

Prior to Community Development Committee meeting, President of Council, William L. Hills administered the oath of office to Mr. Doug Joseph.

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES October 3, 2005

Members of Community Development Committee present: Brett Baxter, Antoinette Newman, Preston Stearns.

Other members of Council present: Mel Clemens, Lane J. Beougher, Ron Stake, Doug Joseph, Council President William L. Hills.

Mr. Baxter: Good evening. I'd like to call to order, the Community Development Committee at 7:32.

Approval of the minutes of September 19, 2005 Community Development Committee meeting. I'd like to ask if there are any changes or updates to those minutes as they've been submitted? (No response). Hearing none, I ask that they be accepted and approved.

The next item on the agenda is the approval of the agenda. And at this point, I'd like to ask that we add as 3a, the RYF football field discussion. Any other changes? (No response). Do I need a motion for that?

Mrs. Frazier: Yes.

Mr. Baxter: Could I have a motion? So moved by Mr. Stearns. Could I have a second? By Mrs. Newman. Thank you. All in favor? (All voted "Aye"). All opposed? (No response). Motion carries.

3a will be a discussion of the RYF football field. And that was from William D. Strait, Jr. Is he here tonight? Would you like to come up to the podium please? If you'd state your name and address for the record.

Mr. Strait: William Strait, 8123 Goldsmith Drive. First of all, thank you lady and gentlemen of Council to listen to me again. I gave a lot of deliberation before I stood up here a few weeks back thinking gee, am I just a sounding symbol? But there's been some very good change in the environment out there with the weeds. It really does look a lot better and it has progressed well. There have been a few incidents which have happened with the residual of the problems that are still there. They have become very abusive. We have spoke to the police department, several of us in that area, and we've been told to put some signs up. Which in order for the police to enforce any of this, it's not like I want to put a bunch of people in jail or are any of my neighbors. A gentleman came through the back yard directly through, up onto the driveway right at me on Saturday night and I said, may I help you? Well, I'm getting my coffee, and I was cautious and polite and were asking people to not cut through here. The name that I was called in sight of me,

and I returned a sentence with that name in it, and I then fell victim to the mentality I was working with. Later that morning, another neighbor was trying to ask a lady to move from out in front of her mailbox. The lady squealed her tires, went around, slammed the door, came out, and then violently called her some names. We need some protection over there from what is there. I mean, I've been branded as a, maybe a bit of a thorn in some peoples side. But that's the great thing about this country. I mean, I felt very affirmed after I stood here the last time and spoke with you and saw the results that were there. I would ask that you would consider to put up 'no trespassing' signs on the inside of that field. I mean, you put them on wood, it wouldn't be a big value to make this happen. We can police the front side with signs and allow the police department to do their duty there. There are flags in front of my house. There's a light burning. My son is overseas. He's taking care of this country and that's what made me feel so fulfilled last time to come down, see some results and not just be branded as somebody who's a lunatic, but just somebody trying to live a comfortable life. So thank you for hearing me again.

Mr. Baxter: Thank you. Number 4 on the agenda is, ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR REPLACEMENT OF TREES AT THE LIVINGSTON HOUSE PROPERTY. Mr. Walsh, everything okay with you on this? At this point, I think we're ready to send it back to Council for its third and final reading. I ask any of the members of the committee if they have any questions on it? Councilman Stearns.

Mr. Stearns: Thank you, Chairman Baxter. Which option are we going for? Oh I'm sorry. I've got the wrong one. Sorry.

Mr. Baxter: That's okay. You're looking at the next one. These are the trees and this has been pretty much straight.

Mr. Stearns: I'm sorry. The wrong one.

Mr. Baxter: Any questions of Council? (No response). Hearing none, I'll recommend that we send this back to Council for a third reading. Can I have a motion? Motion by Councilman Newman. Seconded by Councilman Stearns. All in favor? (All voted "Aye"). All opposed? (No response). Motion carries.

Number 5 is the ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR (1) REPLACEMENT OF ROOF ON THE LIVINGSTON HOUSE; AND ALSO FOR (2) PAINTING SUPPLIES. We have received in our packets last week, some information from Mr. Walsh and has given also, his recommendation on this. So if you look at the document which we received, it states in option 2, that there is a slate line dimensional shingle. And that's asked for at \$8,088. Tuck point chimney, _____ coating on front porch, 5 ½ inch copper gutters, down spouts, and hangers, ridge vents, and unforeseen repairs, if you notice on all three options are all the same. The only thing actually we're looking at here that changes, is the first option which is the shingles. Correct? Mr. Walsh.

Mr. Walsh: That's correct.

Mr. Baxter: And from your opinion that we received on the second page of this, that you're recommending we take option number 2. And I've looked at that as well as what it looks like, and I agree with you. I think it'll be aesthetically more pleasing and yet at not at a very large price to accept that. Anything you'd like to add?

Mr. Walsh: No, sir. You've covered it.

Mr. Baxter: Okay. Well, I'd like to also add that because we are heading toward the end of the year here, I would like to have this, have an emergency clause added to this for the purpose of being able to expend the funds when we need to this year as well as for the safety of the building. You did say it was potentially ready to leak and we have all kinds of nice stuff inside there. So we're looking to make sure we protect that. Secondly, I think we're going to need to waive competitive bidding. Nancy, is there anything special we need to do for waiving competitive bidding?

Mrs. Frazier: You'd have to add a clause to the ordinance.

Mr. Baxter: Okay. So it's just a matter of adding the clause prior to it to go into for its final reading?

Mrs. Frazier: Yes.

Mr. Baxter: Okay. Very good. Also, I believe we need to send this to Finance. And this is being appropriated out of which fund? There's two listed here. The General Fund 110.340.5339 for the roofing option number 2. There's the second option for painting supplies and that's to come out of 110.340.5213. So I'd like to ask that we add this to the agenda for the Finance Committee tonight.

Mrs. Newman: Mr. Walsh, could I ask you a question?

Mr. Walsh: Certainly.

Mrs. Newman: On your earlier memo, you had described a 30 year dimensional shingle timber line with a wind rate load of 70 miles an hour. Is that the same?

Mr. Walsh: No. This is a different one.

Mrs. Newman: Alright. Well, could you tell me you know, what the life of it is, or the guarantee on that? And what the wind load rating is on that one?

Mr. Walsh: The wind load is 70 miles an hour.

Mrs. Newman: On option 2.

Mr. Walsh: On option 2. And it's a 30 year shingle.

Mrs. Newman: Okay. Also, that seems pretty much like option 4 which you described before. But somehow, the price seems to have gone up by about \$2500. Is it the same roof?

Mr. Walsh: No. It's different. Slate Line is a different company. I actually had a meeting with Councilman Beougher who is more familiar with these types of shingles and he suggested that this would be a better choice. It's a higher quality shingle and a better looking one as well.

Mrs. Newman: (Inaudible). They're both 30 year with 70 mile an hour winds.

Mr. Beougher: Mr. Baxter, thank you.

Mr. Baxter: Councilman Beougher.

Mr. Beougher: Yes. I would like to answer. I think that the shingle that Mr. Walsh has recommended will give a look that is appropriate to a building of the age of the Livingston House without looking like every other roof in town, and without expending a whole lot more money. It will have a very dignified appearance. And Mr. Walsh expressed concern that we not change the appearance of the Livingston House drastically. And to my mind, the three tabs and dimensional look, you know, you drive on any street in Reynoldsburg and you can see those and they're fine. The French house across from Lancaster Avenue has the dimensional shingles. And while they don't look out of place, they look more modern and maybe not as appropriate as the slate line. And the slate line isn't the top of the line, but it's one that has a proportion that's a little nicer than the three tab and it's a shingle that's going to be there for a long time to come and it's going to look in keeping with the Livingston House.

Mrs. Newman: Well, I don't want to argue aesthetics with you but, I lived in a house over on Graham Road that's probably about 100 years old, I'm assuming about the same age as the Livingston House and I believe it had a steel roof on it. So that's probably what the Livingston House had originally.

Mr. Beougher: Actually, Cornelia Parkinson's book says the Livingston House originally had a cedar shake roof. It probably had a number of different roofs on it since then. But most recently, the past 30 years or so, it's had a shingle roof. Asphalt shingle roof. Thank you, Chairman Baxter.

Mrs. Newman: Okay.

Mr. Baxter: Thank you, Councilman Beougher. Any other questions? Councilman Stake.

Mr. Stake: Thank you, Chairman Baxter. I just want to make sure I've got the numbers correct here. I guess the total appropriation will be \$13,038 from the unappropriated General Fund to which \$12,688 would be appropriated to Miscellaneous Contract Services, and 350 to Maintenance Supplies.

Mr. Walsh: Correct.

Mr. Baxter: That's correct.

Mr. Stake: Okay. Thank you.

Mr. Baxter: I know we've had quite a few discussions on the aesthetics of this and one of the things I found out is you could get into this very deep. It's like restoring a car like I'm doing. You can do the surface side of it or you can get really down and deep. It could take a very long time to do that. And I really don't think we have that kind of time on that roof to spend 2 or 3 years going through the _____ of options that we could run into with wanting to do this. Again, the cost would then of course, just go through the roof as well. So we want to try to be a little frugal with our dollars and at the same time, put something on the house that's going to last a good long time and still get a little better look. So I think you've done a nice job in giving the information. I think we need it. Any questions of the committee or Council? Councilman Beougher.

Mr. Beougher: I just would like to thank Mr. Walsh for his ability to work with us to get something that's going to be a lot nicer than I think we started out with. And his ability to take constructive criticism and suggestions from a member of Council is appreciated. Thank you.

Mr. Baxter: Well, I as well would like to thank somebody. Councilman Beougher, your work that you've also done on this has been very much a help to us. Especially with your background in architecture. We're able to leverage _____ that knowledge you have. So, thank you.

Mr. Beougher: I'll send you my bill.

Mr. Baxter: Net 30 please. Alright. With that said, I'll go ahead and look for a recommendation to move this to a third and final reading and to add the emergency and waive competitive bidding clause to the ordinance. Councilman Newman, thank you. So moved. Do I have a second? Councilman Stearns. All in favor? (All voted "Aye"). All opposed? (No response). Motion carries.

We now move to the third ordinance of the evening which is label number 6. It's an ORDINANCE TO SUPPORT A COOPERATIVE DATE BY WHICH ALL CENTRAL OHIO MUNICIPALITIES WILL CELEBRATE HALLOWEEN TRICK-OR-TREATING. This has had its second reading on 9-26-05. I think this is a rather simple one to decide. The administration has the ability today to choose that. We as a city, have made a decision that we think it'd be a great idea just to go ahead like many other municipalities and stick to a particular date. And this is what this legislation's about, is to set firmly the date in an ordinance to be October 31 from 6 p.m. to 8 p.m. annually. So with that said, are there any questions on this ordinance from Council or committee? President.

Mr. Hills: If I could, just for one clarification. I believe, and Paul, I'm sure you saw this in the Dispatch today. It said that we were 6 p.m. to 9 p.m. And it caused me to pull out this ordinance and read it. But that is incorrect information the Dispatch has. Correct?

Mr. Walsh: (Inaudible).

Mr. Baxter: So it's actually 6 p.m. to 8 p.m. Correct. Not hearing any questions with that, I'll go ahead and look for a motion to move this on to its third and final reading. Councilman Stearns. And do I have a second? Councilman Newman. All in favor? (All voted "Aye"). All opposed? (No response). Motion carries.

And with that, I will end the committee meeting at 7:48.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
October 3, 2005
(Transcribed - Susie Smith)
SAFETY COMMITTEE MEETING MINUTES
October 3, 2005

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

Mr. Beougher: I will call Safety to order at 7:48.

Item number 2 on the agenda is approval of the minutes of the September 19, 2005 Safety Committee meeting. Are there any corrections to the minutes? (No response). Hearing and seeing none, they will stand as submitted.

Item number 3 is approval of the agenda. I do have one addition. And that is at the request of the administration. And that is Authorization of the 2005 Street Program Contract. Are there any other changes to the agendas proposed? (No response). Hearing and seeing none, that motion, I will make that as a motion and that does not require a second. All in favor of approving the agenda as amended, please signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries. Agenda is amended.

Item 3a, Authorization of the 2005 Street Program Contract. Mrs. Reichard.

Mrs. Reichard: First, let me thank you for accepting this on the agenda tonight. We have in part, you'll see where the emergency statement is at. We're going to be putting down some thermal plastic and it is weather sensitive and we need to move ahead with this if at all possible. Our bids did come in today. They came in slightly less than the engineers estimate, and it is with the Shelley Company for \$218,194.10. When we add our contingency and our inspection services, it's 248,194.10. I did talk with Mike, make sure I had the right account on this and talked with the Auditor. And of course, he signed off. I have the, because those bid open, the bid opening was this morning, David Koch took it back to EMH&T to work on putting the bid tabulation together for me today. And so Mr. Parkinson has returned it tonight. So I will have the contract to give to Mr. Underwood for him to look at and have it signed off from him by this Friday. And certainly before your Council meeting Monday.

Mr. Beougher: And is he back in town?

Mrs. Reichard: I don't know.

Ms. Elwood: He won't be back in town until Thursday. But we have court, so Friday would be the earliest he could look at that.

Mrs. Reichard: Okay.

Mr. Beougher: Okay. Thank you. And I know that we just got this tonight at the table. There is a bid tab attached with the three bidders prices. There's a letter from EMH&T on inspection services and the contingency seems reasonable to me. Don't always get bids that are less than the engineers estimate these days. But, does anybody have any questions on the Safety Committee? (No response). Anybody on Council? Mr. Clemens.

Mr. Clemens: Yes. I just want to bring it up, this is a reduction from \$1,358,000.

Mrs. Reichard: Yes. This is just a maintenance.

Mr. Clemens: And it's really not a Street Program. It's a maintenance program.

Mrs. Reichard: It's really a maintenance program. That is correct. Yes.

Mr. Clemens: That's what I thought. I would hope now that we have dropped it from 1,358,000

that 248,000 for a maintenance program, that we try to secure a good Street Program next year because we really fell behind this year. So I would hope that we can work the budget out, that we can have our Street Program back again over a million dollars. So I would hope that would be something the administration would really be working hard on.

Mr. Beougher: Thank you, Mr. Clemens. Anyone else on Council have a question or concern? And I would note that we did receive a copy of the list of streets and the work to be done on each street. I thank Mrs. Reichard for that. Mr. Baxter.

Mr. Baxter: You know me Councilman Beougher with the dumb questions. I'm going to hit one right off the bat. Obviously, we have needs for street repair during the winter season as pot holes come in. I'm assuming that's fully able to be funded.

Mr. Beougher: My understanding is that is done with our own staff. Our own forces. And this is comprehensive...

Mr. Baxter: We have the funds and supplies and everything that we need to be able to handle through this winter.

Mrs. Reichard: As long as the streets don't completely fall apart, yes.

Mr. Baxter: Well I'm thinking more of Main Street as we're doing all that work on it. We have all the traffic to one side, I would anticipate it to be a little bit harsher on that side. And with nowhere else to go, a pot hole can do a lot of damage.

Mrs. Reichard: Indeed.

Mr. Baxter: Thank you.

Mr. Beougher: Thank you, Mr. Baxter. Anyone else have a question? (No response). Hearing and seeing none, I will make a motion to send this forward to Council for adoption as an emergency with a referral to Finance for the appropriation. Second by Mr. Stake. Any further discussion? (No response). All those in favor, signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries. This will go to the Finance for the appropriation.

Item number 4 on the agenda is, Discussion of a Liquor Permit Request for Reynoldsburg CVS at 1756, I'm sorry, doing business as CVS Pharmacy number 1756 at 8457 East Main Street, Reynoldsburg, Ohio. Mrs. Reichard, you're going to address this as well?

Mrs. Reichard: Yes, sir. The police department has completed their investigation and we recommend the city does not appeal this application. CVS has hundreds of these licenses all over the State of Ohio. It is a very large chain. And to our knowledge, there's not been any problems with it. The only thing that sort of raised its head is the fact that it is near a church. But the fact is, these are all closed containers. This is not a bar or anything like that. So these are all closed containers. So we recommend the city does not appeal the application.

Mr. Beougher: And this is a wet precinct I assume.

Mrs. Reichard: I would assume.

Mr. Beougher: Alright. I'm sure you've looked at that. Any questions from members of Council or the Safety Committee? Mr. Baxter.

Mr. Baxter: Do we know how many other permits are within that same area? Because I always hear, it comes across, but you never get a feeling for how dense it is in an area as number of liquor permits are being issued to an area.

Mrs. Reichard: I could find out and give you that information this week.

Mr. Beougher: I would think that that area would be less dense than other areas of the city.

Mr. Baxter: I agree.

Mr. Beougher: Mr. Hills, you have a comment?

Mr. Hills: Just a couple of comments. First of all, as to the dryness, we wouldn't receive anything from the Ohio Division of Liquor Control unless they have reviewed it and determined it is issuable in that area. In that this is a new permit, they can give you a number. But I suspect the number somewhat in pencil. If there's transfer, sometimes they will tell you how many permits are available. But I'm not sure that the state frowns too much on sales tax. It's not unusual to have most new permits issued.

Mr. Beougher: Not in this economy. Alright. Any other comments or questions? (No response). Since there is no request from the police department to take any action on this, I would just let it fall off our agenda with no action taken by Council. Mrs. Frazier, do I need to make that in the form of a motion?

Mrs. Frazier: No. You just tell me to send it back.

Mr. Beougher: Return to the Clerk, this item will be returned to the Clerk with no action. Thank you, Mrs. Reichard.

Next item number 5 is, Discussion of a Liquor Permit request. This is a transfer from Brent & Nick LLP, 1371 Hentz Dr. To Brent & Nick LLP, 6525 E. Main St., Reynoldsburg, Ohio.

Mrs. Reichard: Thank you, Mr. Beougher. This is the, they're moving to the building just off Main as it said, is right there near the Main Street intersection of Hentz Drive. They're moving into the old Napa Auto Parts building there on Main Street. And it is just a transfer. So once again, we recommend that the city does not appeal the application.

Mr. Beougher: Thank you, Mrs. Reichard. Any questions from members of the Safety

Committee? (No response). Members of Council? Mr. Clemens.

Mr. Clemens: With any luck, then we can get rid of the one on Hentz Drive.

Mrs. Reichard: With any luck.

Mr. Beougher: Thank you, Mr. Clemens. Any other comments? Questions? (No response). With no objection from the members of Safety, we will again return this to the Clerk with no action from Council.

Item number 6, Acceptance of the GREAT Grant and appropriation of funds. You're busy tonight, Mrs. Reichard.

Mrs. Reichard: Yes, I am. This is the GREAT Grant that we get generally every, we've been getting it I think for several years now. What the Chief is asking for is a transfer of funds to cover, they have been awarded the grant. And it was another one of those where they either had to, once the information came out, were caught in a time frame, a short one, so they applied for the grant and they did receive. It's a continuation grant is what it is from the federal government.

Mr. Beougher: Thank you, Mrs. Reichard. I did have a question for the City Auditor. Mrs. Frazier attempted to explain it but what we're doing here is appropriating money out of the General Fund into the GREAT Grant Fund. And when that money is received, it will be deposited into the GREAT Grant Fund and then the money will be returned to the General Fund? I'm getting a thumbs up from the Auditor. Okay. So I understand that correctly. Does that ring true with the other members of the Safety Committee or other members of Council? Are there any questions? (No response). Alright. And this will need to go to Finance I assume.

Mr. Stake: I think so.

Mr. Beougher: Okay. Hearing and seeing no further questions, I would make a motion to send this to Council for first reading. I don't see an emergency on this Mrs. Reichard. Is that correct?

Mrs. Reichard: I don't believe one was, it was not asked for. No.

Mr. Beougher: Okay. I would send this to Council for its first reading with a referral to Finance for the appropriation. Is there a second? Second by Mr. Stake. Any further discussion? (No response). All in favor, signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries.

Item number 7 is a Discussion of the Graham Road issues. We did receive a new piece of information from Mrs. Reichard. A memo from Mr. Ward outlining our strategy for re-routing trucks away from Graham Road. And it looks like a lot of signs here and there to keep trucks on the right path.

Mrs. Reichard: It is. It's extensive. But when you look at the _____ route that they have

to take, we believed it was necessary. And when Larry and Brett pulled out this map and were showing me, it's just like, we need to put this down in some sort of order so that you would understand, so that our citizens would understand what we're attempting to do. Previously, you received information on the history of Graham Road and the routing and the, what kind of traffic it could take. Traffic studies, etc., etc. But this is just a further step. When we bring them in off of, hopefully now Brice Road, because of the re-routing of the truck signs are out on 70. And obviously, we're hoping that that is helpful in getting trucks down to the business district on Main Street. That whether they're going east or west, they will use Brice Road. But for those who are caught in the city and need a place, they need a pattern, they need guidance as to where to go, we believe that this was the best way to do it. Now, some of the signs we were able to combine on another pole so we don't have to put in a lot of new poles which is fortunate. But, and when I first looked at this, I thought it sounded really cluttered. And I should also tell you that the State Route 256 northbound that's listed on here where it say 'thru turks', follow truck route, that really should be 'trucks'. I apologize for the error. I didn't see that in his memo before I passed it on to you. But in any case, we think this is going to help with Graham Road. We've written a lot of tickets over there. The police department for as much as they can spend the time over there, are doing so. There's been multiple tickets written. But I still have to tell you, the other day, and just out of curiosity, I got behind a great big dump truck. And I was going southbound on Waggoner Road over to Graham, and it went straight, and it went to the freeway. So the best thing I could do was just get the name off of the side of the truck. Because quite frankly, I couldn't find a license plate. But got the name off the side of the truck and the best I could do was call the company and just tell them they're not supposed to be doing that. So, it's going to happen. We can ticket them. We can do lots of things. But I'd like to think that the truck traffic on Graham Road has been reduced greatly. I can only hope so.

Mr. Beougher: And that re-education program is going to be ongoing for the next few weeks?

Mrs. Reichard: Oh, yes.

Mr. Beougher: Thank you.

Mrs. Reichard: Yes.

Mr. Beougher: Any questions from members of the Safety Committee for Mrs. Reichard? (No response). Members of Council? Mr. Baxter. Or Mrs. Newman.

Mrs. Newman: I'd just like to comment. Thank you, Mrs. Reichard, and to Larry Ward for taking such prompt action on this. I think it really needed the action. Thank you.

Mrs. Reichard: Thank you.

Mr. Beougher: Mr. Baxter.

Mr. Baxter: Councilman Beougher, Chairman Beougher, last committee meeting, we spoke about signs going up on 70. Did that happen?

Mrs. Reichard: Yes. They're up. Yes.

Mr. Baxter: I thought so.

Mrs. Reichard: Yes. They're up.

Mr. Baxter: You did a great job. It looks nice.

Mrs. Reichard: Thank you. I have to give the credit to the Street Department. They're the ones that designed it and I got it out there. Larry is just really great on the computer where he can get in there and design all those things. Then I think Brett's the one that makes them. So yes. And they were up. They are up. But we must maintain them. We must take care of them. That's our responsibility. But we were just delighted that we got such an early okay from ODOT and didn't have to go through a lot of red tape. So, thank you very much for your help.

Mr. Baxter: Nice job. Thank you.

Mr. Beougher: Any other questions from Council? (No response). Thank you, Mrs. Reichard. And I would note that in conversation with Mr. Walsh, he is having the City Engineer look at the pedestrian pathway through the Livingston House property. So hopefully we can address the sidewalk issue over there. And I'm not sure when it's going to come back but, and that may come to, I guess it comes back to Safety since it's sidewalk. But since we've effectively dispensed with this issue, I'm going to make a motion to postpone indefinitely. Is there a second? Second by Mr. Stake. Any discussion? (No response). All in favor, signify by saying aye. (All voted "Aye"). Motion carries. This item will be removed from our agenda.

With that, I will adjourn Safety at 8:03 p.m.

Safety Committee

-- Nancy C. Frazier, Clerk of Council

October 3, 2005

(Transcribed - Susie Smith)

SERVICE COMMITTEE MEETING MINUTES

October 3, 2005

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

Mr. Clemens: I'd like to call the Service Committee meeting to order at 8:04.

First item on the agenda are the minutes of the September 19, 2005 Service Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

Item 3, Approval of the agenda. I'd like to add as 3a, a speaker. Also, I'd like to hold item number 6 (Discussion, Adoption of Rules and Regulation and Forms/City of Reynoldsburg Right of Way ordinance), and number 7 (Discussion, Amendment of Ordinance No. 32-05 (Right of Way ordinance)). I'd like to make a motion to approve the agenda. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye").

The first item is a speaker, and it's Ann Thomas.

Ms. Thomas: Good evening. I live on Hentz Road. And I'm here regarding the flooding issue in the Huber Division. This isn't the first or second time we've been here talking about this discussion. And last time when I spoke, I let them know about the issue about Hentz Drive. And I don't know, we're at 1409 and it's directly across from another road intersection where it floods there every three years. And again, I still did not see that issue being addressed. And I see only Bartlett Road is being addressed. And it's not just Bartlett Road, it's us, some other corners that are flooding. I understand that the Mayor sent a memo recommending that this not be fixed. We flooded last year and we are having continuous problems, ongoing problems with this. If the

Mayor lived there, it would be fixed. My question to you tonight is, who can answer the question that, a portion of our water bill is supposed to be being saved for projects like this? And we're being told there's no money. So where's the money going that's supposed to be saved for projects like this?

Mr. Clemens: I think that's a question we want to find out this evening. And I agree with you there. You did pay each month, a portion of your water bill goes to the Storm Water Fund and it has for the last probably 12 years, 13 years. And it is also for personnel and management. But also it's to do projects which we haven't been very capable of doing in the past. And I would hope that we would start. The Hentz Drive situation, I don't know too much about it. I do know that you brought it up. I know that it was brought up before in the Service Committee. And I'll have to try to follow up on it and I'll get with Mrs. Reichard on it and Mr. Ward from the Street Department and see what the problem is. Is that your address? Is that where the problem is?

Ms. Thomas: Right in the intersection right in front of our house. Our house has a little bit of a slope in the front. And last year it had gone up clear halfway the yard to where our cars were under the water. And it floods that whole intersection including some other yards in that vicinity.

Mr. Clemens: Do you know what intersection that is?

Ms. Thomas: It's Clemens and Hentz.

Mr. Clemens: We can't have Clemens flooding, I can tell you that right now. We won't stand for that. But I will, we will look into that. I'll get with Mrs. Reichard and with Mr. Ward in the Street Department. And we don't want that sign under water. We'll take care of that. But we'll look into it for you. Thank you.

Next item on the agenda is the Bartlett Road Storm Sewer Relief. The reason it's been brought up, Council had approved the plans to be drawn and so forth and appropriated money to have Evans Mechwart do it, which they did. And they've bid the project out, and the bids came in, and we have the bids to do the project and the cost of the project which was, best bid submitted by was Underground Utilities Inc. for \$715,606. Engineering was \$69,000. Which was a total of \$784,606. And we probably should put at least 5% in there for contingency. I would think we should have some in there. That would probably bring up a total of \$820,386 that we need to do the project. The reason it's being brought up this evening, and the reason it's being brought up here is that we did receive a memo, Ms. Thomas is correct, from Mayor McPherson stating that the administration would not bring this forward because the administration was not in favor of doing the project, felt it was a Councilmatic matter and therefore, they would not submit legislation to do the project. That's why it's on the committee, and that's why I'm here to submit legislation to do our project. This is a project, like I said, people have been paying into this for, I don't know whether it's been 6, 12 years or more, so much a month to correct these projects that we have trouble with and the new projects. We've done very little. We've done one or two little projects. But this was one of them that was on our list when we first started that was made up. There was a number of projects on that list. This is a situation that happens. You don't know how many times it happened. It may happen tomorrow or it may not happen for 10 years. But it's happened

probably 5 to 6 times over the last 20 years, that floods the intersection of Parkinson and Bartlett. When it does, it encompasses about 6 homes. One house has been ruined. The other 5 have had water in them. We've tried to help them a little bit by putting some drainage in between houses. It's a safety issue. We have children swimming in it, kids playing in it. There doesn't seem to be a way of stopping them because families don't seem to be that concerned when they're swimming in it, but it's a very dangerous situation. It's a safety issue as far as driving cars through it and it's a mess of living in the houses. That's why the project was brought before us. Whether the administration likes it or not, I have no problem with that. That's their problem, it's not mine. My problem is to get it correct. And therefore, I would like to figure out how we can pay for it. Now when it was first brought up, there seemed to be no problem. But now there seems to be a problem. Mr. Whitney was asking me here this evening, and I want to thank him for being here, and Howard, could you come up and discuss how we can finance this if you would please? And give us an idea of on how things stand and what would be our best resources and how we could do it?

Mr. Whitney: If you go through with the project, the financing would not be a problem.

Mr. Clemens: It will not be a problem?

Mr. Whitney: It will not be a problem. My thoughts at this point are to get some kind of bridge finance again, if you decide to go with it. Get some kind of a bridge financing and then we can service the debt with the Storm Water Fund.

Mr. Clemens: I think that's what we had discussed before. Some how, by services with the money that we do bring in. I have no idea how much we do bring in a month. But we do a substantial amount. I'm sure of that.

Mr. Whitney: It makes no sense to fund a major capital project out of current income. The project's going to give benefits over a period of time. And therefore, it should be paid for over a period of time. That's why I recommend, once we decide what kind of a project needs to be done, we can figure out how much we need to get. In the meantime, we can do a private placement bond or private placement note whenever necessary.

Mr. Clemens: Thank you, Howard. Are there any questions for Mr. Whitney on this? Mr. Stake.

Mr. Stake: Thank you, Chairman Clemens. Howard, how long will we finance this for? Let's assume, let's just take the \$820,000, let's say we finance that. How long would we finance it for and what will our payments be per year?

Mr. Whitney: I would have to work up that information. I would suggest probably no more than 10 years.

Mr. Stake: Okay. I don't have a problem with the financing scheme that he's talking about. I just would like to see some concrete numbers.

Mr. Clemens: That's fine. And that's why he's here this evening. I think we have, we probably have another 60 days, we probably have another 30 days, close to another 30 days. I mean, it's something that we could hold for two weeks and send. And I don't know how we do this. Usually we have a legislative request come to us. We could, Nancy, we could draw up an ordinance and send it on for a first reading. All we need to do is authorize him to sign the contract. But we do have to come up with the money.

Mrs. Frazier: Howard can work up the numbers. If you get the funding, then you can incorporate that in the ordinance and you can authorize the contract and pass it.

Mr. Whitney: Timing is not a serious issue. We can always advance from the General Fund enough to be able to sign the contract.

Mr. Clemens: Basically, all we would need to do would be authorize the Mayor to enter into a contract. And then work with the financing later. Within two weeks.

Mr. Whitney: Yeah. For me to sign the contract...

Mr. Clemens: We need the money.

Mr. Whitney: Well, no. We need to have the money available, and we do have it available in the General Fund. But we would be advancing from the General Fund for the project, and then paying the General Fund back when we get the fund from whatever source we decide on.

Mr. Clemens: Thank you. Mrs. Newman.

Mrs. Newman: Yeah. I have a question for Dr. Whitney. Dr. Whitney, why did you suggest that the term of the, long term financing should be 10 years? Wouldn't the improvement, the life of the improvement be longer than 10 years?

Mr. Whitney: That's certainly a relevant point. That was just my initial thought. Since it's not a project like the Streetscape which needed longer term.

Mrs. Newman: Thank you.

Mr. Clemens: Thank you, Howard. First with the committee, are there any questions concerning this to begin with? Members of the committee? Mr. Stearns.

Mr. Stearns: Yes. Thank you, Chairman Clemens. Howard, my question is, do you know much we generate each month for that fund?

Mr. Whitney: Forty to fifty thousand dollars.

Mr. Stearns: Okay. Thank you.

Mr. Clemens: Mrs. Newman.

Mrs. Newman: Another question. What would be the difference in the rates we're likely to get on long term financing say, 10 years as opposed to 20 or 30 years? Would we get a lower rate?

Mr. Whitney: I would suggest you call Mr. Greenspan. The yield curve right now is flat. Which basically means, when we end up borrowing, we'll borrow in the form of a serial note, serial bond. And therefore, will be defining 10 different maturities or whatever. Right now, the cost of any one of them would be about the same because of the flat yield curve.

Mrs. Newman: Which is likely to rise in the future.

Mr. Whitney: I really don't think so. I think the Federal Reserve might be pretty close to the end of pushing it up. And they haven't done really much of anything of pushing up longer term rates.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: Thank you, Chairman Clemens. Dr. Whitney, from what you said, approximately then, we should then annualize about \$600,000 into the Storm Water Fund from about a 40 to 50,000 monthly revenue. And this is about an \$800,000 project. With that said, over 10 years, we're looking at pay back about \$80,000 a year plus interest onto the note. So what I'm seeing here is that you're looking at approximately 8 to 10% of what we analyze a year paid into that one storm area. Which still leaves quite a bit of funds to service the rest of the city. So it wouldn't be as if all this money is going to one part of the city.

Mr. Whitney: That's why I recommend this approach.

Mr. Baxter: And that's why I think it's the right approach and the right way to go.

Mr. Clemens: Plus we have around I think, 500 and some thousand in the fund at the present time. 500 and some thousand. I wouldn't want to deplete the fund either. And I agree going on the note deal. Are there any other questions pertaining to this? Mr. Stake.

Mr. Stake: Thank you. I just have a comment here. I have the fund balance in front of me for September, and we're talking about the Storm Water Drainage Fund, Howard?

Mr. Whitney: Yes.

Mr. Stake: Okay. As of the 19th of September, we had \$332,614 in expenses, and \$355,858 in receipts. So right now, our expenses are almost as much as our receipts.

Mr. Whitney: But the expenses include other things besides the regular expenses.

Mr. Stake: And we would be getting rid of those other expenses I guess?

Mr. Whitney: I would have to look that up to tell you how things _____.

Mr. Stake: I'm just concerned about it. It's not that I'm not in favor of the project. I'm just concerned about paying for the project and making sure that we have the funds available to do that.

Mr. Clemens: And of course we've milked the fund down the last few years with the Streetscape. I mean, there was money that went into it from that too. So that will not be coming out again so we'll have money there for other projects that we won't have to use it on.

Mr. Stake: And we do have an unencumbered balance as of that date of (Tape Change). Thank you.

Mr. Clemens: Are there any other questions from the committee? (No response). Mrs. Reichard, do you have, you wished to say something?

Mrs. Reichard: Yeah. I did want to make a comment. You had said something about putting a 5% contingency in it. I wanted to let you know that the contingency was added as a line item in the bid so it's already there. So the total that you're looking at with inspection services is \$784,606. That 715,606 includes, I don't have the tab with me but it includes...

Mr. Clemens: That includes the 69,000 for the...

Mrs. Reichard: No. It includes the Contingency Fund. And then you have a proposal from EMH&T to do the inspection, and staking, and testing, and the GIS upgrade. And that's \$69,000. Not to exceed 69,000.

Mr. Clemens: But that brings the total up to 784.

Mrs. Reichard: 784,606.

Mr. Clemens: Counting Evans Mechwart.

Mrs. Reichard: Yes. That's the total.

Mr. Clemens: That's the total. That's what I wanted to find. So then we can pick out the 35,000 that I had put in for contingency.

Mrs. Reichard: Right.

Mr. Clemens: So it's 784,606. What I'd like to do with this would be to hold it for two weeks while Howard and Nancy, we can work up an ordinance and come back with the financing and be able to authorize the Mayor to enter into contract and it'll have the proper financing to come before Council. Could that be done, Mr. Whitney?

Mr. Whitney: (Inaudible).

Mr. Clemens: If that would suit the committee, we'll get everything prepared in the correct manner and bring it back and get it moving. Because we do have another 30 days or so to sign the contract and we can move it on as an emergency and get it done. If there are no other questions, I'd like to thank Mr. Whitney for being here. Yes. Mr. Baxter.

Mr. Baxter: Just one question, Chairman Clemens. I notice it says it will authorize the Mayor to enter into contract. But does that obligate the Mayor to enter into contract? And would he do so if presented to him?

Mr. Clemens: Well, let's put it that way. That's his problem. We'll send it to him. If he doesn't want to sign it then it would have to come back to Council and so forth. I'm sure the Mayor would sign it. I have no problem. I don't know whether Bob's here or not.

Mayor McPherson: I'm here.

Mr. Clemens: Mayor. If Council authorizes you to sign this contract, I'm sure you would sign it. Am I correct?

Mayor McPherson: Yeah. As you recall, my objection to it is that we're putting roughly \$800,000 into a project for one house. One house that flooded once in 5 years. We also, if you'll recall, brought to you at the time, there was concrete debris in the drain that was removed. It's the belief of the Waste Water Department that that was a very unusual flood and it won't happen again. If you'll also recall, the houses at the side that we put the drainage in did not flood in this event. So we were talking about one house. Again, I realize you don't care what I think but, I think that this is a gross waste of money for one house. I have suggested even that we buy the house for \$100,000, tear it down, make a little park out of it. \$800,000 is a lot of money to spend on one house that floods. And that was my opposition to it. Obviously, if Council passes this and they ask me to enter into the contract, that's the legislative action by Council and I will abide by it.

Mr. Clemens: Thank you. The problem is, this is not something that's happened one time. It's probably happened six times in the last 20 years. It is a safety program. It is a safety problem. Because of the water being in the street, I have very little faith in what the Storm Water and Maintenance Department said about concrete being in the drains. This has been a project that's been going on for that length of time. It's like any other project. And I believe the lady was right. If it was your house, you'd be the first one down here. A member of your family or in your district. I know you well enough, you'd be the first one down here. It would be fixed tomorrow. We owe our residents the same type of situation that we would handle for anybody else that we know that are involved. These people went through this many, many times. It's time that we do a little action and a little less talking. I know that you figure it's one house. That's your thought. I figure it's 6 houses. That's my problem and I've seen it many times. It's a project that we've discussed for years and years. I think it's something that should be done and that's why it's here. If we pass it and send it to you, I hope you sign it and I appreciate your thought for doing it.

Mayor McPherson: Well again Mr. Clemens, even though we disagree on this, that doesn't change the fact and when you send it forward that would be fine with me. Also, I would like to address

the lady that addressed the Hentz property. I absolutely have never said I would not support the Hentz property or any flooding. So if she's getting that from somebody, they're lying to her. I was not even aware of the problem other than what we talked about several months ago and there was nothing done on it. So that's a project I too would have to look at. My suggestion would be that she get with our Safety/Service Director and you know, get some of the information out. Because to the best of my knowledge, we don't have any information on it.

Mr. Clemens: And that's correct. That's why I recommend that we do meet with Mrs. Reichard. Because I think it was brought up once and I don't know the project myself. I have not seen it. It's something that we should look into. And I know it's difficult because we never know until we get these big rains. And it could happen next week or it may not happen for a year. We don't know. But those are the situations we have to handle. I know we've done a project in the creek and the stream because we had a problem with a house that we don't have that problem with only when it rains hard. So we had to take care and correct that situation. And that happened to be just one house too. So there is projects that come up that maybe only affect one or two people but, they deserve the right to have their situation taken care of. And I think that's why it's before us today. I will have the ordinance ready. Mrs. Newman.

Mrs. Newman: Yeah. I just wanted to comment. Wasn't there some problem with the manhole cover blowing up or blowing out into the street?

Mr. Clemens: Yes.

Mrs. Newman: And those are pretty big. I would think that would really create a dangerous situation. I know those rains were torrential and unusual but that would frighten me if I were driving down the street.

Mr. Clemens: It's very dangerous for the kids and some how we have trouble keeping them out of there swimming and playing around when it's full of water. And the manhole covers were off. So it's something that we do have to correct. I will get the ordinance taken care of and get it to Council in two weeks so we can move on with the project. I want to thank everybody for their cooperation.

Let's move on to the next item. Next item, and this probably too could be added in with the note that we're talking about is, Discussion with Blacklick Creek erosion at Huber Bike Path. Dave or somebody, whoever is handling this?

Mr. Walsh: Chairman Clemens, his is Brian Hemerly from EMH&T. He's been engineering this project and he has a short presentation to explain where we're at on this.

Mr. Hemerly: Thanks for having me tonight. Paul asked me to give you a brief summary of what's going on with the bike path. As you may know, the project right now, this is City Hall down here. Right now, if you've been down the bike path, you have seen some erosion along there, there's fencing along there which Blacklick Creek has been eroding along the side of the bank. Part of our scope was to (1) repair the bike path to allow for 10 feet of width as it was

originally built. And then also to protect the existing slope along the side of Blacklick Creek. So the first part of repairing the bike path, relocating it, would be, what we did was, we looked at the slopes that are existing there today. And right now, there's a sheer slope right now. Direct straight slope. So what we're going to do is, we're going to move the bike path away from the creek towards the fence. We'll extend it about 2 feet off the fence. And we're also going to do some slight lowering just to get some, _____ to slope enough so we can get slope protection on that. The other thing we're going to do, this is the area right here that we're looking at. _____ you some information as to where the bike path is going to be relocated. That's the only section. The second exhibit, the green area is where we're going to be adding some slope protection. Right now, there's several trees out there. And what we're going to do is add stone and filler _____ around that area to keep from further erosion. We wanted to keep the trees in there so the root systems will uphold in that existing soil and it also provides still, that nice natural look as you're walking down the bike path. And then there's also one other section besides this down the stream on your last exhibit. However, we're going to be doing some other areas where there's _____ more erosion.

Mr. Clemens: Basically, where do we stand on this right at the present time? Have we bid this out?

Mr. Hemerly: We have not bid this. Right now, we're in the permitting. And we wanted to bring it to you guys to show you what we're doing. And then we were planning on advertising at the end of the month, bidding in the middle of next month, and then hopefully go to constructing late in November or December.

Mr. Clemens: We've got our permit that we have to have?

Mr. Hemerly: We have one permit we have left to get and then we'll be ready to go.

Mr. Clemens: Okay. That's fine. Are there any questions? Mr. Stearns.

Mr. Stearns: Yes, Chairman. How long do you think this project will take once it gets started?

Mr. Hemerly: I think it's going to go fairly quick. Forty five to sixty days is what we're _____ .

Mr. Stearns: And you think that will be plenty of time before the winter weather _____, right?

Mr. Hemerly: Well, it's actually a good project to do in the winter because the size of the _____ . The _____ will have to be done in the spring because the asphalt plant's closed. But the excavation and you know, the laying of the rock and the slope, it's a good time to do it in the winter.

Mr. Stearns: Thank you.

Mr. Clemens: Are there any other questions? Mrs. Newman.

Mrs. Newman: Yeah. You mentioned excavation. Is there going to be a problem with erosion or anything like that over the winter? And would you have to re-grade it or redo it in the spring?

Mr. Hemerly: Well, yes. They'll protect the slope in the winter. And they're also going to put in temporary seeding and mulching during the winter until the actual asphalt is in there.

Mr. Clemens: Any other questions from members of Council? (No response). If not, I want to thank you for your presentation. And just keep us informed when you're ready to bid it out. Thank you.

Next item on the agenda is an update on the sanitary sewer extension project at Taylor and Main. Who would like to talk about this? John.

Mr. Brandt: I'm not really Mark Kipp. But I don't have the legislation that you have in front of you but I can just give you an update. The details of it are, the Taylor Road Sanitary Sewer Extension Improvement Number 281 would extend the 18 inch sanitary trunk line along Taylor Road from south of East Main, north to a point approximately 500 feet north of Main. The project would include 720 feet of 18 inch trunk sewer, and two manholes. What I've just read to you came from Mr. Kipp obviously. The issue I guess that's been before you, or at least has held this up, has been the funding, or the source of funding for this. And what we're going to be sending to you very shortly will be documents to do a non-school TIF which would fund this project, and also set up a revenue stream for the future for additional improvements that would be required pursuant to our agreement with the Ohio Department of Transportation for the Main Street/Taylor Road area which was part in parcel that some of you may remember with the Kroger expansion that was recently unveiled out at Taylor and Main. So, there had been some discussion on the original proposal to develop the Bard property which is the 39 acres to the north of the Kroger site with respect to this sewer line. The original concept had been to serve it from a sewer line in the reserve. The Sewer Department, their best feeling was that now that this line is available and was brought up to Main Street as a result of the CVS project, it was kind of a chicken in the egg thing, and in this case, I think the egg came first. That being the CVS project before this, or this would have probably not been a project because it had already been hooked up to the Reserve at Reynoldsburg. So inasmuch as the developer's kind of in limbo as to service, this was felt to be the most expedient way to handle it and also provide future revenue stream for any additional improvements in the Main and Taylor area pursuant to that ODOT agreement.

Mr. Clemens: John, do we have an easement to do that in? Across Kroger property?

Mr. Brandt: I don't know that we do or we don't. I don't know that that's going to be an issue. They're talking about boring the project. I realize they'll still need an easement but I don't think that'll be an issue.

Mr. Clemens: And I'm glad you came up with that. Because you know, it follows through on one of the zonings that we have after this on how they're going to get their sewer line.

Mr. Brandt: Correct.

Mr. Clemens: I'm glad you gave us a presentation. Because I had heard about the TIF but I didn't know whether we were working on it or not.

Mr. Brandt: And just to clarify in case our friends from the media write it down, it will be a non-school TIF so it won't impact the local school district because we haven't provided notice to them at this point. And in that case we can merely send them a letter and tell them what we're doing. There's no approval required on the school district. But it would be critical once we get the documents to you to have it completed before year end. Because there's some major changes in the statutes covering the TIF process that will make it extremely difficult to move ahead after the first of the year. And anybody that's interested in that, we can get you the text and you can dive into the Ohio Revised Code and hopefully figure it out. But that's what we're told by our Counsel at Squire Sanders.

Mr. Clemens: Okay. Thank you, John. Are there any questions for Mr. Brandt?

Mrs. Newman: Did you say that we don't have to finish this project by the year end? Or do we?

Mr. Brandt: Oh, no. It'll just be the documentation for the enabling legislation to provide for the TIF action. The project can go on after that. And along that point, additionally as time goes on, it would provide additional revenue stream that can be "put in a fund" in the Auditor's sources of revenue that could be directed. Because the legislation that will be brought forward will spell out other improvements in the immediate area. Because it can only be used in the immediate area that will be required down the road.

Mrs. Newman: That's great. Thanks.

Mr. Clemens: Are there any other questions for Mr. Brandt? (No response). If not, thank you John for the presentation.

Mr. Brandt: Yes, sir.

Mr. Clemens: The next item on the agenda, ORDINANCE ACCEPTING SIX UNRECORDED DEEDS OF EASEMENT AND ONE LIMITED WARRANTY DEED. This has had the second reading 9-26-05. Are there any questions pertaining to these? (No response). If not, I'd like to move them on to Council, I make a motion to move this to Council for the third reading. Second by Mr. Stearns. All in favor, say aye. (All voted "Aye").

Next item number 10, ORDINANCE GRANTING EASEMENT TO COLUMBIA GAS OF OHIO, INC. FOR INSTALLATION OF PIPELINES. It's had its second reading 9-26-05. Are there any questions pertaining to this subject? (No response). If not, I'd like to make a motion to move it on to Council for its third reading. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted "Aye").

The next item on the agenda, ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 9366 AND 9370 Taylor Road; from township zoning classification of Ag to city classification of AR-2c; (20.8 ac.), applicant, M.H. Murphy Development Company. It's had its second reading 9-12-05. Is there anyone here representing M.H. Murphy Company? Yes.

Mr. Fulkert: Good evening Council. I'm Steven Fulkert, the architect for M.H. Murphy Development. And we're requesting that you move this legislation from committee to the third reading vote. We believe that the issues that have surrounded the sewer have been clarified in the last few weeks. Several things I'd like to add that's already been discussed is that because it will take a certain amount of time to design and construct the extension of the Taylor Road trunk line sewer, the Sewer Department has agreed to allow the residential portion of the development to temporarily go into the sewer to the west until at which time the Taylor line sewer could be constructed. This would allow development of the condominiums to occur. It was also agreed that the commercial development, which is along Taylor Road and would be the first recipient of the trunk line extension, would not be allowed to progress any development of the commercial tracts until the time that the sewer has been extended. So I think there is a very clear understanding among the parties on how to create a win/win situation for both the development and the future sewer needs for the city. And so with that, we would request that it be moved from committee to the agenda.

Mr. Clemens: Thank you, Mr. Fulkert. Like our discussion today, and what Mr. Brandt said, it brings it into focus on how it will be done. Because I was worried about it on working on this. But I have not had the opportunity to talk to Mr. Kipp. But Mrs. Reichard might know. That's a correct statement that they will be able temporarily to tap into the west on the sanitary? And then they have to tap into the trunk line when it's installed.

Mrs. Reichard: (Inaudible).

Mr. Clemens: Okay. That's fine. Mrs. Newman.

Mrs. Newman: Yeah. I have a question. Mrs. Reichard, do we have any assurance that this temporary situation might not end up being permanent? Are there time constraints involved as far as when they are to construct the sewer connection?

Mrs. Reichard: Because I cannot speak definitely to the issue, I would really like to wait and have another conversation with Mr. Kipp. But you can pretty much bet with Mr. Kipp at the helm of the Sewer Department, it will only be temporary.

Mrs. Newman: Alright. But there has to be something. Is there some language in an agreement or something that would assure us of that?

Mrs. Reichard: We could ask for it.

Mr. Clemens: I'm sure they would have an agreement. I would suggest it be done. And I'm sure they would sign an agreement that this is a temporary situation until the trunk line's installed.

Mr. Fulkert: Yes. We fully understand that we need to divert it as soon as possible and that the sewer would need to be only on a temporary basis. I believe if you have a chance to talk to Mark between now and the next Council meeting, he will be able to verify that there is sufficient capacity in the existing sewer line to handle the development is, really the city is just trying to preserve that capacity for some maybe potential other future developments to the north, or to the northeast of this that could be better handled by that existing sewer. And to get the capacity into the Taylor Road at some point. Because that's eventually the best sewer to service this property. Although it isn't the best sewer at the present time. So I think this is more of a long range planning issue than a temporary sewer that's going to be causing any kind of concerns for the existing sewer system.

Mr. Clemens: I will discuss it with Mr. Kipp. And like I say, I think there should be some type of an agreement between you and the city as far as temporary's concerned. Are there any other questions? Mr. Stearns.

Mr. Stearns: Yeah. I've got a question. In what manner will this be taken care of? Are you going to have a valve there when the other trunk line is put in? You're just going to switch it over? Is that all there is going to be to it?

Mr. Fulkert: Traditionally, the way you do it is that you usually have to abandon a small section of sewer line. The sewer flows by gravity. In this case it will flow from the north part of the site to the south. And the section that would go from the middle of the site to the west where the existing sewer is would be abandoned at the time that the new sewer's available. And that abandoning would mean you would cut out a small section of it and plug the sanitary sewer at both ends. So it's a little more complicated than just closing the valve but still relatively simple thing to do by removing the gravity section between the two sewer lines, two manholes.

Mr. Clemens: Mr. Baxter.

Mr. Baxter: Chairman Clemens. The question I have is dealing with the capacity. The sewer system to the west, does it have the capacity to handle both the residential and commercial that's proposed today?

Mr. Fulkert: Yes. I believe it does. That could be best answered by your City Engineer. I think the reason that they have split in the discussions, the residential separate from the commercial is that they feel that by having this time limit on the development of the commercial, that insures that the trunk line sewer will be extended in a prompt and timely fashion.

Mr. Baxter: It seems odd to me that we'd want to curtail development of commercial space when we have the capacity to handle it with the knowledge that we're going to put that capacity in the future, and have controls to put in that switch. So I would hate to think that we're preventing development when we have an opportunity to encourage. And then also control it to insure that

going into the new trunk is something we do.

Mr. Fulkert: I think the fact that the residential development is ready now, the commercial development has a window of time before users can be accumulated, and plans developed, and contracts and issues like that are taken care of. So the commercial is on a slightly slower track than the residential. And it also gave the commercial a reason to make sure that the sewer gets constructed in a timely manner. So hopefully there won't be any delay of commercial development because of it.

Mr. Baxter: Very good. Thank you.

Mr. Clemens: Are there any other questions? (No response). Thank you. This has had its second reading 9-12-05. I'd like to make a motion that we send it to Council for its third reading for adoption. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item on the agenda is the ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 9366 and 9370 Taylor Road; from township zoning classification of Ag to city classification of CC; (8.4 ac.), applicant, M.H. Murphy Development Company. It had its second reading 9-12-05. What this is, this is the 8.4 acres of commercial that's in front of the property that we just zoned residential for condo's. So this is the 8.4 acres of commercial area that we've discussed how the sewer would be ran to it and it would be through the TIF program. So this is the zoning for that property to change it to CC. Are there any questions pertaining to this? Members of Council? (No response). If not, I'd like to make a motion that we send this to Council for a third reading with a motion for adoption. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

Next ordinance, Ordinance to Amend the Official Zoning Map of the City of Reynoldsburg Adopted by Ordinance No. 131-95 on November 27, 1995 and as Subsequently Amended - southeast corner of Lancaster Avenue and Slate Ridge Boulevard; from CC to PD and CS; applicant, Preferred Real Estate Investments II, LLC and C&T Slate Ridge. It's had its public hearing and it's had its second reading and its up for discussion this evening. And I think Jill Tangeman's here to represent the zoning. This has been approved by our Planning and Zoning Commission.

Ms. Tangeman: Good evening. I'm Jill Tangeman at Plank & Braham. I'm here on behalf of the applicants for this rezoning application. I know that this has been before you before, but we've had significant revisions and changes and updates. So I think I'll kind of go through where we've been and where we're headed I hope. As you'll recall, this site is approximately 18 acres. It is currently all zoned Community Commercial. We're requesting a mixed use development that would incorporate an owner occupied condominium development and a commercial area that would include some out parcels and a small retail center. Since we were last before you, we've made some revisions to this application. Most significantly first with regard to the residential

area, we've reduced the number of units to 94 units and have added some additional open space to the development. We also realigned all of the building spacing so that there's a minimum of 20 feet between the buildings. Also provided you with some color elevations and made some architectural commitments on the residential buildings. In particular, that along Slate Ridge Boulevard, all of the buildings will be a mixture of brick and hearty plank so that as you've seen on the elevations, these are town homes. So you kind of need a difference in architectural materials so you can determine the differentiation between the units themselves. So all along Slate Ridge Boulevard will be a mixture of brick and hearty plank so that you can distinguish the types of units on that. We've also worked with the Fire Chief to establish an emergency access on the property. Will be established here on this point right here so that there will be an emergency access that will go out through the commercial area. We've also committed however, that if for some reason the commercial area doesn't develop along with the residential, that we will build a temporary access so that there is an emergency access prior to any Occupancy Certificates being issued for the site. So the Fire Chief will always have the ability to get into the site and to do what he needs to do on that. With regard to the commercial development, we do now have a developer who is in contract to purchase the site. Kevin South with South Development is here this evening. I'll give him an opportunity to introduce himself and tell you a little bit about what his plans are for this particular project. I will mention that we have provided some important development text for the commercial. As your _____ stated earlier, currently this is all zoned CC. There are no restrictions on the property regarding use or architectural commitments. At this moment, anybody could walk in and get a Building Permit for any use in the CC district. With the rezoning of this property, we've entered into a development text that does put significant restrictions on the uses and the site. First being no adult businesses, and several other additional restrictions such as hotels. Really the only difference in the uses in the zonings at this point would be that the CS zoning would allow for eating and drinking establishments, which the CC district does not. So everything else is being restricted. In addition, we have entered into some architectural restrictions and promised a 50% natural material, brick or stone on all of the facades for the buildings. So again, these are all restrictions that don't exist today. Somebody could go in today and build 100% vinyl building. So this will give some additional protection to the neighboring property owners and try to make it more harmonious with what's in the Slate Ridge area. I'm going to let Kevin introduce himself real quickly. Show you some pictures of some of his other projects and then I'll come back and tell you some other information.

Mr. South: Good evening. My name is Kevin South from Dublin, Ohio. I appreciate the opportunity to be in front of you this evening. In addition to what Jill has already mentioned that we've agreed to do, we have also agreed to install the infrastructure and the roadway system for the commercial development, and to develop two lots into a neighborhood retail center. Which conceptually might look something like this. Which hopefully, we're planning on this location here. One of the issues we had at Planning Commission was the access point and a 'd' cell turn lane which I think we've agreed in that meeting to work with the City Engineer at the time specific users are presented and to come up with the best solution at that point. We've also agreed to install, with the City Engineer's approval obviously, a traffic signal at the full access point which hopefully will help with traffic as well. So I do have some pictures of development that we have just finished in Pickerington on 256 just to the south here and I'll pass it around.

Ms. Tangeman: I think the two primary issues that I want to finish our presentation on are probably the two that are most in everyone's minds. First is regarding the traffic on this site. We had a traffic study completed by Gary Wilcox, and through the Planning Commission process, that traffic study was very thoroughly reviewed by your City Engineer and by consultants at EMH&T. First let me say, we really appreciate the City Engineer working with us. I know he spent quite a bit of time reviewing the traffic study, looking very closely at the access points. And in particular, the right turn lane issue. And we certainly appreciate his time in looking closely at this particular issue. The primary issue was related to the traffic along Lancaster Avenue of course. And since we were before you last, we've reduced one of the access points along Lancaster Avenue. And we had our traffic engineer go back and thoroughly look at whether a right turn lane was necessary. As Kevin mentioned, we are willing to put that turn lane in. If it's deemed necessary, we're also willing to escrow money. We've offered to do whatever we can. The discussion at Planning Commission was, from the City Engineer's recommendations, that turn lane is not really deemed necessary at this point. And the turn lane we're talking about is here at the southern most point on the site. It's a right turn lane. What we agreed to do at Planning Commission was to revisit this issue. Mr. South is still finalizing who will be moving into this site. Obviously, whether that turn lane's necessary or not depends in part upon how intense the uses are. So our commitment at Planning Commission was that we would go back and revisit that issue once we've determined who our users are and what our final development plan is going to look like. If that turn lane is warranted, we will put it in or we'll escrow money so that that can be revisited down the road. So we're willing to work with the city on that particular issue. In terms of traffic flow, there is a service road that's going to be provided along the back of the commercial property right in the middle of the site. That will help reduce, and as I said, we've already reduced the number of access points onto Lancaster Avenue so that there's only one full access point where there will be a traffic light. The other two points are right in, right out only. So that will have little hindrance on the traffic on to Lancaster Avenue. I believe you've already all received the September 13 memo from your traffic engineer stating that they have no other exceptions to our traffic study. They've thoroughly looked at it and they agree with the recommendations for access points and for traffic improvements on Lancaster Avenue. The second point that I wanted to address was the economics on this site. There's certainly been a lot of discussion and concern about rezoning part of this site for a residential use. And we have provided with you this evening, a pretty detailed memorandum regarding the economic impact of the rezoning on this particular site. Mr. Corbin is here with C&T Slate Ridge and I'm sure he can speak to this directly if you wish. But I will tell you that in the time that this property has been zoned for commercial uses, he's had a number of developers who have looked at the site, done some due diligence, and unfortunately walked away from fully developing this site as commercial uses. In part because it is a unique site in a lot of ways in terms of shape and location. Two developers looked at this site in close detail and both said that this is probably not a good site for a big box retail center such as a Wal Mart or Target, something along those lines due to the limitations in terms of access. And it may not be something that you're really looking for either. Economically of course, that adds the most improvement value to the property. So both developers that looked at this site previously looked at developing it for the kind of next level down. The second class big box retailers such as Linens and Things, JoAnn Fabrics, Home Depot, those kinds of uses. And both came back and said that if they develop the site with a couple of out parcels and one kind of middle size big box retail center, the improvement value on the property was roughly 17 million dollars. That was the total

that they thought they could get on this particular site. With what we are proposing on this particular site, the improvement value for real estate tax purposes will be significantly greater. The residential development as we've told you, we're planning roughly an average price of \$160,000 per condo. So the improvement value for the residential portion alone is 15 million. The commercial part, I've provided you this evening with an exhibit from South Development which outlines what they believe will be the uses in the commercial section of the property. And you can see, it's a quick service restaurant, a small financial institution, a small grocery store, neighborhood retail center. And they believe that when all developed, that it will bring 26 million dollars in improvements. So all told, the proposed development that we have in front of you is going to have an improvement value of roughly 41 million dollars as opposed to the 17 million dollars that the two previous developers looked at. And I should note, on this exhibit, Mr. South similarly looked at developing this site for entirely commercial uses. He came up with an improvement value of 8 to 10 million dollars. So we're talking about the difference between 10 to 17 million dollars in improvements versus 41 million dollars in improvements. So with our proposal, the real estate taxes off this site would be substantially greater than what would be generated if this site was completely commercial. Real estate taxes are only one part of the picture. The next part of course is income tax. And again, we've provided you with an exhibit from South Development that talks about the tax comparisons. And Mr. South has put together an exhibit that shows the number of jobs that he believes that this commercial development will generate. Which he is expecting somewhere around 425 and that includes the condominiums. Also, he's shown this in comparison to what a big box retail center would generate. So the number of jobs that would be generated, including also the income tax that would come from the condominium units, is significantly more than what would be generated if it were just from a commercial development on this particular site. So we've tried to give you the economics that we believe this site will produce. And it's our interpretation that this site as proposed in this rezoning with the residential and the commercial, will be substantially more valuable to the city in terms of both real estate tax value and in terms of income tax value. So there is not going to be any damage to the city by reducing the commercial development. In fact, it should enhance this particular site. Mr. South is the one who's put this exhibit together so I'll let him answer any questions that you have regarding this. The last thing that I provided to you, and I think it's important, is a letter of support of this development from the Redman Condominiums who immediately neighbor this development. And as you'll recall, this site is completely bordered by residential development. And they do not want to see this site developed entirely for commercial uses. Especially when those commercial uses have no restrictions on them. So this is important for them because it provides them with some limitations on the commercial. And it provides them with some buffer against the commercial development on Lancaster Avenue. So we'd be happy to answer questions. We appreciate your time, and we certainly appreciate your staff and the Planning Commissions time with this project. We feel it's been a cooperative effort to this point and we're pleased with the outcome. So thank you very much.

Mr. Clemens: I would get back to the turn lane, I read the report from Planning Commission. I would want that escrowed because I do know how things happen later on. And I do know, I don't want the city putting in the turn lane when we could have it escrowed by you. So I think that would be something that would be important to happen. Are there any other questions? Mrs. Newman.

Mrs. Newman: Do you contemplate any bulk sales of these units so an investor might buy three or four?

Ms. Tangeman: No. That's not typical.

Mrs. Newman: Well I mean, it might not be typical but it could be done.

Ms. Tangeman: The condominium owners have the right to determine whether they can be rented, if not generally....

Mrs. Newman: Well your documents allow for rentals.

Ms. Tangeman: They do allow for rentals up front. But it also allows them to amend that provision. Generally speaking, once a few of them are bought, they amend that provision and restrict the number of rentals on the property. All rentals still have to go through approval of the Condominium Association regardless.

Mrs. Newman: Each individual rental?

Ms. Tangeman: Yes. Every time anybody rents one. So they would have the ability, if a commercial investor came in, they would have the ability to deny that.

Mr. Clemens: Are there any other questions? Mr. Stake.

Mr. Stake: Thank you, Chairman Clemens. My question's in regards to the condominium units and projecting 135 employees with income tax to the city of \$42,300. Can you tell me how you arrived at that?

Mr. South: Yes, sir. I assumed that 50% of those 135 residents were new residents to the city. And their income has increased revenue to the city. Their income tax. Which is 1 ½% of their household income at 60,000 a year.

Mr. Stake: They have to live in the city though. Correct? In order for us to realize that?

Mr. South: Correct.

Mr. Stake: I mean, they'd have to work in the city.

Mr. South: Well you get half of that money don't you, if they don't work in the City of Reynoldsburg?

Mr. Stake: No. No.

Mr. Hills: We don't get any of it.

Mr. South: Okay.

Mr. Hills: Just the credit.

Mr. Stake: For instance, if they work in Columbus we don't see any of that. So I guess we can discount that 42,000.

Mr. South: Some portion of it. Yes, sir.

Mr. Stake: Okay. Thank you.

Mrs. Newman: Excuse me. Where did you come up with the figure? 135 people living in these 93 or 94 units, did you say? Isn't that pretty high occupancy? I thought this was going to be geared to retired people and young single professionals.

Ms. Tangeman: It's based upon, I think it's about half and half that have two people, and about half that will have one person. So, if they all had two, it'd be 180 people. So 135 kind of assumes that they'll be two people in some of them. But there's generally no children in these. It's at most, 10% of the units would have children. But in this given case, it's probably highly unlikely.

Mr. Clemens: Are there any other questions?

Mrs. Frazier: Mr. Clemens.

Mr. Clemens: Yes.

Mrs. Frazier: I'd like to ask Jill a couple about the text and stuff that they've done. You referenced a document that approved traffic or something from like the 13th of the month?

Ms. Tangeman: September 13 letter from Dave Parkinson. I believe it went to Planning Commission. I can give you a copy of it.

Mrs. Frazier: We don't have that. And then these restrictions and agreements, or whatever you did at Planning, is that on paper?

Ms. Tangeman: Um hum.

Mrs. Frazier: I mean, it's a document. Because I think the last thing we have are Planning minutes of that special meeting.

Ms. Tangeman: There were documents that were provided at Planning Commission to Annique that memorialized all of the commitments that were made. I'd be happy to provide you with copies of those.

Mrs. Frazier: That would be good because I think that if that becomes an overlay text if you will, right now the only thing that's attached to the ordinance is the description of the land. And while

all the documents that the ordinance references, that all the documents in the file become part of the deal, usually things like you're talking about, you know, that are so specific, we make that part of the ordinance.

Ms. Tangeman: I'll give you a copy of them this evening just so you know what we're talking about. But I'll work with Annique to make sure that a complete set gets to you.

Mrs. Frazier: Okay then, is the drawing any different than what we originally got on this?

Ms. Tangeman: Yes. It was all re-submitted in the end of July with new exhibits.

Mrs. Frazier: Okay. We might have some of that particular stuff. But from the last Planning is the one I'm concerned about, okay?

Ms. Tangeman: Okay. We'll make sure all those are provided to you.

Mrs. Frazier: Thanks.

Mr. Clemens: We'll have to have all documents and they have to be in the ordinance.

Ms. Tangeman: Okay. We'll make sure that they do. I provided copies I think to Annique, but I'll make sure that they're complete in your file.

Mr. Clemens: Mr. Stake.

Mr. Stake: Thank you, Mr. Clemens. I was wondering if we could get a more realistic picture of what kind of tax revenue might come from the condominiums.

Ms. Tangeman: You mean income tax?

Mr. Stake: Yeah. Income tax revenue.

Ms. Tangeman: I don't know if we can make a good estimate of how many will work in the city or not, but we'll certainly go back (Tape Change).

Mr. Clemens: Those will be listed too. You have listed, I don't want to be personal. When I get personal I mean, it really doesn't mean anything I suppose of my feelings. I'm not big on auto service being on that corner. Being in that section. We get enough Jiffy Lube's and the different ones sitting around. I just don't think that kind of thing would fit in. And I could be wrong, but I mean, that's my feeling. I just don't think something like that would fit in there with the new construction and so forth. I've opposed this in some ways because of the ingress and egress and another traffic signal. We've got traffic signals, every time you start, you stop again and this is just going to be another one. But I realize if we're going to have a full entrance and exit, we have to have it there. I'm not in a, I don't say this to be personal but, I'm not big on two story row housing. And this to me is what this looks like. Stack units. Just in a straight line. And I'm just not, that's not something I like. And like I said, I get into that, I get into personal feelings I

guess. But that's something that you designed. That's something that you want. I've seen plenty like this and it's just not my type and I don't feel it's the type I like for that corner. But that's what you've proposed so that's what we'll have to live with. Are there any other questions that anybody would like to ask from the committee? Mr. Baxter.

Mr. Baxter: Thank you, Chairman Clemens. The questions that I have again, I think are the same ones I had last time. As I look at the drawing, and what I see is a small portion of commercial. So far I see, and correct me if I'm wrong, is pie in the sky with commerce and all real estate that's well understood from a condo. So you definitely know what you want to do with the condo side of it, but the commercial, you've got to guess. It's very hard for me to want to make a change in our zoning laws based upon, well I think this might be it. Or, this is what we think it will look like, or how much taxes you can anticipate. To me, I'm not looking at how much revenue we can generate. I'm looking at it from an aesthetic version of what it's going to bring to our neighborhoods. How is it going to interact with the neighborhoods around it? And I've received calls that said, oh I don't like that idea of all those condo's there as well. The same idea that Councilman Clemens brought. It's another two story town home that is going to go up in that area. Good, bad, indifferent, that's not my point. My point is, we're selling it based upon a commerce that doesn't exist. We have one portion of it. I understand you're looking at one section of that, but that's risky not knowing what the rest is going to go in there. As you said....

Ms. Tangeman: Oh, no, no. First off, let me make sure you understand. Mr. South has given contract to purchase this entire area. And he is looking at developing all of these out parcels. So I apologize, if you want to understand.

Mr. Baxter: Well, I didn't understand it that way. He pointed to the one small box over in the corner and that's what I saw.

Ms. Tangeman: And Kevin, I'll let you answer him regarding what you know and don't know about the uses.

Mr. South: Okay. My company is in contract to purchase the entire 11 acre commercial parcel. We will install the infrastructure, sanitary, the roadway system, curb cuts, traffic signal if approved, and sell and/or lease out lots to end users. Right now, we have the corner in contract with a financial institution. We have the next two lots, we have interest from a small grocery store, and then we have a fast food user on the corner, and a service oriented, I don't want to say the name because you'll know, or I don't want to say what type of business it is because you'll know for this other. We had genuine interest in 75% of the property there. At this point, only control the corner with an end user which is a financial institution, and our parcel right there which would be a small neighborhood retail center.

Mr. Baxter: Okay great. That answers my questions. I was looking at it differently for only a small portion.

Mr. South: No. We're going to do all of it and hopefully sell it to some nice users and they're going to build a nice product which would come before you I assume to get approved.

Mr. Baxter: Thank you.

Ms. Tangeman: The architectural commitments and the restrictions all apply through the entire commercial area. So you'll see that the _____ brick or stone on every building in that area which is significantly more than what you have today in terms of restrictions.

Mr. Clemens: Mrs. Newman.

Mr. Baxter: Follow up if I could?

Mrs. Newman: I just want to make a...

Mr. Clemens: Mr. Baxter.

Mr. Baxter: We don't need to change the zoning for you to do what you suggested. Correct? You could still put the commerce site in as you want.

Ms. Tangeman: Yes.

Mr. Baxter: Not so much the condo's. I understand that. But the commercial side, you could put in as is. Because as you stated, with CC, you could put in what you wanted. You just couldn't have eating and drinking.

Ms. Tangeman: The eating and drinking establishments would not be permitted under the current zoning. That's correct.

Mr. Baxter: Very good.

Ms. Tangeman: And it would, I think definitely change the economics on this. Kevin may be able to answer that in better detail. He's got more diligence than I have.

Mr. South: I believe the drive-thru for the bank would also be a conditional use, or a Use Permit that would have to come before you and approved. I'm not 100% certain on that.

Mr. Baxter: We handle that with a Special Use Permit?

Mr. Clemens: Um hum.

Mr. Baxter: That's what I thought.

Mr. South: I'm sorry?

Mr. Clemens: It would be a Special Exception Use Permit.

Mr. Baxter: That's what I thought.

Mr. South: And eating establishments as well I believe.

Ms. Tangeman: I don't know if you can answer this but, I'm assuming that in your investigation of what people are looking at this site, are also looking at the possibility of new residential customers in that area.

Mr. South: Absolutely. I think the residential condominiums bring a certain _____ to the development as a whole. Hopefully there's some pedestrian traffic that people will be able to utilize some of the commercial uses up front. And it turns out to be a nice project.

Mr. Baxter: Very good. Thank you.

Mr. Clemens: Mrs. Newman.

Mrs. Newman: I agree with you Mr. Clemens, about the design of those units. I think that, well to be perfectly blunt, I think they're just flat ugly. That's all I have to say about that.

Mr. Hills: Mr. Clemens.

Mr. Clemens: Mr. Hills.

Mr. Hills: If I could, and the discussions have raised a few questions. Try to put things in perspective. First of all, this has only been to us for the first reading. So this is not like the other two zonings. Originally, the Planning Commission recommended denial and the item was held on September 19. One reason it was held is we hadn't seen the minutes. So I'd like to commend whomever was responsible for us seeing the September 15 reconsideration meeting of Planning Commission which does recommend adoption. Because we did get those minutes on the 29th, which was in time to be in our packets. I think that Mrs. Frazier rightly pointed out, there are certainly some documents that were key interest that were at the Planning Commission that we have not seen. And I think it will maybe ease everyone's feelings if we do see those documents. I'm sure you'd want to see them before you do any passage and possibly sending it forward for second reading. Getting the documents, still has it running on its track rather than being held. For whatever reason, this has been slowed a time or two and some of it's been an understanding type thing. I heard reference to Lancaster Avenue. Some people call it 256. I hear references to stop lights and I saw Mr. Parkinson's hair start to turn dark again instead of light. Is there anyone other than the city that's involved in that determination, David? On the stop light at that location?

Mr. Parkinson: Could you ask again, please?

Mr. Hills: The stop lights I've heard referred to there. I know the stop lights closer to 70, ODOT has had a great interest in where they may or may not be on what they call State Route 256. We're referring to it as Lancaster Avenue. I'm not sure where the break is. So I guess, are they a player in the stop lights? Or are they not?

Mr. Parkinson: No. That would be your stop light.

Mr. Hills: Okay. It's 'x' number of feet back from...

Mr. Parkinson: It's far enough away.

Mr. Hills: Okay. Good. That clarifies that. I do know that they've certainly been involved previously. But with that, I think with the documentation, it may help clarify some things. Because I know that you all, there was a special Planning Commission meeting, and certainly at the first meeting, from reading the notes, the minutes, there was certainly a lot of discussion. And much has been clarified. Not all of which is reflected in the minutes because of the other documents. And Mrs. Frazier, I didn't see the September 13 memo in my packet either.

Mrs. Frazier: We didn't have it.

Mr. Hills: But with that, I think it kind of summarizes where we are, Mr. Clemens.

Mr. Corbin: William Corbin for C & T. The first Planning Commission meeting was a 2 - 2 vote. And the two people who voted negatively both agreed to talk with me for a few minutes afterward. And one indicated that his 'no' vote at that time was due to concerns about the fact that we hadn't gotten with your City Engineer to the extent that he felt was appropriate. And then the meetings with Mr. Parkinson were after that as a result. And the second negative vote, he told me very definitely was, that the Chief of the Fire Department was there that evening and he expressed several concerns with the street and the residential area, and access for a secondary emergency type access. And that vote, Mr. McGrath indicated his negative vote. And he said incidently, that I could quote him at a Council meeting to say that that's what the facts were. He gave me permission to do that. He said his vote was tied to the concerns that the Fire Chief had. He says if you satisfy the Fire Chief on those concerns, then he says, I'm satisfied. So again, he now has indicated that he's in favor. And that's why when we went back, although Mr. McGrath wasn't there the second meeting, somebody else was. And the vote at that point was unanimously in favor.

Mr. Clemens: Mr. Hills.

Mr. Hills: If I could, and I don't disagree with that other than the 2 - 2, it comes up to us as a denial.

Mr. Corbin: That's correct.

Mr. Hills: You certainly I think, acted appropriately and addressed some of the issues that had been brought up by surprise rightly, wrongly. I'm not even going to go there. But I do appreciate the fact that the...

Mr. Corbin: It was just asked for a reconsideration.

Mr. Hills: The Planning Commission did have the special meeting on the 15th and we've seen the

minutes. But one thing, I'm hearing some questions or concerns on some of the, possibly on the condo's, I'm not sure but some of the overlay provisions that you all have here, may address some of those concerns. And no one on Council's had the opportunity to see those. And that's why I'm saying, I think that from what I'm hearing of bricks and different fronts that match up to something that's close to that, that may change some peoples feelings. I'm hearing Mr. Clemens say that, I really don't like them, but I'll probably live with them. But sometimes, the dislike may go away if they see what overlays are out there. And certainly, we highly recommend overlays being done. They're usually done coming out of Planning and this one is being done that way. But now it's at Council, the only piece of legislation that's in front of us is the rezoning. We don't see the overlays. We hear you telling us. But we don't see any documents that say they're there. Because they will become a part of the zoning.

Mr. Corbin: Yes. You'll have all of those and we do hope that that will answer a number of questions.

Mr. Clemens: Are there any other questions? (No response). If not, I'd like to make a motion we send this on for second reading. And Jill, you'll please come up with the information that's been requested.

Ms. Tangeman: (Inaudible. Speaking off mike).

Mr. Clemens: So I'd like to make a motion we send this to Council for its second reading. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

And that ends the Safety Committee meeting at 9:24.

~~Safety Committee~~ Service Committee
- - -Nancy C. Frazier, Clerk of Council
October 3, 2005
(Transcribed - Susie Smith)
FINANCE COMMITTEE MEETING MINUTES
October 3, 2005

Members of Finance Committee present: Ron Stake, Brett Baxter, Lane J. Beougher, Mel Clemens.

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

Mr. Stake: I'd like to call to order, the October 3 Finance Committee at 9:25.

The second item on the agenda is approval of the minutes of the Finance Committee meeting held September 19, 2005. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted.

Item number 3 is approval of the agenda. We have quite a few items I believe we need to add to the agenda. I do have a speaker slip here from Jerome DeCarlo. The topic title is appointment. And this was received after the Council meeting, 9-26 Council meeting. Is Mr. DeCarlo here? (No response). Okay. Then we will disregard that.

Items that need to be added to the agenda, 3a would be Appointment of a new member of Council to committees. 3b would be Ordinance making supplemental appropriations for the replacement of the roof on the Livingston House. 3c would be the Appropriation for the Street Maintenance Program, 2005 Street Maintenance Program. And 3d would be Acceptance of the GREAT Grant, and the appropriation of the funds. I'll make that motion. I've been listening to Mr. Beougher. We do not need a second I believe on that. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And 3a will be the appointment of the new member of Council to the committees. Recommendation from the President is to appoint Mr. Joseph to the following committees: Community Development, Safety, Service. And so I will move to send a motion to Council appointing Mr. Joseph to each of the following committees: Community Development, Safety, and Service with recommendation for adoption. Is there a second? Second by Mr. Baxter. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion will go forward to next weeks Council meeting.

3b is the Ordinance making supplement appropriation for the roof at the Livingston House. And this does come from the Community Development Committee I believe.

Mr. Baxter: Yes. It does.

Mr. Stake: Mr. Baxter, do you have anything additional to say about this?

Mr. Baxter: No. I think we've looked at this quite well. We had the two options. One option, option number 2 they're looking to take for \$12,688. The fund is listed there in the document. And also for the use of painting supplies for \$350, for a total of \$13,038.

Mr. Stake: Okay.

Mr. Baxter: And we do recommend on that from Community Development.

Mr. Stake: Okay. Thank you. Then we will be appropriating \$13,038 in the unappropriated General Fund in the following manner: \$12,688 to account number 110.340.5339 Miscellaneous Contract Services. And this is for the replacement of the roof at the Livingston House. And \$350 to account number 110.340.5213 Maintenance Supplies for painting supplies needed at the Livingston House. And I make that motion. Is there a second? Second by Mr. Baxter.

Mrs. Frazier: Mr. Stake.

Mr. Stake: Yes. Mrs. Frazier.

Mrs. Frazier: Paul, on the quote, is it your understand that that's good enough and we can waive competitive bidding based on that?

Mr. Walsh: (Inaudible).

Mrs. Frazier: Would you say something out loud instead of shaking your head for me, please?

Mr. Walsh: Yes.

Mrs. Frazier: Okay. I just wanted to make, when Brett asked me a little while ago, I knew he got quotes, but I just wanted to double check that so we just put it in there. I didn't want to come in next week and say, by the way, can't do that.

Mr. Stake: And I appreciate that. Thank you. Okay. So there is a second by Mr. Baxter. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is the Street Maintenance Program. And we will be appropriating \$248,194.10 from the unappropriated Street Fund to account number 260.099.5651. And this is requested as an emergency and it comes from the Safety Committee. Mr. Beougher.

Mr. Beougher: Thank you, Chairman Stake. And I really don't have anything further to add. This is necessary to get done before the weather turns cold and I would encourage the Finance Committee to appropriate the funds.

Mr. Stake: Okay. Then I will make a motion that we appropriate the funds as an emergency. Is

there a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item on the agenda is the Acceptance of the GREAT Grant. And there what we will be doing is, appropriating \$17,342 from the unappropriated General Fund to the GREAT Grant Fund number 286.000.5529. Once the monies are received, the General Fund will be reimbursed. I'd like to point out, there is no cost to the city from this. And this also comes from the Safety Committee. Mr. Beougher.

Mr. Beougher: Thank you, Chairman Stake. And I would like to point out, this is an extension of our DARE Program used in the upper grades and certainly worthy of our support. And like you said, there's no outlay from the city. And I would encourage again, the Finance Committee the funds to be reimbursed at a later date.

Mr. Stake: Thank you, Mr. Beougher. And I'll make a motion that the \$17,342 is appropriated. Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. And this will be forwarded for its first reading. (All voted "Aye"). Opposed? (No response). Motion passed.

The next item on the agenda is Discussion, Pay Raise for Chapter 160 Employees at the request of Mr. Clemens. I know the Mayor had spoken to me a while back and he was trying to get some numbers together. We do finally have some numbers. And Mayor, do you have anything you'd like to add to this?

Mayor McPherson: No. I tried to provide Council with all the numbers, including my department. This will be the 2% for the second half of the year. If you'll notice, you'll also have a sheet in there that has green and blue lines on it. The green shows you the employees that have had promotions this year and what the percentage increase was on their promotion over and above what they had been receiving. The blue indicates new hires, or that we've hired during the year. These people, we are not recommending the additional 2% because they all hired in with the 2 ½% pay increase. And then will be eligible next year for an increase to go through the November/December evaluation and they'd be eligible next year _____.

Mr. Stake: Okay. Thank you, Mayor. So this would be an additional 2%, retroactive to July 1, 2005 for the employees covered by Chapter 160. The total cost I believe, is \$35,782.

Mayor McPherson: Right.

Mr. Stake: That's correct? Okay. Any questions or comments from members of the committee? (No response). Members of Council? (No response). Then I'll make a motion that we forward this on for its first reading. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 9:34.

Finance Committee
- - -Nancy C. Frazier, Clerk of Council
October 3, 2005
(Transcribed - Susie Smith)

