the Service Committee meeting to order at 7:45 p.m. The first item on the agenda is the approval of the minutes of the September 15 Service Committee meeting and the September 22 special Service Committee meeting. Are there any additions or deletions to those items? (No response). None being heard, they will stand as read. Item number 3 is the approval of the agenda. I have two changes to request of the members this evening. The first is to hold item 9 (Discussion, Draft Report from Ad Hoc Residential Zoning Review Committee) for two weeks, or actually to hold item 9 until the special Service Committee meeting to be set for next Monday at 6:45 p.m.; and to hold item number 8 (Discussion, Water Line Project - Broad Street) for two weeks. Are there any additions or deletions to those changes to the agenda? (No response). None being heard, I'll make that motion. Do I have a second? Mr. Stake with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is the Discussion, Purchase of Perpetual Nonexclusive Easement. Mr. Underwood. Or actually, Mrs. Reichard and Mr. Underwood, whoever would like to handle that.

Mr Underwood: (Inaudible).

Mr. Gilbert: Correct. Request an appropriation of $3,000 for unappropriated CIP.

Mr. Underwood: Correct. That was for the sewer line, and it's my understanding that a lady had agreed to give it to the city, but she died. Her heirs are no longer willing to do that. They will sell it to the city. That's the Scenic Drive sewer line and up in that area, and so we have to ____ the project, we're going to have to buy. If we don't want to do the project and we don't buy it, we just wait.

Mr. Gilbert: Okay. I believe we are in need of, I'll just double check with the Clerk, is it page 4 of the deed of easement?

Mrs. Frazier: Right.

Mr. Gilbert: I'm sorry.

Mrs. Frazier: Right. It's page 4.

Mr. Gilbert: And does the Safety/Service Director have that? Or your office?
Mr. Underwood: I don't know whether I signed it to her or I have it in my file.

Mrs. Reichard: If I may, this is the only one easement that we need to purchase as Mr. Underwood stated. The property owner died and there were only two easements that we needed to have. We have one. We're going to have to purchase this one because it's in estate. All the rest of them are work agreements and we'll be coming back to Council with a bid package probably in November and we're looking at two different ways of doing that project. Both going from the top down and with boring. Because that is such a narrow road, we're hoping we can do the boring, but we'll have to wait and see until the bids come in. But we do need this one easement to proceed with this project.

Mr. Underwood: Are the work agreements all signed?

Mrs. Reichard: No sir, they're not because people have, some of them are but people have a lot of questions that we cannot answer until we know how the project's going to be constructed.

Mrs. Frazier: On page 2, "The permanent and temporary construction easements are further depicted on page 4 attached hereto and incorporated herein". That's what we're missing. It's just one easement, you have your description and your deed, but you don't have that page. There's a page missing is what I'm saying. So it's probably in your file.

Mrs. Reichard: I'll make sure you get it.

Mr. Gilbert: If we could get that page for next Monday and I believe this would need to be referred to Finance. Do members have an objection if I move this forward with agreement that we have page 4 by next Monday if I refer it to Finance? Mr. Hills.

Mr. Hills: The questions I guess I'd have, the status of Scenic Drive if I remember, is the bids were rejected because they were all over the 10% and it has not been rebid yet. Correct?

Mr. Gilbert: Correct. I believe the time frame is...

Mrs. Reichard: That's correct.

Mr. Hills: And we're going to authorize bidding some time in November.

Mrs. Reichard: That's correct. We only had one bid and it was more than 10% over.

Mr. Hills: So we aren't even going to bid this until November.

Mr. Underwood: Until we have the easement. We'll have the project held up if we don't have an easement.

Mr. Hills: Okay. And then as we get this easement, we also need the work agreements. Right? Or we're not going to have those. Isn't that what that page 4 referred to?

Mr. Underwood: I would think we would need them but if she's got questions that can be answered to the residents, it's my understanding all the work agreements were going to be signed and given to us. Because you do need that to do the work.

Mr. Hills: They're not different than the easement.

Mr. Underwood: That's right.

Mr. Hills: So unless we have some document from every one of the people that are going to be affected, we're not even going to advertise it for bids. Correct?

Mr. Underwood: I don't know. That's not...

Mrs. Reichard: Not necessarily. And Mr. Parkinson, if you wish to jump in, please do so. But it's my understanding that if we bore, we don't need all the work easements for all, or the work agreements from all of the property owners. Because it's done very differently. If we're going to go top down, we'll need one from every resident on those streets. If we bore it, we'll only need in spotted areas that Mr. Parkinson can speak to better than I. So it's kind of a catch 22. I mean, you can't answer the questions. You don't know where you need the work easements until you get the bids. But once you get the bids, you need the work easements.

Mr. Hills: This is not marked as an emergency. Do you need this as an emergency or something?

Mr. Underwood: I don't think so.

Mrs. Reichard: I don't believe so.

Mr. Hills: Okay. So it's just a matter of sending it forward for first reading. Okay.

Mrs. Reichard: Yes, sir.

Mr. Hills: I don't have a problem sending it forward for first reading.

Mrs. Reichard: Okay. Thank you.

Mr. Hills: Why don't we not, Mr. Gilbert if you don't mind, not refer it to Finance until we've gone through a reading to see if all the other documents are put together if there's not that big of a rush - if all they want is first reading.

Mr. Gilbert: Yeah. That's fine. I'll just make a motion that we forward this, if we can get the additional page, page 4 by next Monday's meeting since somebody has it. We'll just move it forward on the Consent Agenda for its first reading. Do I have a second? Second by Mr. Stake. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 5 is a Discussion, Resolution of Necessity for Graham & Main and appropriation of funds. Mr. Underwood.

Mr. Underwood: The Graham & Main improvement to straighten out that intersection has been pending for some time. I know that the Mayor has had meetings with the property owners. Probably other people, but they do not want, at one time it was my understanding they were going to deed the right-of-ways to the city for the appraised values which they now do not want to do.

That means that we'll have to do a taking of the property if we want to do that project. So what I prepared is coming for you.. a budget for the taking. There were a couple of items when I got into it, you're looking at the, drawings did not have work easements on them which you need and the appraisal was done, the one corner was done without work easements and is now about a year old. The other side was an appraisal for the entire piece of property we don't need. We only need a few feet, that's in square foot basis and the package I presented to you, I'm hopeful is complete and we took into account the filing fees and appraisal costs and everything else that should be included there to the best of my knowledge. I can't predict anything that the court awards cost to the other party. That would be something extra. I did up the appraisal, the expected appraisal prices of the land somewhat so I'm hoping that would cover any unforseen expenses.

Mr. Gilbert: And this is what stands in the way in between where the project is now and in the beginning, or as far as being able to move forward.

Mr. Underwood: Part of it's the strip off of the Wee Joy Sing part and part is off of the other side which is owned by _______________.

Mr. Gilbert: Okay. Does this raise any questions, members of Service? (No response). Other members of Council? (No response). I guess we will need a resolution of necessity to go along with the ordinance. Correct?

Mr. Underwood: A resolution of necessity was drafted and it should be in your hands.

Mrs. Frazier: No, it's not.

Mr. Gilbert: No. If we can...

Mr. Underwood: It was drafted and is that in your file?

Mrs. Reichard: (Inaudible).
Mr. Underwood: We'll get that to you.

Mr. Gilbert: And this will also need an appropriation that was requested. $83,500. That's to be from the CIP Fund to account 410.083.5651. If I could just, at this point, it's my understanding the funds are still available for a portion of this project from Franklin County, Mayor. Is that correct?

Mayor McPherson: That's correct.

Mr. Gilbert: Okay. Very well. Is there a time frame on this Mr. Underwood, if we were to move it forward similar to the other?

Mr. Underwood: I'm not aware of a time frame. I don't know.

Mayor McPherson: There's no emergency. Just the regular _________________.

Mr. Gilbert: If we could just get it started then we could expedite it once we get the resolution of necessity?

Mayor McPherson: That's correct.

Mr. Gilbert: At that point I can refer it to Finance.

Mr. Hills: When we get the document. That would be great.

Mr. Gilbert: Okay. I'll make a motion that we forward this to Council for its first reading on the Consent Agenda. Do I have a second? Mr. Hills with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 6 is a Partial Assignment of Commercial Corridor Easements. Mr. Underwood again.

Mr. Underwood: When the commercial corridor was developed and the engineering done, we needed certain easements. We got all those easements in the name of the city. Now, AEP would not install their utilities underground until they had some interest in those easements and required a partial assignment of the city. The city then agreed that yeah, first they wanted all the easements in their name and we said no, we're not going to do that; and so we're doing a partial assignment so their equipment will be in their, legally in that right-of-way.

Mr. Gilbert: Okay. Does that raise any questions from members of Service? (No response). Have we obtained the easement from Walgreen's as of yet as part of this?

Mr. Underwood: The last of my knowledge, it had not come back. We got a letter from Walgreen's and it said everything was fine, go ahead and do your work. I don't know if that one is back yet. That's why there's a blank. There should be a blank on your ________________ information for Walgreen's.

Mr. Gilbert: Right. And the members should note, on the legislative request this is Phase 1, not Phase 5.

Mr. Underwood: Right.

Mr. Gilbert: And the, I believe you would need to change, and the Clerk correct me if I'm wrong but, we change the word assignment to ratification?

Mr. Underwood: No. No, they came in and the Mayor signed the documents to get them to do the work and so this is to ratify that signing.

Mr. Gilbert: Okay. There's no appropriation. This is marked as an emergency. Any questions from other members of Council? (No response). Members of Service? (No response). None being heard, I'll make a motion then that we, would this need to be pending? The receipt of the easement from Walgreen's or we can move forward and in lieu of that.

Mr. Underwood: I think you can go forward. I'm hopeful, has anybody heard anything from Walgreen's when it's coming back? I'm hopeful if you do it one, two, three readings, if it comes back then we can go ahead with the emergency at that time.

Mr. Gilbert: Okay. We'll send it forward for its first reading on the Consent Agenda. Do I have a second? Second by Mr. Stake. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 7 is a Conservation Easement Agreement and this was discussed at the special Service Committee meeting on September 22. This is regarding Kroger, potential Kroger development at East Main and Taylor Road. Mr. Dugger. And I would just note and thank Mr. Dugger and representatives from Kroger for supplying us with the additional information that Council had requested at their last meeting. It was helpful, and I notice on this particular topic which was split out from the way it was handled, the last time we did receive a letter regarding a conservation easement program that was followed. Or the EPA guidelines that were followed. So I'll leave it to Mr. Dugger.

Mr. Dugger: I really don't have anything to add Mr. Gilbert. I think we talked about it last week and last month. The Administration has been through the review process with Kroger and I think that the one missing thing that Council asked us for was some idea that this in fact was an appropriate document pursuant to state requirements and we provided that information. So I don't know that I can do anything other than answer any questions that might be out there.

Mr. Gilbert: Okay. In light of how it was provided, was this a request for an emergency with this? I don't think it's as imminent of a need as there is with the zoning. It's just my inclination to move this forward as we did with the traffic agreement if there's no concerns from members of Service or Council. Did the information received...

Mr. Hills: I think it's the best information that could be provided to give it time from what I could tell. And I appreciate the efforts of Kroger's and their attorneys to provide it.

Mr. Dugger: Thank you, Mr. Hills.

Mr. Hills: The question I had, didn't we move the other one forward for passage on the 13^{th}?

Mr. Gilbert: Correct.

Mr. Hills: Which is what we'd be doing with this one.

Mr. Gilbert: Correct.

Mr. Hills: But we can't move this to the special meeting because it wasn't already listed.

Mr. Gilbert: Right.

Mr. Dugger: The 13th is fine.

Mr. Gilbert: Anyone else? Without any objection I'll make a motion that we forward this to Council with recommendation for adoption as an emergency. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 10 is our Natural Gas Supplier Proposal. Mr. Brandt. I believe the members should have received an updated, revised...

Mr. Brandt: Yes sir, Mr. Gilbert. Thank you. The proposal we have before you is from IGS. And what they're proposing is a 5% discount off of Columbia's GCR rate. The timing of this is such that with the requirements, the statutory requirements for mailings and direct mail that has to be done to all residents, collation of mailing lists. The gas company provides a list but that list in itself as you know, there's a number of addresses in the 43068 that aren't in the City of Reynoldsburg. So the AmpOhio folks are in the process of matching a mailing list with the City of Reynoldsburg's mailing list with what was provided by Columbia Gas to then in fact turn over to IGS so they can perform their prescribed or required mailing to the residents with the opt in or opt out, whether they want to participate or whether they do not want to participate.

Mr. Gilbert: Do you feel we have a good agreement?

Mr. Brandt: I guess there was, I think we read several meetings ago, a few of the players that were on the table, some were eliminated basically because of timing. The mailing requirements, passage requirements, and there were a couple that, at least one for sure that I can recall, had decided that they didn't want to participate this year. Whether they're waiting for better years or more players because we're just a bit ahead of the curve on some of our other communities in Central Ohio. They're working on this because you're aware of the fact that they're working on electricity as well and there's a few more that are on board on electricity as opposed to gas. So what our goal was this year was to try to have something in place for at least the residents to look at and decide if they're interested and provide an opportunity for savings. The fluxuation in these markets is such that, I quite frankly myself don't know if the Administrative process lends itself to how the pricing is done in the commodities market. As you've probably read stories over the years of the volatility of the commodities market is such that who could understand it all. But that is a, seemingly from what our consultants have told us, AmpOhio, a fair offer and a good starting point and kind of build a track record to go from there. And it would hopefully improve when there's more communities available to actually participate as well.

Mr. Gilbert: And the residents would be able to at least have this option this winter?

Mr. Brandt: That is our goal providing that passage is in such a time that the required mailings can be made and completed. Because once the mailing goes out, they have 30 days to respond. So we're already looking at the end of November providing the passage is at Council meeting on the

13^{th}.

Mr. Gilbert: Right. Does this raise any questions from members of Service?

Mr. Hills: The only question I may have Mr. Gilbert, is there any restriction as to when you can get into this program? From IGS or whoever it may be we're entering into a contract with. The normal heating season with utilities is considered from November to March.

Mr. Brandt: Correct.

Mr. Hills: But they don't have any internal regulations that doesn't allow someone to come on in December or January then to your knowledge do they?

Mr. Brandt: Not that I'm aware of. No. And it also provides if somebody moves and somebody else moves in.

Mr. Hills: Right. You have to be able to terminate.

Mr. Brandt: Right. And the first year I think it's practical to realize that there's going to be a few speed bumps in the road. As we go down the road there's going to be questions. And this whole process since Council authorized it and we've been working on it as well as Council and you in particular Mr. Hills, sat through the initial parts of it at the State realize that there's a lot of unanswered questions and a lot of issues yet to be resolved. But hopefully it works out to the residents' benefit in our city and the other cities as they come on line.

Mr. Gilbert: Other members of Council, any questions or comments? (No response). This was marked as an emergency and I certainly appreciate all the work that Mr. Brandt and the consultant and the Development Department has put into this. It's an experiment and I think we'll find that it provides greater consumer choice to our residents and I appreciate all the hard work and will make a motion that we forward this to Council for recommendation for adoption as an emergency. 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.

Mr. Hills: Mr. Gilbert, I would have one question on that. Just for clarification. This is at 5% below the market rate so there is absolutely going into it this way, it's not the fixed rate. You will always be 5%, you're going to pay as a consumer 5% less than that utility is charging the consumer who is not enrolled in this program. So it is a guaranteed 5% savings.

Mr. Gilbert: Good point. Thank you, Mr. Hills.

Mr. Brandt: Excuse me. It's 5% off of Columbia's GCR rate.

Mr. Hills: Okay.

Mr. Brandt: And one thing that was left out before, another person who's helped a lot and done a lot of work on this has been Bill Underwood the City Attorney. He's been to a lot of the meetings and been very helpful as well.

Mr. Gilbert: Thank you, Mr. Underwood. Sorry for the omission.

The next item is item number 11. This is Discussion, Ordinance to amend the official zoning map of the City of Reynoldsburg. This item has had its two readings and we received some additional information in regards to the conservation easement and the traffic agreement with Kroger's. Mr. Dugger, is there anything you care to add at this point?

Mr. Dugger: I don't believe so, Mr. Gilbert. Council requested us to provide that additional information. We provided that information. This ordinance has I think been rolling around Council since about the beginning of the year. So we would request that it be approved. It's an appropriate land use and we will need to, while this is before Council we still have to clean up the conservation easement and the traffic improvement agreement which would occur next week. So there are further I guess, acts that go along after this. So if there are any questions with reference to the actual land use of the property we'd be happy to answer them.

Mr. Gilbert: Okay. Thank you, Mr. Dugger. Any questions or comments from members of Service? (No response). Other members of Council? (No response). None being heard at this point, I would prior to making a motion I would just say I have been contacted by some residents in regards to some displacement concerns and while it's not a particular public topic I would just like to point out that the Mayor, I am working with the Mayor to address some of their concerns and alleviate some of their worries and looking at different options for those residents. And we've even brought that concern to the applicant and we'll be getting back with the residents later this week with information we've been able to put together for you. With that in mind, I will make a motion that we forward this to the, first of all let me just note, I will need to make two amendments to the ordinance. The first is to amend the last section that will state that "This ordinance is deemed to be an emergency measure necessary for the financial needs of the city and further so development can begin and the city can realize benefits from the development; wherefore upon adoption by Council this ordinance shall be in effect immediately upon signature by the Mayor". And then insert in the title, words "And declaring an emergency". I just wanted to note those amendments while it was still in Committee. With that said, I'll make a motion that we forward this to the special Council meeting this evening with a recommendation for adoption as an emergency. Do I have a second? Second by Mr. Hills. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 12 is an Ordinance to accept an application for annexation of .94+/- acres in Truro Township. This item did have its first reading on September 22nd. Are there any questions or concerns from members of Service? (No response). Other members of Council? (No response). I'd make a motion that we forward this to Council for its second reading on the Consent Agenda. Do I have a second? Mr. Stake with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I will adjourn the Service Committee at 8:12.

Service Committee
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
October 7, 2003

FINANCE COMMITTEE MEETING MINUTES
Tuesday October 7, 2003

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

Mr. Hills: And I'll call Finance to order at approximately 8:12. Approval of the minutes of the Finance Committee meeting for September 15, 2003. Any additions or modifications to those minutes? (No response). Seeing and hearing none, they'll stand as submitted. Approval of tonight's agenda. I think, and I want to clarify this, but I think we've been asked to remove item number 8, Appropriation, fund change in employer PERS contribution schedule. Is that correct, Mr. Whitney? Mr. Whitney is, they're not real sure what they're doing down at PERS yet so there was not a need to have that so we will be pulling that at the request of the Auditor. So item 8 will be removed. We have nothing to add. Any other changes to the agenda? (No response). If not, I will move that we remove item number 8. Is there a second on that? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). So we will move forward with the amended agenda.

Item 4, Discussion, Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor, Licking County. We've done one of these recently on Franklin County. Mr. Whitney, do you have anything to add? These just sort of speak for themselves as the rates and there's nothing you can do to improve them. Correct?

Mr. Whitney: That's correct.

Mr. Hills: Licking County still doesn't pay us all they owe us. Is that correct, Mr. Underwood?

Mr. Underwood: That's correct.

Mr. Hills: And we're still working on that issue?

Mr. Underwood: Oh, yes.

Mr. Hills: Okay. These are rates but we don't ever get what we're supposed to get. So it's an unusual situation when you're in three counties. Any questions from anyone on Finance or anyone on Council at all? (No response). If not, I make a recommendation that we send this resolution forward for adoption for an emergency. Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward for an emergency recommendation on the 13^{th}.

Moving on to item number 5, Discussion on Appropriation for first interest payment, 2003 Capital Facilities Bond. Mr. Whitney, can you tell us about this one please, sir?

Mr. Whitney: This is an item which will first, which will be in the budget in the future. It's not in the budget for this year because we had not made the issue yet. There's a bond issue for our Streetscape which was what, April or May or somewhere in there. So it was not budgeted for this year so there's nothing in this year's budget. But we have an interest payment coming up in December.

Mr. Hills: And we have monies going into our General Debt Retirement Fund and monies from the Brice/Main TIEf, so this is in essence how we will be paying yearly for the Streetscape obligation we're entered into. Is that correct?

Mr. Whitney: That is correct.

Mr. Hills: Okay. Does this raise any questions from anyone on Finance? (No response). Anyone on Council at all? (No response). Is there a need for an emergency on this? You don't have to make this payment right away do you?

Mr. Whitney: December 1.

Mr. Hills: December 1? Then I'll just recommend we send this forward for first reading. Is there a second? Second by Mr. Gilbert. All in favor state aye. (All voted "Aye"). Opposed? (No response). It will go forward for first reading. Thank you very much, Howard. Item number 6. You can stay right where you are can't you?

Mr. Whitney: Thanks a bunch.

Mr. Hills: Discussion, Waive competitive bidding, various exempted contracts and expenditures over $10,000. And I don't know if everybody's had a chance to read over this or not. I do have a couple of questions and Howard I apologize because when you asked me the other day I didn't have it in front of me. It wasn't on the top of my mind. I know we were going to do this in January and February and a new procedure and everything and this is now October and we'll probably have it done in November.

Mr. Whitney: Well if we hold off we can have it for next year.

Mr. Hills: Well, we may do that. We may do that. But I appreciate your chart and I actually appreciate the fact that I think the list is shorter this year than it was last year.

Mr. Whitney: Yes, it is.

Mr. Hills: The question I have is, we're saying that any time we spend over $10,000 with somebody, we have to be sure that they're competitive, but the firm is provider of a professional service that is eligible for waiving of competitive bidding.

Mr. Whitney: Yes.

Mr. Hills: Then the second we say, if you enter into a state contract you can waive competitive bidding.

Mr. Whitney: Yes.

Mr. Hills: And the third reason you say, "Survey results reveal the lowest cost provider in the relevant market".

Mr. Whitney: Yes.

Mr. Hills: That one sounds good but I don't think that's one of the ways you can waive competitive bidding. I mean, I think I see what you're trying to say. We went out and got some RFP's and this is the cheapest that we're going to go there. But that's not one of the, I don't think that's one of the statutory requirements to be allowed to waive competitive bidding. I'm not sure. I didn't pull to look what it is and I think Mr. Underwood once had done a memo on this. Have you not, Bill?

Mr. Underwood: Some time ago.

Mr. Hills: And so I think certainly, where we do have professional services and I see we've got unique service here and I'm not so sure that may work on the unique. But I don't have the guidelines in front of me right now. And that's where I have to apologize for that. Does anybody else know off the top of their head what can be waived and how or what the titles are? I mean the qualifications for waiver?

Mr. Underwood: The City Charter provides that you can waive it for any reason if competitive bidding is not required by the State of Ohio. And so we have a number of things. We've got quotes, proposals to establish the lowest competitive price where we don't necessarily go through the formal bidding procedure. And if it's not required by the State of Ohio then we can waive that competitive bidding.

Mr. Hills: Okay. Questions from anyone up here? (No response). Anyone on Finance Committee? (No response). Bill, have you had a chance to look over this?

Mr. Underwood: Yes.

Mr. Hills: And do you feel this complies, falls into all the categories?
Mr. Underwood: I think we're in good shape.

Mr. Hills: The provider of unique services, you're recommending we go ahead and waive bidding on those?

Mr. Underwood: If it's a unique service and there's only a sole source I think you'd have a hard time getting a bid on it.

Mr. Hills: Okay. Because that was, I'm not sure what the survey results thing is because I think unique source doesn't have to be done by a survey though. If that's who we have now, that's who you have service the equipment you've got. Am I correct in your thought processes there, Howard?

Mr. Howard: Try that one again.

Mr. Hills: If it's material we have now, we get the same, the Xerox equipment, you don't bring in a Copyright repairman to work on Xerox equipment.

Mr. Whitney: That is correct.

Mr. Hills: And if it's Ameritech system you don't call somebody other than Ameritech.

Mr. Whitney: That is correct.

Mr. Hills: Unless you want to pay out the nose. Questions? Comments? (No response). Why don't we, certainly since we were going to look at this in February and it's now October, I don't think there's a real need to push it through as an emergency is there?

Mr. Whitney: No.

Mr. Hills: Why don't we send this forward for first reading on 10-13, the ordinance to waive competitive bidding and listing the parties for first reading on 10-13. Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward.

Mr. Gilbert: Could we put that on the Consent Agenda?

Mr. Hills: Yes we could. I'm glad you remind me of that all the time. That's a good place for it. On the Consent Agenda.

We'll move on to item 7, Discussion, Authorization for having replaced vehicles destroyed by flood. This comes from Mr. Whitney also. Yes, Mr. Whitney.

Mr. Whitney: We have some vehicles that were drowned, essentially totaled, and needed a replacement quickly. I believe it was Stephen Moore that got price quotations; about six new vehicles from two sources, an insurance check for $52,000 and the city chipped in (Tape Change). At the time since it was only an outlay of $3,730, or is that $2,000? $2,730, I didn't deem it necessary to get any approval for that and since then was advised by a couple of my special advisors that it probably ought to go through the legislative process for approval. So here we are.

Mr. Hills: This would commonly be known as a "then and now" type transaction but you refer to it as an ex-post authorization. Right?

Mr. Whitney: It's already been done.

Mr. Hills: That's what I mean.

Mr. Whitney: Yeah.

Mr. Hills: Certainly there was no competitive bidding or anything on this. This was just, went out and purchased. And you say they were from two separate suppliers?

Mr. Whitney: No. The funding. The funding was done from the insurance company and from us. Primarily the insurance company.

Mr. Hills: Okay. Do I understand, we lost six vehicles and we purchased five? Is that correct?

Mr. Whitney: That is correct. I believe. Yes.

Mr. Hills: Questions from anyone on Finance? Mr. Clemens.

Mr. Clemens: I think we have to waive competitive bidding if I'm correct on that. It says at the bottom "request waiver of competitive bidding". No, I have no problem with it and do whatever it takes to clarify it and move it on.

Mr. Hills: I think our, now we're just trying to make it whole. It happened and it's been done and we have to legitimize it I guess. That's a bad word. We have to recognize that it has been done and waive competitive bidding as a legislative body to authorize that it was done. Is that a better way to explain it, Mr. Underwood? (No response). Mr. Underwood left on this one. I don't blame him at all. Questions from anyone else on Council? (No response). Emergency wise, you do request to have an emergency basically to get this off the agenda. Correct?

Mr. Whitney: Yes, sir.

Mr. Hills: That's what I thought. I'd recommend that we send forward this "then and now" type authorization for the replacement of five vehicles with a section that also is requesting the waiver of competitive bidding and just noting that this is some legislation being done in October to clarify some transactions that occurred in June. Is there a second on that? Second by Mr. Clemens. And we would recommend this to go forward as an emergency. Mr. Clemens I will add the emergency. Do you still second that?

Mr. Clemens: That's correct.

Mr. Hills: Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Any comments from anyone. I'm not sure if I, I meant to open it to the table. Does anybody else have any concerns or questions from the table? Mr. Beougher.

Mr. Beougher: One quick question. Who's riding the bicycle now? We had six now we have five. Was one a spare? Who's out of a car? Are we going to have to replace one in the future?

Mayor McPherson: Yeah. We're going to request in the 2004 budget, a car replacement for the Building Department and that will be the last car. It'll be in next year's budget.

Mr. Beougher: Okay. Thank you.

Mr. Hills: Okay. Moving on to item number 8 was held, moving on to item number 9. Ordinance making supplemental appropriation for (1) Vehicle Maintenance Department accounts and (2) Street Department account and declaring an emergency. This is the one where Mr. Ward's just spent too much money. Right, Larry?

Mr. Ward: (Inaudible).

Mr. Hills: I do, and I appreciate everybody, a lot of people have done some work on this and Larry I appreciate the big stack of data that you sent to us. That is very informative, at times even more informative because it could raise 100 other questions that aren't really relevant here, but bottom line here is part of your shortage is the monies that you accept budget wise for insurance was an inadequate amount and when the adjustments were made it cost you more on insurance. I appreciate the work that the Auditor's office has done. I appreciate the work the Clerk of Council has done. I just, so, Mayor and everyone else ought to be looking at, there's $15,000 still sitting in your insurance section of the General Administration. So when it got shifted out to the departments, enough of it didn't get shifted out. Okay? Because you're not going to have any more exposure on that money sitting there. So the numbers that went out and the $4,000 that should have been $8,000, it's there to do it. But I don't think there's a need, I'd just as soon, on this one, unless anybody specifically wants to, I think it's easier to go ahead and appropriate these monies from the General Fund and get it to where it needs to be. Because I know you're about out of money and difficulty with parts, but Howard, and Mayor, if you would take a look at your General Administration budget, I think there's some extra dollars sitting there that could have been transferred out to offset some of these things earlier. But with that said, Larry do you have anything to add to this?

Mr. Ward: The only thing, I went back through on the city's computer to check all the way back to 1997 for those two accounts and they were relatively stable every year. Actually in 2001 it decreased a couple of thousand dollars then went back up in 2002. So I was not aware of this large increase and with the Mayor asking us to tighten our budgets and cut where we could, I had no idea that the insurance was going to be that much this year.

Mr. Hills: Well, I think the insurance, there's about $14,000 of that you got hit on insurance that you didn't know was coming.

Mr. Ward: That's correct.

Mr. Hills: And I think that could have been corrected in another way. Okay. Questions from any one else on Finance? (No response). If not, I would recommend that we send an ordinance forward for adoption as an emergency transferring the $14,000 from the unappropriated General Fund into the two noted accounts and also $5,000 from the Street Fund to the account as noted on the ordinance with recommendation for adoption as an emergency. Is there a second? Second by Mr. Gilbert. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Hearing none, it will go forward for 10-13.

Mr. Ward: Thank you.

Mr. Hills: And I believe that completes unless anybody else has something, that completes Finance at approximately 8:30.

Finance Committee
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
October 7, 2003