SPECIAL FINANCE COMMITTEE MEETING MINUTES

September 28, 2009

Members of Finance Committee present: Ron Stake, Mel Clemens, Fred Deskins, Jr., Leslie Kelly.

Other members of Council present: Doug Joseph, Donna Shirey, Council President William L. Hills. Councilman Barth R. Cotner was absent.

Mr. Stake: I'll call to order the Special Finance Committee Meeting at 6:03 p.m. Item 2 is approval of the agenda. Are there any changes to the agenda by members of the Finance Committee? Hearing none, the agenda will stand as submitted.

Item 3 - 2010 Appropriation - training by City Auditor regarding budget/appropriation submitted by the Mayor. And at this time, I'll turn it over to the City Auditor.

Mr. Harris: Thank you, Chairman Stake, members of Council. I had prepared a packet. Did Mrs. Frazier give everybody their little packet there. A number of Council members had said they wanted to become more involved with the budget process, which I think is very good. They had asked me to put together some things that I think will help everybody in understanding how the budget works, where the money comes from, and how it's spent. The first thing you have in your packet is a glossary of some of the terms that are used, not only for this, but for some of the other things that you will see on reports that you get from my office or that we have talked about here and the first one is revenue. Revenue, very specifically, is any money that is received by the city. It could be for any type of purpose, anything that comes, money coming in is all revenue. Expenditures is any money paid by the city. I know that a lot of you kid me about being the money man but I just wanted you to all understand that I don't control the money. The revenue that comes in, I do not control it. You all control it. I am only authorized by you through Ordinances, through Motions and the Appropriations Ordinance to do certain things. I can write checks, I can encumber money, I can do a lot of things but I don't control the money. You control the money. If you don't appropriate money, it doesn't get spent. So, I don't control the money, you control the money. You're going to be asked to pass an appropriations budget this Fall for somewhere in the neighborhood of $30,000,000. This, in my opinion, is the most important thing that you do during the year. The power of a legislative body comes from its ability to raise money and spend money. That's where the main power of the legislature comes from. So it is very important that you understand the process and what you're being asked to do.

A couple years ago, someone had asked me to, they didn't know what an appropriation was. We see that, we see it in a lot of different things. An appropriation is simply, you giving someone the authority to spend money. When you appropriate money, I can then allow people to spend money. So an appropriation is nothing more than you granting someone the authority to spend money and by doing that, I am authorized to encumber the money and then write a check for the money. An appropriation is not money. An appropriation is only the authority to spend money. The General Fund Budget is somewhere between $12 ½ to $13 million dollars. The day you pass that budget, the fund balance in the General Fund does not go down by $12 Million dollars. It doesn't go down until the money is actually spent. It is no different than if you write a check for your water bill here and the minute you sign the check, the money does not leave your account. The money does not leave your account until you present the check, until the check is presented to the bank and the check is paid. This is the same situation. You give somebody the authority to spend the money. If they never use that authority and don't spend the money, it doesn't change the fund balance. So an appropriation is not money. An appropriation is just the authority to spend money. If anybody has any questions during any of this, just feel free to ask it because I'll keep droning on forever if you don't.

An additional appropriation would be an appropriation that is done after the initial budget appropriation and when you look at the department budgets, it will show as an adjustment to book or an adjustment to budget. So you will be, you will see things where there's an additional appropriation. Somebody runs out of money in the department for a specific line, they ask for additional appropriation. That's what it is.

Fund - we have a number of different funds and the fund, the definition of a fund is it's merely an accounting unit for us to record revenue and expenditures. By far, the largest one is the General Fund and we'll get into some of the different funds here after we go through the terms, but a fund is just a separate accounting unit is all it is.

An encumbrance is when somebody comes and opens a Purchase Order against an appropriation, they do what they call encumbering the money. When I sign the Purchase Order, I have to say that I am certifying that the money is there, that they have both an appropriation and there is money in the fund in order to pay some kind of liability. So an encumbrance, you'll see these on some unencumbered balances and those kinds of things, an encumbrance is simply when somebody opens a Purchase Order and that takes part of that appropriation away. An unencumbered balance would, you will see that on some of these, an unencumbered balance is the budgeted amount of an account minus what has been spent already, less the encumbrances and that equals, those two equal the unencumbered balance. So it's what you originally are, the authority to spend minus what you've already spent, minus what you've got a Purchase Order, a Purchase Order's open to spend, leaves an unencumbered balance. That is different than the next one which is an unexpended balance.

An unexpended balance is you have a budgeted appropriation, you've spent a certain amount of money that I've already written checks for. That original budgeted amount, what you've already spent, leaves an unexpended balance. The unexpended balance minus the encumbrances leaves you an unencumbered balance. There also you will see on some of the reports, especially around the end of the year, carry-over encumbrances. Those are generally associated with ongoing projects. Those balances in those projects that are yet to be done will be re-encumbered so that becomes a carry-over encumbrance. If you're doing a street program and there's still some things left to be done and say there's $100,000 left on a street program to do, at the end of the year, all the appropriations go away. Whatever's spent has to go away. Any monies that are carried over on projects that are still going, you will see in the appropriation ordinance where all those monies are automatically re-appropriated, whatever's left, those with balances in are re-appropriated so that we can continue the project, the project's not done yet.

Mr. Hills: Clarification if I could.

Mr. Harris: Yes.

Mr. Hills: Question. The carry-over encumbrances, that's only an encumbered, you encumbered $1,000 and there's $1,000 encumbered still things to be done on the project...

Mr. Harris: Uh hum.

Mr. Hills: ...the project's completed, you don't, that isn't a carried over encumbrance, it's......

Mr. Harris: No.

Mr. Hills: ...it's closed and goes back to the General Fund so this only carrying funds forward to complete a project that was funded in that fiscal year and there's known things to be done to complete it. It's not just to sit money there to have to spend at a later date.

Mr. Harris: Correct. In fact, there's a time limit on what you can, when that money has to be used up.

Mr. Hills: Ninety days or something.

Mr. Harris: Ninety days. If it's, generally where you will see some small ones, if someone ordered office supplies late in December, it was back-ordered, there's still some of them to come, it, that would be carried over because the liability's already been created with the Purchase Order, that will be carried over but it has to be used up within ninety days, but on the projects, they're re-appropriated, especially if you're in the middle of a project, you have to, and it keeps going on. Those, we try to get those Purchase Orders on the projects closed as soon as we can so that things don't just get left hanging out there but you do have some carry-over encumbrances.

Mrs. Frazier: Well, we give explanations, too.

Mr. Harris: Yes.

Mrs. Frazier: If we're going to carry it over....

Mr. Harris: Um hum.

Mrs. Frazier: ...we have to tell them that, you know, it's got to be a good reason or he won't let it be carried over.

Mr. Harris: Yeah, we will send around at the end of the year and people have to put in what they're going to carry over and why they are going to carry it over. Otherwise, people would just be carrying that stuff over and just spend last year's appropriation, the appropriation ends 12/31.

Restricted revenue. Restricted revenue is revenue that the city receives that must be spent for a specific purpose. Things like the Street Fund, which is funded primarily from gasoline tax. The law that created that tax says you have to use those Street Fund monies to run the Street Department or do street repairs. You can't use it to plant flowers, and you can't use it for, to pay Police Officers or any of those kinds of things so there are some of these things that we have are restricted to a specific use. Did you have a question?

Mr. Deskins: Is storm water revenue, is that a restricted........

Mr. Harris: Absolutely.

Mr. Deskins: And that must go.......

Mr. Harris: Absolutely. It has to be used for something in the storm water system. When that fund was set up, there was a, the Fund was set up in the revenue for that stream of money comes in from a storm water charge on your water bill. It has to be used, there's a Storm Water Department that they pay payroll on, they pay part of the cost of sending out bills, but that's a specific restricted fund.

Unrestricted funds are revenue which can be spent for any governmental purpose and the normal one we think about that is the General Fund which can be used to support any kind of expenditure in any type of fund, governmental fund, now it's not always a good idea to spend General Fund money to support the water system. The water system should be self-supporting but you legally can, if you want to do a water project or storm water project with General Fund money, you could do it. It might not be a good idea, but you can legally do it.

The next one is Special Revenue Funds. These are, several of these set up for like the Police Department where the funds they receive have a specific legal restriction that was put on them at the time that those were created. One, you get a thing from Mrs. Frazier every month, is the Court Department has a special fund for computerization. That has to be spent on computerization within that department. That's specifically what it's set up to do and that's the only thing you can do. There was a suburban district in the Columbus area that was using the water fund money to pave streets and the State Auditor had a little bit of a problem with that, but they said they had to tear the street up to get in to fix the water, but they put the street back in the condition, you can't pave the whole street with it so. We do have to watch how these things, I do have to watch how those are handled.

Then we have some different types of funds. One is an agency fund, an agency fund is where the city has a fiduciary responsibility to pay for a service. These are not tax revenue dollars and basically where these are used the most, is the Building Department. We require somebody to submit plans if they're going to build something, or if they're going to put a subdivision in and we have the plans reviewed, they have to pay for the cost of the plan review for the city. So if we get a check in from them, it goes into one of those particular agency funds, plan reviews are done, we get a bill, the bill's paid. It's not taxpayer dollars, it's not tax revenue. It is a revenue that a person's putting money in this account to pay for whatever the city's requiring them to do.

Mr. Hills: Is that a fee Dick or is that just a charge for a service that goes....

Mr. Harris: It's a charge basically for service. We're saying, you want to build a building, well, we're going to have the architects make sure that this building meets all the necessary codes and whatever. It's going to cost $300 for this to be done so they will have to give us a check for $300 at the time they submit the plans. If it goes over that then they have to collect more money, but that money goes in that agency account, the architect sends a bill to the Building Department, the Building Department has a Purchase Order open, we pay it. It's not tax money, it is revenue to the city, but it is for a service that we require somebody to do and that they have to pay for.

The next one is Enterprise Funds and Enterprise Funds are the utilities and an Enterprise Fund is basically a fund that acts like a business. The business has revenues that come in from the sale of a product like water, or for service like trash pickup. Everything you do, that is run like a business. They have their own revenue stream, they pay all their own payroll costs out of that, they pay cost of postage, everything is paid just like if you owned a business, you would be paying that. In fact, we even charge them at the beginning of the year for the cost, to help offset the cost for my department doing their payroll, doing their payables, this is part of the City Attorney's cost because he provides legal, the Mayor, the Administration which, you know, does the supervision and HR and that kind of stuff so they pay for everything just like it was a business. Anything they that get has to be charged that, you know, any part of like Rosehill Road. Part of that was the Water Department, we charge the Water Department for the amount of service they get from that.

Okay, the next one is G. O. Bond Principal and G. O. Bonds are the city's General Obligation Bonds that we have issued debt issuements that we have used to pay for something. When the Police Building was built, there was General Obligation Bonds that were used to pay for that. You will see in there where it says General Bond Principal and G. O. Bond Interest, obviously, one is the annual principal payment, the other one is the semi-annual interest payments. Just as a matter of speaking, bonds are two types of bonds, General Obligation Bonds and Revenue Bonds. The city, when you go to the bank to borrow money or you go out to issue bonds, we can't put up this building as collateral. That's against the law, we can't do that. General Obligation Bonds is the full faith and credit of the city being used to issue debt. Revenue Bonds are generally used in places where there is a revenue stream that will support the payment of the bonds. Many times that would be toll roads or something, or if they're going to build office buildings, like they do in New York and they're going to use the money they get from rents to offset the cost of those particular bonds, and the last one on this is a Then and Now. These are talked about from time to time and that is a department obligates a city to an expenditure prior to the Auditor signing a Purchase Order and certifying the expenditure. So they call and order office supplies and somebody doesn't get the, get it down to the office the next day, that becomes a Then and Now. If these are, most of the ones we get on these are very small, if they're under $3,000 I can sign off on them. If they're over that then you all get to see them and you have to authorize this. They still must have money, appropriation available to pay a Then and Now when it comes in for me to sign it. If there's no money in the account, and there's no appropriation available, and they do this, then it would come to Council. They would have to approve an additional appropriation and then approve the Then and Now. Any questions on any more of the terms?

The next thing in your packet is a single page and this is the always popular Fund Report and as we talked about some of the funds on there, you can see them on here. This gives you a basically, a snapshot of a point in time of where the fund stands for the year. You'll see that it has all the funds listed. The funds all have numbers and you'll see where the numbers come in later on the budget documents. The General Fund is No. 110. It shows a beginning of the year balance, Year to Date Receipts, Year to Date Expenses, Unexpended Balances, we talked about earlier, Encumbrances which are Purchase Orders that are open and then the Ending Balance. If you look down at some of these....

Mr. Hills: Before you go any farther....

Mr. Harris: Yes.

Mr. Hills: Just, are we saying that as of 9/15/09, when you ran this....

Mr. Harris: Uh hum, well, this is at the end of August so this would be 8/31/09.

Mr. Hills: Okay, before, this is as of 8/31/09.

Mr. Harris: Uh hum.

Mr. Hills: We had received $8.4 .....

Mr. Harris: Million.

Mr. Hills: Million and we've spent $9.6 Million.

Mr. Harris: Right. Now $500,000 of that was the money that was moved with the appropriation budget.

Mr. Hills: Okay.

Mr. Harris: So the $500,000 does count as an expenditure to the fund.

Mr. Hills: So we have spent during that 8 month period of time, we have spent $700,000 more than what we've brought in for this year.

Mr. Harris: So far, yes.

Mr. Hills: So far. Okay.

Mr. Harris: And that's not unusual because most of, a lot of the expenditures come in at the beginning of the year and as you get to the end of the year....

Mr. Hills: So hopefully, everybody balances out by the end of the year.

Mr. Harris: That's always the hope.

Mr. Hills: Okay.

Mr. Harris: There's one fund that's on here, No. 220 is the Income Tax Fund which deserves a little bit of talk about that. That is also an Unrestricted Fund. The income tax money, when it comes in, comes in to fund No. 220, the Income Tax Fund. Then there's an ordinance from, I think last time it was amended was '03 that tells me how to divide that up and send it to the other accounts. The Street Fund, the Sewer Capacity Fund, all of these you can find or either Restricted or Unrestricted monies. If you have any questions, I'm not going to sit here and go through all of them. If you notice some of the ones at the bottom are the 900 Numbers are TIF monies. This is monies that we set up in TIF agreements and we put them in separate funds and this is how I track them, is through this. This is a report you probably should look over when you get it once a month, because it does give you a nice little snapshot of the city as it stands financially and all the major funds. Any question on the Fund Report?

Mrs. Kelly: Mr. Harris.

Mr. Harris: Yes Ma'am.

Mrs. Kelly: The funds that are at a negative balance, like Rosehill Road and Waste Water and, will those also balance out?

Mr. Harris: Yeah well, here's the thing. If you look at like the Rosehill Road improvement, if you look at the expenditures and the encumbrances, they're about the same. We are not, we have to record the improvement as far as on our Capital Assets. We however, have not really spent any money on this project. The money has all gone down town to the OPWC for them to pay what they're going to pay.

Mrs. Kelly: Okay.

Mr. Harris: So this is what's been charged, they said is done, and what's been charged into their account; however, we'll do a correcting entry at the end of the year to bring that back to zero. Some of the other ones, like the Water, and the Wastewater Fund, like when they're in the negative, if you look at it, they just have a Purchase Order open that is larger than what they currently have available, because til the end of the year they collect Water and Wastewater bills every month.

Mrs. Kelly: Okay.

Mr. Harris: And during the year, they have that big minus as they pay them off and start getting the money in from the sales of water and wastewater service. Then that money comes back in and becomes a positive number.

Mrs. Kelly: What's the No. 910?

Mr. Harris: No. 910 is, those are miscellaneous agency accounts. That's some small, very small accounts where we've had to do something specific. I mean, there's one in here, I don't remember what the number is where we have the Demolition Fund where the only time that is used is if somebody has a fire in their house, it's not habitable, we take the insurance money, if we can get it, and they don't get it until the house is available to (inaudible) has a building permit where they can move back into the house, but rather than have little agency funds for one little thing or other thing, this is an agency fund, it's not taxpayer money. We have required somebody to put money up for some reason and rather than like have fifty of them, we just put everything in Miscellaneous except for the plan, the inspections and the plot-grade-utilities. Okay?

Mr. Deskins: Talk about the Visitors Fund a little bit, if you will.

Mr. Harris: The Visitors Bureau, yes. The Visitors Bureau Fund is, we have an ordinance that requires that when we get the bed tax in, it is divided up between the city and the Visitors Bureau for support of the Visitors Bureau. That's how much has been issued through the end of August to the Visitors Bureau out of the Bed Tax, and that goes to Mrs. Hudson, and then part of the money then is diverted to the General Fund. So this is just a way for us to keep track of just how much is being sent to the Visitors Bureau every year so we don't go over. There's a cap on the amount that can go to the Visitors Bureau, I believe it's $75,000 so this is how we keep track of it.

Mr. Deskins: Part of that goes to the General Fund is what we're talking about....(inaudible)

Mr. Harris: Yes. That is money, is you want a fund ready, you have to have a revenue source. This is the revenue source that we're talking about, is the money from the Bed Tax, but that's a good question.

Okay, you see some of these like No. 905 is School Ski Club. That is an agency account to, they collect money for the Ski Club and I write the checks to the bus company that takes them to Mansfield. Okay, any other questions on this?

Okay, the next packet is, says, Month-to-Date, Year-to-Date Revenue Report. Everybody's favorite one. This is the money coming in. If you look at the first page and 1/4, that is all the different items that are part of the General Fund Revenue stream. There's things on here like the Income Tax Proceeds, which is very large to things like Trailer Taxes and, local Government Funds and then cigarette taxes, then there's estate taxes. There's also in there things like the dance hall licenses which, you know, is like $75 a year that are not particularly large but there are obviously a lot of number of these. Other than taxes, the main things that are in here are items that are fees that are charged for certain services. If you look down here, Building Permits, Plumbing Permits, Heating Permits, these are everything that's generated to the Building Department. Then if you go on down, there's little things like fingerprinting. A number of people who are doing things where they would have to be bonded and they need fingerprints will go to the Police Department. Then the Police Department will fingerprint them and give them copies of the prints so they can take them to whoever they have to have to, to be approved with those. Then the next big one is the Parks and Rec Department. They have things on here like baseball fees, basketball fees, all those kind of things. Some of these things like Civil Service testing, especially with the Police Department, if we have a number of Police Officer positions open, then they will have to have Civil Service testing and they need a place to charge that into. Another big one on here is the items from the Municipal Court. I don't get, I don't handle these things in the Clerk of Courts Office, but you will see on here that there is some large numbers of things that we do get in from the Courts. These are fines and forfeitures that have been paid by people who have had dates with the Court, also one on here, proceeds from the City Auction. If the city has excess items that they want to get rid of, we can't just give them away, they are required by law to be handled through an auction. Usually they've done that in the Fall of the year, if they have enough things to make it worthwhile. Fred, did you have a question.

Mr. Deskins: Yeah, it's interesting to notice soccer fees, compared to softball and baseball. That's a huge difference. Is soccer growing that fast?

Mr. Harris: Well, there's Spring and Fall soccer, so it's twice a year. So when you think of it that way, when they have two soccer sessions a year versus one for baseball and basketball, but soccer is especially in smaller kids is, oh, there's a lot of folks playing, we get lots of folks, lots of folks.

Mr. Deskins: Uh hum.

Mr. Harris: And some of these, and that's why it's good to look through there. Some surprising things you can find on here with things like that. Then from there, you go to some of the other ones. Then the next big one is the Income Tax Fund and you can see where, you know get money in from that and it's sent back out. Police Pension Fund. Permissive License Tax, this is kind of, this is a rather large revenue stream for us. Permissive License Tax is money from your automobile license tags. We actually have four different funds of permissive tax. There's one that comes here and I house, and it will show on your fund report as Fund No. 230 and that has to be used for repairs on streets or salt and that kind of stuff for streets. The Permissive Tax is also one that is held by Franklin County, Licking County and Fairfield County. Some of those are restricted. Franklin County allows that money to be spent only on six or seven streets. Licking County and Fairfield County are much more liberal. We only have such a small part in Fairfield County, I don't think we got $200 in Fairfield County, and so it's not going to go very far but there's probably over $100,000 in the Licking County one. So it's, you know, start doing streets out there, you know, it's a reasonable amount of money. The Police Pension Fund, when you hear us talking about the inside millage, this is the only things we get real estate taxes for on the inside millage. It's all placed in the Police Pension Fund. Sewer Capacity Fund is the capacity fees when people hook up to the sewer. Obviously, with building being in a very low rate, this fund has become depleted. Then some of these things, Law Enforcement Funds, G.R.E.A.T. Grants, things that run through the Police Department and I'm not going to go through all these but if you get down to No. 310, that's the money for the, used to pay the debt service. No. 410 is the Capital Improvements Fund and you can see there's some money coming there. Then you go on to the rest of these. When you get into the 700 numbers, this is the amount of money from the utility charges and you can see how much those are. They're usually pretty substantial and then some of these agency funds and stuff as we get to the end. Any questions on the revenue? There's a lot of different places we get revenue.

Mr. Deskins: Your department....

Mr. Harris: Yes.

Mr. Deskins: ...is responsible for all this revenue and keeping up with bringing it in to the city.

Mr. Harris: That's correct.
Mr. Hills: Is it, not bringing it in, but accounting for it once it's in, right?

Mr. Harris: I have to count, the Income Tax, I'm required, we're required to collect, we had outsourced that years ago to the Regional Income Tax Agency, but we're still responsible for overseeing and the law involved with income tax. The rest of this comes in, we are just responsible for basically, for booking it when it does come in. I don't have to go out and collect. I do collect the Parks fees, but the Building Department collects theirs. They just send it over and I put it in. The Court collects what they're supposed to collect in fines and forfeitures. I just have to oversee and make sure it's accounted for correctly. I don't go out and start knocking on peoples' doors and say 'hey, I need money from you'.

Mr. Deskins: But you trigger if it's not paid to somebody to do that don't you.

Mr. Harris: Yes.........

Mr. Deskins: You **are** the money man, aren't you?

Mr. Harris: I would, yes, I would, I have in the past when people didn't pay certain fees, I did take care of making sure that they were notified that they were in arrears. One in particular we had to go through in Fairfield County, and when they sent the notice they were going to foreclose on the property, they found a way to pay up very quickly. So yes, in that respect I do. Any questions on the revenue side?

Okay, now we're going to start getting into the expenditure side and the next one on here is a 2010 budget request that says City Council on it and I'm going to go over the sheet and explain what those numbers are and talk a little bit about the account numbers. In order to make it easier for the people who are doing the budgets, we put on some past history and expenditures so far for the years and then you'll see the budget request for 2010 and I'll get into that in a few minutes. On the left is the account numbers. Every expenditure has an account number and if you look at these, they're all kind of done the same. The first three numbers are the Fund numbers, not f u n, F-u-n-d, Fund. On this one, it's 110. That means the Fund that pays this out would be the General Fund. That's an unrestricted fund and certainly you can pay anything you want to out of it. The second three numbers are the Department numbers. City Council Department is No. 571 so everything in this line is 571. The last four digits are the specific account number. Everything that says 5100, would be a 5100 account. Those are all payroll and payroll-related accounts. Those would include salaries, overtime, longevity. What longevity is, is employees of the city, after they reach so many years, get a longevity for completion of another year. It's very prevalent in government and it's been approved for a number of years and it's in Chapter 160. PERS contribution, the city's required under the law to make contributions to Public Employees

Retirement System for the people who work here. This would be the city's portion, not the employee's portion. If there's one department, there's some money paid to PERS, and it will show on a different line. The other thing is, we have tried, whenever possible, on all these all the way down, 5151 is PERS contribution for every department. So that when, you look at 5151 all the way across, that's PERS contribution to every department. Group insurance would be the medical insurance, that would be the city's portion of the medical insurance. What we pay would go on that line. After that is Health Savings Account contributions, Health Savings Accounts that were set up a couple of years ago. This is how we book how much is going in there that Council has approved; and the last one is Medicare. The city is required under Federal Law to pay 1.45% to Medicare to offset the cost of Medicare. This is not, the employee's required to pay it too as well as the employer. This is only the employer share. The employee share we don't show on here because we just take it in and send it on. The second group, and it says total 5100. That's all the payroll-related. The next group is the 5200 accounts, starting with 5201 is Office Supplies. These are tangible supplies that are bought for use in consumption. This would be office supplies, computer supplies, minor equipment, pens, paper, pencils, all that kind of stuff. So there is a separate account for those and then a total of the 5200 accounts. Then comes the 5300 accounts which would be, these would be personal services and training-type things. You see in there 5321 is Professional Training, 5399 is Miscellaneous Services. Everybody's Miscellaneous Services is 5399. We try to keep these standardized, across the board, so we can track them easier, and see on this one, there's memberships, things like I'm sure City Council has things that they belong to - National League of Cities and those kinds of things. Special Counsel, if City Council would want to have any outside Counsel come in to review zoning or something like that, there's a line to be charged into. Postage, legal advertising, Mrs. Frazier's favorite, Codification. She really likes that one.

Mrs. Kelly: What is that?

Mr. Harris: We have a Code book and we have it online, and when they update that, it all has to be updated and they've outsourced it, the cost of that. Any questions on any of those 5300 accounts? The last one on there is 5600 accounts and those are for purchase of Capital Assets - furniture, fixtures, operational equipment, anything that City Council would want to buy. If City Council thought it was necessary that they needed a car to drive to conferences or something in, we would put a number in there for vehicles, but at this point, they don't have any. Every department has one of these. They're all basically the same, as you look through these things, you will see various similarities, the grand totals. Now, when you do the appropriation budget, when you pass that ordinance, the only thing you are appropriating is the total numbers, the ones that are shaded. You don't do every individual account. Within those accounts, if somebody runs out of money in Office Supplies, but they still have money in Computer Supplies, they can use that money as long as they don't go over the total for the 5200 accounts. Because, if we had to do it the other way, all you'd get done on Monday night, is switching money from 200 accounts within 200 accounts. Now, if you wanted to take money out of a 600 account that you were going to buy a salt truck and you wanted to move it into an account where you bought salt, that would require Councilmatic action because you're moving an appropriation beyond the 600 account. You'd stay within the same department, but you would have to do it because it would require some kind of legislative action that would allow me to have that happen. I have to be given the authority to let me do that. So that's just a little bit about how this page works. Any further questions on this? Is everybody getting it, am I going to fast? Okay.

Now, where do these numbers come from for the payroll numbers? The next packet you have, has a whole bunch of numbers on it that looks like this. What we do is, my staff and I, we will go through and we have everybody's name on here and how much they get paid, how much longevity they get, how much we pay on pension, how much insurance we pay, how much Health Savings Account. This is how I get the numbers. We assume, we take what everybody's getting now and we assume that they're going to, initially going to be getting just what they're getting now. We also put in here what we think the insurance is going to be. We've been given a number from HRH. We think your renewal is going to come in at, you know, this kind of increase or whatever. So what we've done, is we have gone through everybody in the city. The first group here is the Police Department, we figure everyone is either going to get paid, anyone's that full time is going to get paid for 2080 hours which is the 40 hours a week times 52 weeks. We don't care if they're getting paid for vacation, or sick time or if they actually worked. This is what we figure they're going to make including everything that's involved with it. Medical insurance, Health Savings Account contributions, PERS contributions, Medicare contributions that we're required. This is everything that's involved. We get this information from Chapter 160 where Council has authorized strength within a department. Every department says you can have this many people, doing this, this is their jobs. We said okay and they're funding those people so I include them all in here. Then, this goes through the whole city, so you can see, that's why this is a number of pages and it takes a whole bunch of time to do this. I have these numbers on an Excel Spreadsheet and when it gets down to a department total, it moves these numbers to the proper sheet, the proper line, the proper place on the sheet. It takes me a long time to get this done.

Mr. Deskins: Back up a little bit and...

Mr. Harris: Okay.

Mr. Deskins: Talk about strength of the department.

Mr. Harris: Authorized strength.

Mr. Deskins: And have him explain that again.

Mr. Harris: Okay. In Chapter 160 in the Codified Ordinances of the City of Reynoldsburg, City Council has authorized strength for every position in the city. It will say in there, it doesn't have a name, but it will say, the Clerk of Courts Office can have one full time assistant - has one full time Clerk of Courts, it has one full time assistant Clerk of Courts, it has one part time person in the department and another part time person in the department. You have authorized that over the years, it's in codification. This is what the city has that's been authorized by Council in order to have those people work. When someone is hired, I have to make sure they are in the authorized strength and that there's money to pay. So this has been something, this isn't something that the Mayor comes up with. This is something that's been authorized by Council over the years in Chapter 160 that authorizes a person to hold, to be sitting at that desk, and how much you can pay them within a salary range from A to B.

Mr. Deskins: What does it take to change the strength of the department?

Mr. Harris: It takes an ordinance from Council that actually, wouldn't they actually have to call, amend Chapter 160, Nancy, isn't that what you'd call that? If they wanted to add somebody, they'd have to amend Chapter 160 to add or take away personnel? So when I get these done, all these numbers flip over to like the sheet you saw before. They all flip up to the right places on this so that when I change something in here, it changes in here. The next page that we have here, is this, is what I call the cover sheet, and this is a real good one for everybody to familiarize themselves with, because this is just the totals of the first sheet and you'll look on there, it has Personal Services, which I've already put in; Supplies, which is the 5200 accounts, Services which is the 5300 accounts, Debt which is the 5400 accounts, 5600 which is Capital Purchases which then adds up to a total. So if you're just looking, if you want to look at one page, and look at where everything's being spent, this would be the page. I think this is a very useful page, we spend a lot of time on moving this stuff to here. If you look at the top half of this, all Fund 110. This is all your General Fund expenditures on the top half of this sheet. So if you want to look at what the General Fund numbers are, it's right on the top half of this sheet. The bottom half of this sheet is all the restricted numbers. We have the Income Tax Fund, the Street Fund, the State Highway Fund, the Cops in School Fund which we haven't had for a number of years, Water, Wastewater, Storm Water, Refuse Collection, Permissive License Tax, Police Pension Fund, Sewer Capacity, the Debt Service Account, and the Taylor Square. So it has everything you need to know on one sheet right there. You don't have to go through, unless you want to look at individual accounts, you can see where the totals are all on this one page. Okay? Any questions on that?

The last item I have up here is the actual ordinance itself and basically, that cover sheet flips into this sheet, because this is what you're actually going to pass to authorize me to draw warrants and check and make checks and that kind of good stuff. This is my authority right here in order to do what I need to do to get people paid. It starts out, this is the final appropriation, and then here you can see, the only thing that's going to be on here is the totals for those accounts because that's what the State, when they come in to do an audit, we have to make sure that no one goes over the appropriated amount and the city as a total doesn't go over what's been appropriated and we don't appropriate more than we have the ability to spend. So this is what this fund, this is again what the top half of this, General Fund, the bottom half of this is the Restricted Funds. Then there's also on the 2nd page, there's things we talked about earlier. For example, the amount of public contributions, not the unencumbered balances as of 12-31-2009 shall be and are hereby appropriated in the Fiduciary Funds, Police Special Revenue Funds (29X), and the Capital Improvement Project Funds, and the revenues credited to the Fiduciary Funds and Police Special Revenue Funds (29X) shall be appropriated upon receipt to the proper associated accounts. Basically, what that says is not only is the unencumbered balance for those funds appropriated, but any monies that come into those funds are automatically appropriated. So that like on the agency funds, when somebody comes in with that $300 check to have a plan done, I don't have to come to Council and ask for a $300 appropriation. The money's automatically appropriated in there so that they can be handled. The Income Tax Revenues shall be appropriated and disbursed pursuant to Ordinance No. 126-04 adopted by Reynoldsburg City Council on December 27, 2004. That gives me the authority when the Income Tax money comes into the Income Tax Fund, to send it to the General Fund, the Capital Improvements Fund and the Debt Service Fund in order to make the proper payments. It authorizes me in here to pay the Taylor Square TIF Funds to the schools. They're real happy about that. It also gives me the authority to appropriate funds for payments for any of the foregoing appropriations, upon receiving proper certificates and vouchers therefore. That means when the departments send me down a proper Purchase Order and then a proper invoice, I have the authority to go ahead and pay those. So this is a pretty big ordinance that says a lot of different things and this is an emergency. So that's basically the nuts and bolts of this thing without going into specific departments, in a nutshell, and I'll certainly entertain any questions and any time you guys want to come and talk, if you have any specific questions, you don't want to do in a public forum about a specific thing, we'll be more than happy to get you whatever you need.

Mr. Hills: Dick, discussing on page two of the last, the ordinance itself, like Section 10, talks about the money that was appropriated from the General Fund to the CIP. That is not for, that's what was done in 2009, right?

Mr. Harris: Right, I just basically took....

Mr. Hills: That just, if there are transfers and things, they're going to be done in that appropriation. We talk about long term debt or debt retirement funds and one other real dumb question, just because, when they pick this up two weeks from now, on the first page of that same thing, the first grayed out column, the 2009 Budget request is actually the 2010 budget request because it matches the 2010 numbers on the previous, for those numbers, or what you put together for 2010.....

Mr. Harris: That's correct.

Mr. Hills: ...based on your other sheets. So we've got a document here that shows a couple things. This is how you make do appropriations and transfers of those appropriations and then also here is the, here is basically the 100 accounts for 2010.

Mr. Harris: That's correct. There has not been any increases put into the 2010, we've never done that at this time of year until later in the year. We also have a thing going on right now, they're in contract negotiations with the FOP and we will probably not know that by the end of the year. Traditionally, we have not known that by the end of the year and that may have to be handled after the first of the year with an additional appropriation, but it's certainly a way to get started and since payroll is about 75% - 80% of the total amount the city spends in the General Fund, it's certainly the major part of the expenditures you can take a look at and at least get started with.

Mrs. Kelly: I have a question. If you encumber a certain amount for a project, and then the project comes in under bid, and there's money left over, what happens to that money?

Mr. Harris: First of all, there's not money left over. There's an appropriation left over.

Mrs. Kelly: An appropriation left over.

Mr. Harris: The appropriation goes away. At the end of the year, the appropriation would go away. It would not be carried over to the next year, because there's no Purchase Order against it to carry it away. Any, all the appropriations that you do through this ordinance and December 31st, so if I have $500 left in an account, that appropriation's now gone. It's gone, it's like the check, if you wrote me a check and I never took it to the bank, would that money come out of your account, no way.

Mrs. Kelly: Okay, let me ask it a different way.

Mr. Harris: Uh huh.

Mrs. Kelly: So if I write a Purchase Order for, and we'll do it with my own math, for $1,000 to build a road and the road comes in at $500 and I've encumbered $1,000 because....

Mr. Harris: That's what we thought the road was going to cost.

Mrs. Kelly: Okay, it comes in at $500. We close out........

Mr. Harris: The PO.

Mrs. Kelly: We get the invoice and the invoice says it was $500. We close out that PO.

Mr. Harris: The Purchase Order's closed out.

Mrs. Kelly: Okay, so then I look at my Street, my unencumbered street program balance, prior to me closing out the PO, there was $2,000 in the unencumbered balance.

Mr. Harris: Uh huh.

Mrs. Kelly: I close out the PO so now......

Mr. Harris: It'd be $2,500 in unencumbered.

Mrs. Kelly: There would be $2,500 in unencumbered.

Mr. Harris: That's correct.

Mrs. Kelly: Okay. I just wanted to clarify.

Mr. Harris: Yep, there would be $2,500 in the unencumbered balance. Whatever is not, they wouldn't change your Street Fund, your unexpended balance, because you didn't spend it anyway.

Mrs. Kelly: Right.

Mr. Harris: Okay, it would raise your fund balance by $500 because your unencumbered balance would go up $500.

Mrs. Kelly: Right, right.

Mr. Harris: Right.

Mr. Stake: Dick, would you talk a little more about the allocation of funds....

Mr. Harris: Okay.

Mr. Stake: The income tax proceeds and where that goes.

Mr. Harris: Okay, in 126-04 under the current formula, 84% of the income tax money, first of all, the income tax money all goes into the Income Tax Fund. One half percent, ½ of 1% of that comes off the top and goes to the Rainy Day Fund. The remaining balance is separated, 84% to the General Fund, 14% to the Debt Service Fund and 2% to the Capital Improvements Fund.

Mr. Stake: Thank you. Are there any questions for.....

Mrs. Kelly: Can you say that again, 84% of the General Fund.....

Mr. Harris: Of the remainder, 84% goes to the General Fund, 14% goes to 310 which is the Debt Service Fund, and 2% goes to 410 which is the Capital Improvements Fund. And I got done in 55 minutes, so I planned it pretty good.

Mr. Stake: Good job.

Mr. Harris: Any other ques....

Mr. Stake: Any other questions or comments in regards to this? President Hills.

Mr. Hills: Just one, just one if I could. On this 126-04, is that what you call it?

Mr. Harris: Uh huh.

Mr. Hills: Those totals have varied over the years as to how much, there was a time when 14% or 13% was going to the Capital Improvement Fund.

Mr. Harris: Uh huh.

Mr. Hills: When we had more dollars coming in than we had expenditures for and so that stopped and that's why you'll hear us talking, nearly like the $500,000 transfer last year from the General Fund to the CIP Fund in this ordinance in whatever number that was 14 or whatever, Section 10. That was because the CIP Fund needed some money and we moved it. The thought processes are, you know, do we need to increase that on a monthly basis so we're not getting caught short on not building the balance in there so, but it has varied, debt used to be lower, went higher probably about the time we started building the Police Building and now we're doing roads. So I mean you can, the ability is, Council, working with Administration, can alter those funds and move them accordingly, but what, where we've been over the last few years is pretty much putting everything in the General Fund and in order to pay our operating costs.

Mr. Harris: That's correct.

Mr. Hills: And you've got to look at, is that the best way to be doing it or should we make some adjustments. Thank you Mr. Chairman.

Mr. Stake: Thank you, President Hills. Any other questions or comments. I'd just make one other comment. Our Charter does call for the Mayor to present us a budget, an Operating Budget and Capital Improvements Budget to City Council on or by October 19^{th}, so hopefully we'll have something by then and we can get to work on it. If there are no other questions or comments, I'll adjourn the Special.....

Mr. Hills: One other question though just to further clarify on that. I think what Dick has said is about 75% of this is computed already, which is what, the 100 accounts, and so you're talking about another 25% and what it comes down to is, you're going to buy supplies, you're going to buy equipment, what are you going to do.

Mr. Stake: Right.

Mr. Hills: But Dick provided those numbers because he's got them here and they were provided with no increases, correct?

Mr. Harris: That's correct, well there was an increase. We did figure a 10% increase in the cost of medical insurance.

Mr. Hills: In medical insurance, which is........

Mr. Harris: ...but no payroll increases for employees.

Mr. Hills: Okay.

Mr. Stake: Okay, if there....Mel.

Mr. Clemens: And I can't see since you, I can't see any reason why we can't get our budget straightened out and pass it by the first of the year.

Mr. Stake: I agree.

Mr. Clemens: I expect to do it.

Mayor McCloud: Fat chance.

Mr. Stake: Okay. If there aren't any other comments or questions then I will adjourn this Special Finance Committee Meeting at 6:56 p.m.

Special Finance Committee
---Nancy C. Frazier, Clerk of Council
September 28, 2009

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL

September 28, 2009

President of Council William L. Hills called the meeting to order at 7:30 p.m.

Members of Council present: Doug Joseph, Mel Clemens, Donna Shirey, Ron Stake, Fred Deskins, Jr., Leslie Kelly. Councilman Barth Cotner was absent.

The Invocation was given by Mr. Hills, who also led the Pledge of Allegiance.

Minutes of the regular Council meeting held September 14, 2009 were approved without objection. Minutes of the special Council meeting held September 21, 2009 were approved without objection.

The agenda was approved.

Clerk read report from Clerk of Court: total monies collected from courts held during August, 2009 - $45,662; monies also collected during that period pursuant to Ordinance Numbers 146-94 and 104-02- - -$3,844 for the Computerization Needs Fund; and $175 for the Enforcement and Education Fund.

Reports:

Parks and Recreation Director Shamblin introduced Janet Walker, incoming Vice President of Marabar Heights Garden Club, an organization that's been in existence for 52 years. Ms. Walker presented $500 from the garden club to Mr. Shamblin for public beautification. Mr. Hills thanked Ms. Walker and the club.

ORDINANCE TO AMEND ORDINANCE NO. 78-05, WHICH SUPPORTED A COOPERATIVE DATE BY WHICH ALL CENTRAL OHIO MUNICIPALITIES WOULD CELEBRATE HALLOWEEN TRICK-OR-TREATING, TO REFLECT THAT SUCH A DATE WILL BE DETERMINED YEARLY BASED ON THE RECOMMENDATION OF MORPC (Mid-Ohio Regional Planning Commission) AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Shamblin said there had been questions regarding the dates that other communities were holding Beggar's Night, so a quick poll had been taken and sixteen out of the eighteen that were contacted, were holding Beggar's Night on October 29th with only two holding it on the 31st. Mrs. Kelly moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 62-09 adopted.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY- - -Clerk read resolution by title for the one required reading. Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Resolution No. 63-09 adopted. (Franklin County)

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND

CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY- - -Clerk read resolution by title for the one required reading. Mr. Stake moved adoption. Mr. Deskins seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Resolution No. 64-09 adopted. (Licking County)

RESOLUTION TO AMEND RESOLUTION NO. 44-09 PASSED JULY 13, 2009 THAT AUTHORIZED THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE FUNDING OF VARIOUS CAPITAL IMPROVEMENT PROJECTS (Summit Road Reconstruction Project, from East Main Street to Refugee Road), TO REFLECT THE PROJECT AS "Summit Road Reconstruction Project, from Refugee Road south to Reynoldsburg Corporation Limit"; authorizing the application that was submitted; AND DECLARING AN EMERGENCY- - -Clerk read resolution by title for the one required reading. Mr. Stake moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Resolution No. 65-09 adopted.

ORDINANCE ACCEPTING NINE UNRECORDED DEEDS OF EASEMENT (drainage easements; sanitary sewer easements; highway easements) (Rosehill Road Reconstruction Project)- - -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE ACCEPTING THREE UNRECORDED DEEDS OF EASEMENT 1) sidewalk .012 ac; 2) sanitary sewer .375 ac; 3) sanitary sewer .064 ac. TR/Taylor Development, LLC- - -Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 66-09 adopted.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1762 Brice Road, proposed use - place of worship/semi-public use); applicant James E. Strausbaugh- - -Clerk read ordinance by title for the third reading. Mr. Clemens said the item came from the Service Committee with motion for approval but first he would like to have some discussion on it.

Mr. Clemens: First I would like to discuss and I'd like to ask Reverend Robinson, I have some questions for him and this has been a hard situation to, it's been before Council for all these months. There's been a lot of discussion and I want to make it plain, that I personally have no problem with the church going in on that location. I had a problem with whether this is the proper church to do it on that location and the reason is, you know, this has been a three month deal that should have been done in a month. We've had problems come up where the church didn't fulfill their obligations for all these months and the obligation was only fulfilled after they were asked to be removed and quit holding services in a building that was about four office spaces from where they had to have a Special Exception Use Permit, knowing that they couldn't operate without a Special Exception Use Permit, that's why they weren't in the one that they were getting a Special

Exception Use Permit yet four or five buildings from it, they operated there with a sign and so forth. That kind of bothers me.

Another thing kind of bothers me and I wanted to talk to the Reverend about was, it was brought up last week in discussion about you having a sign at that location where you were told you couldn't proceed with the church gatherings. We discussed that last week. If it had been me, I would have gone down and taken the sign down, yet the sign is still there and to me, you know, that shows, you're not, after all this time, you're not really taking the advice that you received from Council or received from the Administration. You're not taking this advice and doing it properly. My thought would be, and I know there's other questions, my thought would be to start this whole mother over again. Go back to the B and Z, withdraw this, go back and discuss this with your people and start it over again and do it properly. File the proper procedures, come to Council and see if we can resolve the issues. I don't think the issues are resolved and I'm having a difficult time in my mind, because of all the issues that are there that shouldn't be there. I think the city and I think Council has been receptive of these issues, but that's my feeling on it. I just wanted to make it plain while you're there and I'm here and I personally, I would have gone and taken the sign down. I mean, after we discussed it, it shouldn't have been there, but that's my feeling on it. That's my discussion on it. I just, and I have no problem with the church being there, that's the bad thing about it, you know. Whether you have 35 people in a store front, that's just as good as having 1,000 people in a $2,000,000 building. You know, religion's religion, what you believe in and how you operate; but this has just not gone well, to be honest with you and I would like to see the relationship somehow improve. Now, that's my feeling on it and I'll cut off there and you, and anybody else can, if anybody else has anything to say, I'll pass.

Mr. Hills: Does anybody have any comments to follow up on that? Yes, Councilperson Shirey.

Mrs. Shirey: Thank you President Hills. I have to agree with Chairman Clemens, in hearing the past history of this particular office and the approach that was taken in regards to you being there when you weren't supposed to be there. Now we're looking at possibly doing a three month review and a six month review. My concern is if you weren't following what you were supposed to before, what's going to, how are we going to know that you're going to be truthful about following up for three to six months and then going forward. I definitely have some concerns in regards to this as well.

Mr. Hills: Any other comments from Council? Yes Councilperson Kelly.

Mrs. Kelly: I think this has tremendous potential for the people in that neighborhood that are there. We talked about that last week, some of the things that you're hoping to do and I've said my hope is to come back in three months, six months and celebrate your successes. My concern with the information you brought forward is I think, I believe looking at it, it looks like a flyer you might give out to people that might want to volunteer to be part of the program. I was hoping to see something that's more of a design plan that would give a little bit more definition on how, what is the plan in order to meet those successes. I would like to see something more along those lines because the last thing that I want to have happen is to have this open and you get started and then it fall apart. So I'd like to see, I would have liked to see more of a defined plan.

Mr. Hills: Other questions from Council? Councilman Deskins, did you have a question?

Mr. Deskins: I would just like to ditto all the comments that have been said here this evening. I'm in total agreement with everything's been said. I don't feel good about this whole issue either. The plans were vague and being down there when you didn't have permission to be there, I didn't like that at all and that's just the way I feel about it. We need to come back with a different plan and a more honest plan and try to do it again and so be it. I don't like the plan at all.

Mr. Hills: Let me sort of, I guess, then summarize where we are. In order for this to go forward, there needs to be a motion for amend and a motion to adopt and a vote. I only vote when there's ties. I have the same concerns as we're expressing ourselves and I'm not sure where this vote is going. Mr. Robinson, I don't know how long it takes to get back on the BZA calendar but your check is fairly recent. I'm not so sure but what you wouldn't do yourself a lot of good to take the check that's already here, I would not want to see anyone have to write another check. The first time it went through, it wasn't there. It is there now but to start the application through BZA, I don't know what the deadline is to get on their panel but it may be to your long-term benefit to be able to do that. I realize that slows things down but from what I'm hearing up here, that may be the smartest way and I may have to check with the City Attorney, but Mayor, do you have a problem if that same check would apply, because there's some things that you're talking about now that weren't there before and I think I'm hearing from Council people, they think these are some great ideas but the details aren't quite together yet. Now, I gather where that puts us now, I guess technically I've got to think you may want to withdraw this and start over knowing you can start in the process but certainly you can make some statements if you would like Mr. Robinson. Sure.

Pastor Robinson: I guess the concern that I have is, okay, we've been in there now for two years and I think it was verified through Mr. Domini and there was nothing ever said until thirty days ago and we've always had the sign there and Mr. Clemens, no disrespect, we just never took the sign down. Now there was a church that was operating across the street from us.

Mr. Hills: I'm aware of one across the street.

Pastor Robinson: Okay.

Mr. Hills: And I've seen emails that refer to the one transferring from that same shopping center. I'm not aware of that one but my memory, I'm getting old too so I may forget.....

Pastor Robinson: My only concern is, we subleased the building, we took it over. The owners, Castos never told us that we had to go to the City of Reynoldsburg to do anything. Now all of this when we were applying for the new building, everyone was aware that we were worshiping in the Dance Studio and....

Mr. Hills: Let me, if I could take a second, because there was some incorrect information given out last week. I was trying to get a point across that I think churches can be in CO zoning without any Special Exception Use Permit and it was inappropriately said that no, that's *any* commercial area has to have a Special Exception Use Permit and that's not true. CO, if you're in a Commercial Office, which you'll see the church on Livingston Avenue is in a CO zoning, you absolutely can have a church there. In CS, Commercial Service, there is no semi-public/church type facility.....

Pastor Robinson: So we're in the CS.....

Mr. Hills: You're in the CCs.

Pastor Robinson: CCs.

Mr. Hills: CCs, you can be there with a Special Exception Use Permit.

Pastor Robinson: Okay.

Mr. Hills: Your problem started on your Special Exception Use Permit.

Pastor Robinson: Uh huh.

Mr. Hills: I, it was somewhat detailed and some of the things that were there have sort of changed. It was, the application wasn't totally complete because of the funding issue. Then it finally sat for six months and then came up here. I appreciate what you're saying, you were there for two years, but you weren't there in the conditions that you were supposed to be there.

Pastor Robinson: Okay.

Mr. Hills: Now, you can, I guess we can all take blame for that. Why the issue, why somebody didn't see it, why somebody didn't note it, we can point fingers forever.......

Pastor Robinson: Well, I mean.........

Mr. Hills: The fact of it is, that is a fact to be there as a church/semi-public is supposed to have a Special Exception Use Permit. I think when the use permit got up here it was somewhat tainted because of some of the problems with it.....

Pastor Robinson: Uh huh.

Mr. Hills: ...and that's why I'm suggesting to you, if you wanted to pull this and start over it's not going to cost you any additional money, but I think you can tie all the loose ends together....

Pastor Robinson: Okay.

Mr. Hills: ...and be much more receptive as it comes to the Council table. At least, that's what I'm hearing Council say. Councilman Clemens.

Mr. Clemens: Yeah, that's true, and to be fair with you, I didn't know that you were there. Now as you said, you said that people knew that you were there. I don't know who you're speaking of, now I'm not saying who you talked to didn't know you were there. I certainly didn't know you were there.   As far as I knew, you came there when you didn't get your Special Exception Use Permit.   You didn't follow through with your application, finances and so forth.   Then you stayed there until you opened this one up, that was my understanding.

Pastor Robinson: No, we've been there for two years.

Mr. Clemens: And you know, so I can, I had no idea, nobody told me.   Who knew it, I don't know.

Pastor Robinson: Yeah.

Mr. Clemens: But, at, right then's when they should have stopped you, let's put it that way because you weren't, you didn't have Special Exception Use Permit to be where you were at so, you shouldn't have been carrying on.   They should have stopped you right then if it was somebody from the city that you were talking to.   I think the, from the beginning, it's been a bad situation.   I think it can be corrected.   I think there's a lot of things to be corrected but I think it'd be to your benefit as Mr. Hills had said to withdraw and start over.

Pastor Robinson: Yeah.

Mr. Hills: I think that, from what I'm seeing, if this goes to a vote, there does not seem, it takes four to pass, without four, it's gone.   It's cratered.   I think that there's some feelings here that they would like to have more information and I think the way to get that, is to go through the process and I know Administration would work with you on getting on the BZA schedule. Mayor, am I correct on that?

Mayor McCloud: Yes.

Mr. Hills: And would recognize that the recent payment is the application fee.

Mayor McCloud: Yes.

Mr. Hills: I mean, we could go ahead and move to amend the vote or you could say 'let's not do this and let me start this thing over' and we see if we could all work together with better understanding and clearer information.   I think that's sort of up to you Mr. Robinson and if you want to do that fine, and if not, then we're obligated to move forward if you won't but if it's a negative vote, then that Special Exception Use Permit is denied and it won't be there.

Pastor Robinson: Okay.   Do I have to make a decision this evening, I mean........
Mr. Hills: Yes sir.

Pastor Robinson: Okay.

Mr. Hills: Right about pretty quick.   I see somebody else wants to address and certainly if you want to come up and address, then that's fine.

Female: Excuse me for coming behind my Pastor. We thank you for the time, for giving us time to address where we're at and what we're doing. We work a lot with the community and we've seen, we've had a lot of families do complete turnarounds at our church. I'm a minister at the church and an Elder and we've helped families that had no parents. We've given out clothes to the community where those that wanted to get jobs didn't have clothing, we gave them new clothes; nothing that we gave them was something that they would, they didn't want to wear or would reject wearing. We made sure that a lot of the girls, women, that the, over at the, 21 Century Apartments, we made sure that a lot of them, we counseled them. We made sure that they knew we were there to help them and they'd come and sometimes they'd be down and they'd need prayer and we'd pray with them. There was a lot of drugs over there, a lot of drug lords over there, they wore their black and they didn't care and it's like a New Jack City if you've ever heard of that. We've seen that go down, we've seen that dissolved. We've seen it, it's not 100% but it's a whole lot less than what was there when we came over there. You wouldn't want to walk in that area and we've, we work closely with the neighbors that we have. The Laundromat people, we talk with them on occasions, when we've had dinners. We've gone, we see people that probably hadn't eaten all day, you know. We've had homeless and we had a homeless couple. We made sure they had shelter a couple of times, fed them. They weren't given money. They were given, well they might have been given money sometimes but we came to the conclusion a gift certificate might have been better for them, and taking them places, made sure they had baths. There's a lot of things I can't really tell you but even school supplies and my Pastor goes to Franklin County School and he talks to young people and they have issues with their parents. Their mothers or fathers are giving up and the say forget it. Don't let him come in because he has a gift of talking to young people and he don't just let them go. He stays up on them, makes sure that they're doing good, that they're trying to get some grade right and we've got some parents with us today that have, that have had him come to their schools and make sure that they're getting their grades, getting better grades, and the members of the church, we all work with him. We've got those that have worked with MRDD, we've had, I'm home health care and I've also worked at the hospital before and we have teachers. It's not just anyone that's doing, working with the public, it's people that are certified, people that have licenses, people that have their CPR, they have their shots and everything else. So I just want to say I believe that I give you honor and respect sir, I just want to say that I think we put a dent in the community and we can get a lot of signatures if he needs that. We've put a great dent in that community and as far as the neighbors, we've had no problems with any of their neighbors.

Mr. Hills: If I could, I think everybody's trying to get to the same point. You have sat here and said that you've been doing this for two years and we've been doing it for the two or three months that we weren't supposed to be doing it. The question would be two years. Why don't we get together and just do it right and that's pulling it back. You're still going to provide in some way or another the same services you've been providing.

Pastor Robinson: Yeah.

Mr. Hills: And I think I know that. I'm not sure that I want to see banners and signs over there but I certainly appreciate any time that one can help other human beings, that's for the benefit of everybody and that benefits everybody in the city. I know there's drug problems over there. Some people say there's not, I know there are and anything you can do to help the city alleviate that, that's good so I guess what I'm saying and I'm hearing from Council, take this back, apply, start it in the process and I think the details will come together as to whether it's all going to be appropriate when it hits Council is what it appears to me. Councilman Clemens.

Mr. Clemens: Yeah, yeah. Let me make this plain. I respect your church. I think you're doing a good job. This has nothing to do with that. You understand, it's been three months. I have not even mentioned why it took three months. I respect the church too much. I've not mentioned that and I'm not going to. I'm just saying, follow the proper procedures, that's all I'm asking. I know you can do a good job. I said I think that's the proper place for the church. I have no problem with that. I don't think it was handled properly is what I'm saying. I have a hard time voting for something that I think that was not handled properly that could have been handled properly and you let it sit for three months without even knowing what was going on. I had to keep putting it off, keep putting it off, keep putting it off. I had no idea you was going to show up at the last minute, you showed up, took care of the situation that was there.

Pastor Robinson: Well, someone had communicated that to us so that's..........

Mr. Clemens: You're the one that...........

Pastor Robinson: But I understand.

Mr. Clemens: You understand, your.........

Pastor Robinson: And I don't, I don't...........

Mr. Clemens: You understand my meaning and I think we were good about it, I think we were good about that.

Pastor Robinson: And I don't take, I don't take anything personal.

Mr. Clemens: No, and that's what I say. I think you're doing a wonderful job and I have no problem with that.

Pastor Robinson: So we'll withdraw and go through the whole process. I don't want to take up any more time.

Mr. Hills: Councilperson Shirey.
Mrs. Shirey: I have a quick question. With him saying that they're going to withdraw, that means that they are not going to be doing any type of church service in that office, am I correct, I mean, until this goes through the proper process? And the reason I'm bringing that up is...........

Mr. Hills: They're under a Cease and Desist right now so.

Mrs. Shirey: Right.

Mr. Hills: So I think they've moved it to another facility.

Pastor Robinson: Well, will you all grant us 90 days to............

Mr. Hills: We're not going to do that. That's why you need to go through the process.

Pastor Robinson: All right.

Mr. Hills: The process is what got you, got us in a problem here now.

Pastor Robinson: Okay.

Mr. Hills: I guess what I'm saying is the fees that you've paid should go right with the application to start it through.

Pastor Robinson: Okay.

Mr. Hills: I think Administration is willing to try to get it to BZA as quickly as they can and I think everybody's going to work with you to get the details.....

Pastor Robinson: Okay.

Mr. Hills: ...to get the details you need to fill that application.

Pastor Robinson: All right.

Mr. Hills: And I say, you're probably going to do what you've been doing, it's just want to be sure that you said you've moved your facility somewhere.

Pastor Robinson: Um.

Mr. Hills: You said somebody's house, I don't know. I don't know that I need to ask those questions but you've got a Cease and Desist on that property.......

Pastor Robinson: Right.

Mr. Hills: ...from having church service and that, I know of no reason Councilperson Shirey, the city shouldn't still be enforcing what they have out there.

Mrs. Shirey: I want to make sure.

Mr. Hills: Questions or comments? Does that raise anything and Mr. Robinson, just so we're all clear, Item 16 is being withdrawn so it will not be voted on this evening and if you'll get with Administration tomorrow, or I'm sure we'll get you back into the process starting and get it all cleaned up and hopefully we'll see you here in a short period of time and everybody will be smiling.

Pastor Robinson: All right, very good, thank you.

Mr. Hills: Thank you Sir. Item 16 has been withdrawn.

Ken Wright: Mr. Hills, could I..........

Mr. Hills: Excuse me, excuse me. Mr. Wright, the issue you want to speak on is not before Council this evening, now please have your seat, you'll have an opportunity some other time. The item has been withdrawn. Excuse me Mrs. Frazier, Item 17.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1115 Preliminary Plat; Chapter 1119 Final Plat; Chapter 1127 Standards; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; and Table 1155 "Zoning Code Fees"**- - -Clerk read ordinance by title for the third reading. Mr. Clemens** moved adoption. **Mrs. Kelly** seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 67-09 adopted.

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 - 7375 East Broad Street, Blacklick, Ohio 43004; from Unzoned to R-3; applicant, Wesley Hawk and Ann Lane (3.795 ac.)**- - -Clerk read ordinance by title for the third reading. Mr. Clemens** moved adoption. **Mr. Stake** seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 68-09 adopted.

Meeting adjourned at 8:05 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council