

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES
September 17, 2007

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

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

Mr. Stearns: I will call the Community Development Committee to order at 7:59.

The second thing on the agenda is approval of the agenda. Are there any corrections, deletions, or anything anyone would like to add to this committee tonight? (No response). If not, then we will accept the agenda as it has been presented.

Number 3 is approval of the minutes of the September 4, 2007 Community Development Committee meeting. Are there any corrections or changes on those minutes? (No response). If not, then we will accept those minutes as they have been presented.

Item number 4 is ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 971.08 AProgram and Facility Fees and Charges@ OF CHAPTER 971 MUNICIPAL PARKS. First reading 9-10-07. Are there any discussions on that ordinance as it is coming before us now? From City Council? (No response). If not, then I=ll make a motion that we will send this back to Council for the second reading. Do I have a second? Second by Mrs. Shirey. All in favor by voting aye. (All voted AAye@). Opposed? (No response). The AAyes@ have it.

And that concludes the Community Development meeting at 8:00.

Community Development Committee
September 17, 2007
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)

SAFETY COMMITTEE MEETING MINUTES

September 17, 2007

Members of Safety Committee present: Doug Joseph, Ron Stake, Antoinette Newman, Donna Shirey.

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

Mr. Joseph: I=ll call the Safety Committee meeting to order at 8:02.

The next item on the agenda is approval of the agenda. Are there any changes, additions, or deletions to the agenda tonight? (No response). Seeing none, it=ll stand as presented.

The next item is 3a, Approval of minutes of July 9, 2007 special Safety Committee meeting. Are there any changes to those minutes? (No response). Seeing none, they will stand approved.

Item 3b, Approval of minutes of September 4, 2007 Safety Committee meeting. Are there any changes to those minutes? (No response). Seeing none, those minutes will stand approved.

Item number 4, Discussion: Full time Code Compliance Officer. On 9-4-07 item added at request of Councilwoman Shirey. Item held for two weeks. Two weeks ago, after lengthy discussion, I indicated that I would be speaking with both the Mayor and the Auditor on this issue to take a look at the dollar figures involved, and the practicality of moving this issue forward now versus a later date. There wasn=t a lot of difference in the total dollars being talked about between the Mayor and the Auditor. Some discussion, and some disagreement about whether we can afford it or not. Those issues I think, are probably best to be discussed at another time.

I=m of the opinion that, one of the other issues that I think plays into this is, I would like to see the next administration having a say in this issue. And I think that what I=d like to do is have this put in Other Legislation until January, at which time we can take another look at it. But I would like to still open this up for discussion tonight to see how other members of the committee and Council feel about this. So discussion by members of committee tonight? Mrs. Newman.

Mrs. Newman: Yes. I think that that probably wouldn=t be such a bad idea, because we=re coming into the winter months when I understand we have fewer complaints. Because frankly, people aren=t outside that much to see what=s going on and calling complaints. So that might be a pretty good idea. And out of consideration for the next administration, it probably is a very good idea, and I think it could wait until next year.

Mr. Joseph: Yes, Mrs. Newman. I actually heard that from other members of Council and from others outside of Council that now=s not the opportune time to do that because of the...we were

talking about a lesser work load at this point in time. Other comments? Mrs. Shirey.

Mrs. Shirey: Yes. I actually disagree. I feel that regardless of new administration coming in, this is the proper time to do it. I feel that hiring two part time Code Compliance Officers, getting them trained, and then having them switch to going down to one full time, we're taking the expense, and the time and effort, and then losing that one person. I think if we're going to make it a full time Code Compliance Officer, we need to do it now, put that time and effort into it, get them properly trained, and then we won't have to worry about it next year. I know winter's coming, but that does not mean that there are not issues out there that still need to be attended to throughout the winter season. This is a 365 day issue. And there's a lot of issues out there within the City of Reynoldsburg that need to be addressed. Regardless of the season, there still are issues out there. And I support and feel that we really need to go forward with it.

Mr. Joseph: Any other comments by members of the committee? Mr. Stake.

Mr. Stake: Thank you, Chairman Joseph. I would just like to remind Council members that we still are several Police Officers short in this city. And do we prioritize the full time Code Enforcement Officer over the several Police Officers that we need? That's something I think that the next administration seriously needs to consider. And I would leave it up to them.

Mr. Joseph: Thank you, Mr. Stake. Comments by other members of Council? Mr. Hills.

Mr. Hills: I think everybody's making some good points. And I think that the new administration certainly should be involved. I have heard, and I've heard it said from Council and also from the public, we're going to have a full time, and that's it. Right now, we have 60 hours of code compliance coverage a week. If we have a full time employee, we only have 40. So I think as, although it may go to Other Legislation until January, that doesn't keep people from working on what the cost and the numbers would be. Because I'd venture to bet that if there is a full time Code Compliance Officer, there's also going to be a part time. If we're saying we're not having enough coverage at 60 hours a week with two part time, we're not going to be happy at 40 hours a week. So I certainly think those are things that have to be weighed and those numbers have to be looked at that way. So I certainly support the tabling of the, or in Other Legislation and having it come up in January, and I think everything would be a little clearer there as what some costs would be. Because we have a lot of costs we're going to be looking at between now and the end of the year that may affect those things also. So there are some issues out there. So I do think that's the appropriate way to do it.

Mr. Joseph: Thank you, President Hills. Yes, Mr. Clemens.

Mr. Clemens: Yes. I agree with Mrs. Shirey on a point that I do feel it's becoming time for a full time Compliance Officer. I don't think this is the time, but I do feel that, and I would be, wondering if I happen to be here, to support it and encourage the next administration to look into it as soon as possible. I do feel that the next administration may come in and have different plans as far as reorganizing the Building Department, or how it operates and so forth. It might solve

this problem. I don't know. But I think it's an important issue and I think what Ron said is a very important issue. And I think we have to watch our finances that are spent. Because safety in our neighborhoods is our number one problem of anything as far as I'm concerned. I mean, that stands above everything, is additional policemen in our neighborhoods. But I do think this is an important issue. It's always been an important issue with me. And I think that this is something that should be looked into fully by the next administration and I feel sure they will. And I feel sure that members of Council sitting here that will be back will bring it forward. And I'm sure Mrs. Shirey will too. But I don't think now's the proper time. We're getting ready to start on the budget for next year. And being at the end of the year, by the time we get somebody hired, and pay for and so forth, they probably won't even be working until December 1. But I do think it's an awfully important issue that I would hope the next administration would look into it fully. And I'm sure Council members will remember at the first of the year, the ones that are here, and bring it up then.

Mr. Joseph: Yes, Preston.

Mr. Stearns: Yes. I have a question for the Mayor. I understand that we have one spot filled for the Code Enforcement as of now. Is that correct?

Mayor McPherson: That's correct.

Mr. Stearns: Is the other one going to be filled soon?

Mayor McPherson: Yes. Within a week.

Mr. Stearns: Okay. Within a week, that will be taken care of then. So you're going to have coverage then, 60 hours, until the end of the year?

Mayor McPherson: Well, we talked to Councilman Joseph, or I talked to Councilman Joseph. I also think that the, whether it becomes full time or part time, should be left up to the next Mayor that comes in, to bring that to Council. I also feel that we're somewhat preparing, in the eventuality that it becomes full time. The first person that we have hired that we put on board last week, last Monday, we indicated to that individual that this was being discussed by City Council. And the individual was asked if they would consider going full time if it were made full time the first of the year. And this person had no problem with going full time the first of the year. The individual that we're going to hire next week is retired. Does not want full time. Wants part time. And for clarification purposes, when we were going to bring this forward to City Council and decided to wait and leave it up to the next Mayor to bring it forward, we were talking one full time, one part time. So to clarify whatever the thoughts are, I would think that the next Mayor is going to probably also take over where we left off. We're going to leave all the documentation that we've got on it, why we need it, all the costs. But again, we have no problem with bringing it forward in January. Having the next Mayor bring it forward. Or February, or March, or whenever the individual wants to bring it forward. We do in fact, have

one on now part time. We=ll have the second one starting within a week. So we=ll be back up to the 60 hours a week. Everybody needs to understand, the training period is probably 30 to 60 days. So by the time we get the first one trained, it=s almost going to be the first of the year any way. So I=m in favor of going ahead and tabling it and letting the next Mayor come in and decide what to do on it.

Mr. Joseph: Thank you. Yes, Mrs. Newman.

Mrs. Newman: I=d just like to say that, as a citizen, I=ve noticed over the years that I feel I was provided top level service from every department in this city. And that was as a citizen. Now that I=ve become a Council person, I can see how difficult it is to fund this level of service. And you get to the point, and I=m probably not going to be very popular saying this, where you can only provide the level of service that the citizens are willing to pay for. And sometimes you=re going to have to cut things. And you=re not going to be able to provide the level of service that you would like to provide and that the people want. It becomes a matter of money. So that=s all I have to say to that. That=s always a final point, is the money.

Mr. Joseph: Thank you. Yes, Councilman Baxter.

Mr. Baxter: Chairman Joseph, this administration has already shown its commitment to the code enforcement. When I was Safety Chair, we spent quite a bit of time taking those laws and making them stronger. And now we need to have the Code Enforcement Officers to enforce those codes. And I=m sure many of us sat here and listened to all the different updates to that code that were put into place. And I for one, would like to see them upheld. The only way we=re going to keep this city a vibrant city and preventing blight setting in, is to insure that our code enforcements are maintained to keep us a growing city that=s strong in places that people want to come to. That said, I also, as others have mentioned, think that we should go to a full time officer. And I was originally, when it was first brought up, thinking full time was the way to go. It=s not an emergency today. We have one person on. Another one Mayor said, shortly will be coming on place. So being that it=s not an emergency, we have people in place, or shortly fully in place. This is something that can be tabled until the next administration comes in and determines how they want to operate that department. And that=s my opinion. Thank you.

Mr. Joseph: Thank you, Councilman. Yes, Mrs. Shirey.

Mrs. Shirey: I=d just like to make a comment about the 60 day time frame that the Mayor brought up. We=re falling back into the same situation. We=re going to hire somebody part time, get them trained, and it=s going to take 60 days, and then wait until the new administration comes in while we=re paying all this money to them, and then we=re going to get a full time person. I think, instead of waiting that 60 day time frame, we need to get someone in here full time and compensate them for the full time status. Instead of going through the whole process, it seems like we=re always hiring somebody, getting them trained, and then they leave. I mean, we need to be going forward as a city and not backwards. And this is exactly what this is doing. As

far as funding it, we've already had that discussion with the City Auditor. And there are ways that we can get this funded as a full time.

Mr. Joseph: Other discussion? (No response). Okay. I'm going to move that we put this item into Other Legislation. Is there a second? Mrs. Newman seconds. All in favor, please say aye. (All voted Aye, except Mrs. Shirey, who voted ANay.) Motion passes.

And our last item tonight, item 5, ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Deletion of Subsection (g) of SECTION 711.12 BILLIARD ROOM SPECIFICATIONS AND REGULATIONS OF CHAPTER 711 BILLIARD ROOMS. First reading on 9-10-07. I had a chance to speak with the City Attorney on this, and asked him to take a look at a few things. One was the deletion of the Subsection (g), which basically stated that no more than one table is permitted per establishment that's a liquor establishment. And also looked at some other things. Namely, I know one Council member had indicated perhaps looking at regulation of square footage per number of tables. I'd like to have the City Attorney come up and make a few comments about what he found on that point.

Mr. Hood: Thank you, Chairman Joseph. We did have an opportunity to speak, and I do believe that there's consensus for deletion of the prohibition, or the limit I should say, in Chapter 711. You brought to my attention, a concern about the square footage and the number of pool tables in an establishment. Recalling our conversation, I believe there will be a prohibition that is not easily enforceable. I do believe that the marketplace probably will regulate that itself. I don't believe an establishment such as these will put themselves out of the market by flooding their area with pool tables. So I do believe that that's something that's probably best left to the marketplace and letting them regulate that themselves.

Mr. Joseph: Okay. One other point that was brought to my attention I wanted to ask you about tonight was Subsection (a), which deals with being able to view inside of these establishments from outside. Would you see a problem in taking that out too? Because I would image that would be a little bit difficult to regulate as well if there's not a lot of windows in the front. And I think that would be difficult to enforce as well, would it not?

Mr. Hood: Absolutely. It would be difficult to enforce. And once again, we really go back to what Council was speaking about those years back when they adopted this. I think it's going to be very difficult to find out what was actually going on in 1968 when this Chapter was enacted. I don't know that's a necessary regulation that we do need today. You've heard from Lieutenant McKinley and he said adamantly that we've had no increased number of crimes that had been taking place in establishments such as these. I would assume that it was a safety concern back then. But over the years, it appears these don't present any more danger to society or our community than any other type of business. So I don't know if that's a useful regulation.

Mr. Joseph: Thank you. Are there any questions from members of the committee? (No

response). Members of Council? (No response). Okay. Very good. Oh, I'm sorry. Go ahead Mr. Baxter.

Mr. Baxter: Chairman Joseph, the question I have is dealing with Section (c). And that is saying there shall be no warning signals, device, system or arrangement which is used, or could be used, to make occupants and employees of the billiard room aware of the approach or presence of inspectors or police. Which obviously was written in intent to try to prevent people from hiding the fact that they've got more than one pool table.

Mr. Hood: I would assume that's correct. Yes.

Mr. Baxter: So if that's the case and that was the intent, does it make sense to leave that section in? Today, in many establishments, there's a bell when the door opens. Does that say we can't have that bell when the door opens?

Mr. Hood: I haven't really thought about it, but off of the top of my head, I don't know that I'd necessarily want a business to be able to alert the patrons if they're doing illegal activities that our Police Officers are coming on the scene. So maybe we should leave that in. And maybe it should be another ordinance and not just the billiard rooms.

Mr. Baxter: That was the point I was making.

Mr. Hood: I don't know that I'd want to encourage that type of behavior.

Mr. Joseph: Other questions? Mr. Stearns.

Mr. Stearns: Yes, Chairman Joseph. My question is a carryover from the last meeting concerning the age requirements. And from the letter from Mrs. Frazier, it states that it was covered in Chapter 781, but not in 711. So would that be something we need to legislate at this time to make it cohesive with everything else?

Mr. Joseph: Obviously, we could take a look at that.

Mr. Hood: Obviously, you have the option of doing so, Councilman Stearns. But as we talked about in the last meeting, we are talking about liquor establishments. There are prohibitions as far as age requirements and being in the companion of a guardian or an adult in state codes under liquor prohibitions. So if that's your concern, I don't know that regulation would be necessary. However, you absolutely have the option to do so.

Mr. Stearns: But what I was just trying to find out is, you've got it in one Chapter, then why shouldn't it be in the other Chapter also? That's basically what I'm trying to establish right now.

Mr. Hood: Well, I could research the prohibitions under the liquor control statute. And then if you want, for sake of consistency, we could include it if there=s a consensus of the....

Mr. Joseph: One other thing I=d like to do Councilman Stearns, let=s get together on that. We=ll work on that point on another piece of legislation. President Hills.

Mr. Hills: Because I certainly see Mrs. Frazier=s memo about 781 which is like the coin operated machines. I think that we won=t want to do full modification of 711.12 until we=ve certainly considered and looked at 781. Because we are dealing with the same thing. One could make the argument, if you pay to play pool and it=s a coin operated machine, you can drink all you want. And that=s where I cautioned last week about, we have a number of different issues here. There=s certainly, you can=t sell liquor in an establishment that has a pool table until the state has given you, you have applied for, been approved, and there is a permit to drink some adult beverage issued to you and a fee is paid for that. So I really think that while we are looking, yes, this one needs dressed up. Is there some way we can blend 781 to bring both of them into the twenty-first century or wherever we are now? And the liquor permit itself is really out of our control, other than the application will come through here, and we remove some of the restrictions, then certainly somebody can drink while they play pool. But around here, I guess you can drink while you play pool if you put a quarter in the machine any way. So that=s why I think a balance of both of these is certainly the prime time to be doing it. But the age wise, certainly once you have a liquor permit, then that will be restricted through its own permit and its own state law as to what age limits.

Mr. Hood: Right. Under state regulations. Correct.

Mr. Hills: They=re all separate issues that I think you kind of have to piece together and see what you=re going to come up with.

Mr. Joseph: And it does appear that this has somewhat opened up a can of worms. And my original intent was to be focused on the billiard room issue specifically. And if there=s other issues that have been brought to light, I think it=d be probably better to deal with those in a separate ordinance. And I=d like to work on that. Because there may be again, other things that we may want to take a look at. This issue is something that came to light. We have a number of establishments not in compliance. That=s a concern of mine. And I wanted to get this issue on the forefront immediately, get it taken care of. Because we may find a lot of other problems if we take a look at these other sections. And I=d like to try to do that in another ordinance. That would be my intent.

Mr. Hood: Chairman Joseph, I think this is just another illustration. I=ve testified in front of the Council and committees before that we do have some old ordinances that do need to be retrofitted. And I think that you=re finding now, or you said a can of worms, you understand now what I meant some months ago when we were researching another issue when it just presents maybe more questions and more issues as far as coming back to Council with a definite answer. So that absolutely does need to occur. We do need to look at both of these together and

make sure they're written in such a manner that deals with the issues that are presented.

Mr. Joseph: Are there any other questions? Mr. Baxter.

Mr. Baxter: Just to make sure I heard correctly. I think what our City Attorney just said is, you would prefer doing them at the same time?

Mr. Hood: I would at the very least, have a discussion together. I understand Mr. Joseph's concern. I think everybody on Council understands Mr. Joseph's concern with eliminating the one subsection out of the Chapter 711. That's not to say that couldn't go forward and then we could still maintain the discussion about both of the Chapters with the other modification that had been suggested.

Mr. Baxter: Okay. And I agree with Chairman Joseph that when we open the hood of this, we're going to find a few things under the hood. And in this case here, I would think we would want to fix one thing that we have identified and continue working toward other legislations as we find more and more situations and address them, if need be, at that time. But I would agree with you Chairman, that we attack this one, get this cleaned up and keep moving forward to the rest. Thank you.

Mr. Joseph: Yes. Mr. Stake.

Mr. Stake: Yes, Chairman Joseph. I do agree that Subsection (a) under 711.12 should be eliminated because I don't think that's reasonable or enforceable. And also Subsection (g). And my other comment is, who knows in 1968? I was 10 years old then so I have no idea. But it probably referred to being warned about gambling if police or inspectors were coming in. Because probably back then there was probably quite a bit of gambling going on in pool rooms. But I do think we need to take this one step at a time. I think the immediate need is 711 and Subsections (a) and (g).

Mr. Joseph: Thank you. Other questions? (No response). Okay. I have one speaker slip from Ken Wright. If you'd come up to the microphone, give your name and address for the record please.

Mr. Wright: My name's Ken Wright and I live at 6356 Roselawn Avenue in Reynoldsburg. I want to appeal to the Council, to City Council and the City Administration to enforce our city's laws. We don't need new laws. We need to have the existing laws enforced. If the existing laws are not being enforced, why should we believe that new ones will be? Creating new laws allowing bars to have more pool tables, and allowing so-called, family pool rooms, to serve alcohol is a bad idea. When Mike Mascon first approached the BZBA, he wanted his pool room to serve alcohol. This idea was immediately slapped down by our Zoning Board. Mr. Mascon then, turned on a dime and proclaimed his opposition to the evils wrought by alcohol. But Mr. Mascon turned once again. He appealed to the Council to allow him to serve alcohol. But his

own advertising signs posted along Brice Road extol his alcohol-free establishment. Mr. Mascon=s continuing dilemma concerning his business model should not be allowed to lead to the undermining of Reynoldsburg=s standards. Our laws which limit bars to one pool table, and forbid alcohol at billiard rooms are good laws. After all is said and done, do we really want bars which offer booze plus multiple pool tables in pool rooms which offer multiple pool tables and booze? What would be the difference? Let=s preserve our law and that difference between a bar and a family billiard hall. And let=s enforce that law. It would maintain a healthy option for our city. Let=s enforce our laws instead of throwing them away or rendering them meaningless. We will have a better community as a result. To those who say that they have no idea why someone would make a law limiting alcohol use around pool tables, I say this, consider how many pool cues have been used as weapons by people shooting pool who have had too much to drink. I am pro-business for Reynoldsburg, but I also believe businesses who come here should accept our laws and obey them. I live near the Brice/Livingston area which my neighbor refers to as the shooting gallery. And by that he means shooting bullets. Not billiard balls. In our area, we need stronger law enforcement. We do not need more businesses that serve alcohol. Thank you.

Mr. Joseph: Thank you, Mr. Wright. Any additional discussion on this issue tonight? (No response). Okay. What I would like to do, and normally an ordinance like this would go to three readings. I=m going to recommend tonight that we go ahead and pass this on for final passage next week. I=m again, concerned that we have a number of establishments out of compliance. We=ve had two weeks of discussion on this ordinance issue. We=re going to take a look at other sections and see where we can do some cleanup and additional legislation. So I=m going to open that up for discussion if there=s any opposition to going ahead and moving this on for final reading by Council next week as an emergency with deletion of Subsections (a) and (g) of Section 711.12. I=ll open that up now. Yes, Mr. Clemens.

Mr. Clemens: This does not fit the health, safety, and welfare of the community as an emergency does. So I mean, you can=t hardly pass an emergency if you don=t follow the rules of the emergency. Emergency is health, safety, welfare of the community. This certainly is not for the health, safety, and welfare of the community.

Mr. Joseph: Any other comment? (No response). I feel it=s it=s important to move this on. We have businesses that are not in compliance right now. It=s not being enforced. I=m not comfortable with that situation. We=ve had two readings on this issue. I think it=s more than appropriate to move this on at this time. I=m going to make that motion. Is there a second? Second by Mrs. Newman.

Mrs. Frazier: Mr. Joseph.

Mr. Joseph: Yes.

Mrs. Frazier: Just a point of clarification. It=s only had one reading; and you could pass it with a rule suspension.

Mr. Joseph: Okay. Okay. So if I wanted to do that, I=d have to ask for a motion on that?

Mrs. Frazier: You=d just recommend that.

Mr. Joseph: Okay. I=ll also recommend we have that for a rule suspension next week. And second by Mrs. Newman. All in favor? (All voting, voted AAye@). Motion carries.

And with that, I=ll close Safety Committee at 8:32.

Safety Committee

September 17, 2007

Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday)

SERVICE COMMITTEE MEETING MINUTES

September 17, 2007

Members of Service Committee present: Mel Clemens, Antoinette Newman, Brett Baxter, Donna Shirey.

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

Mr. Clemens: I=d like to call the Service Committee meeting to order at 8:33.

The first item on the agenda is the approval of the agenda. Do I have any additions or deletions to the agenda? (No response). If not, it=ll stand approved as is.

The next item, approval of the minutes of September 4, 2007 Service Committee meeting. Does anyone have any corrections? (No response). If not, they=ll stand approved.

The next item is, Discussion: Rezoning of 7961 and 7967 Oak Valley Road; from R-3 to CC; 0.648 acres; applicant, James L. Bates. Jim has asked for a speaker slip. Would you like to give us a little talk on this Jim? As I looked at the plans and so forth, this seems similar to what we=ve had before. Am I correct? I mean, that=s what you turned in.

Mr. Bates: It=s quite different actually.

Mr. Clemens: Okay.

Mr. Bates: We=ve reduced the area to be rezoned by more than half. The agenda calls for 7961 and 7967 to be rezoned. To be actually correct, 7967 is already zoned CC. And if you have the plat to refer to, you=ll see that the area has been designated to be rezoned, the .6 acres contains a portion of the building that is at 7961. So that basically, what we=re rezoning is, let me look at my plans to really be able to say what I want to say here, roughly half of the building at 7961 is also zoned CC. The north half. Approximately half. That second building is already zoned CC.

What we=re requesting to be rezoned is the area that we=re using for a buffer with the R3 zoning to the south and a portion of the parking that would serve both buildings. So this is all one tax parcel. And the history of it is what brings us into the situation where we have an acre that=s zoned CC already, and the balance of it that shows on your plat there highlighted in yellow I believe, is the rest of the parcel.

Mr. Clemens: It=s .648 acres. Am I correct?

Mr. Bates: What is it?

Mr. Clemens: .648 acres.

Mr. Bates: Right. Right. So the total parcel is about 1.7 acres. Now the part we're requesting to be rezoned doesn't have any frontage on Oak Valley Road. So we feel it's a reasonable request to rezone that portion of it so we can maximize the use with a reasonable plan of the entire parcel. And we feel that it's justified to rezone it. So we've got a plan here we worked on at some length to get all the setback requirements and still get a flexible plan where we could build one building and then later conceivably build the other building. But the way the parcel is situated, it lends itself to being developed in the manner we've got it laid out.

Mr. Clemens: I think so. Because the parcel does, you back up to a filling station and a crematory. And I think as far as being commercial, I think that is commercial when you speak about that.

Mr. Bates: And it's tucked back in. The part we're rezoning is tucked back in there away from everything else. The building itself is way back by the cemetery, relatively speaking. So I felt it was justified. If there are any questions? I felt it would be helpful to get a landscaping plan laid out, which I think you've got there. And I think the landscape architect did a good job on that. But that's not cast in stone. And actually, the buildings design is not cast in stone either. But in order to justify the rezoning, we thought it should be laid out. But basically, I think the footprint I think, will have to be adhered to in order to maximize the use of the site.

Mr. Clemens: As far as building design of course, and as far as the landscaping, that goes before the Design Review Board.

Mr. Bates: Oh yeah. Right.

Mr. Clemens: It basically doesn't have anything to do with rezoning.

Mr. Bates: So I think that it's a reasonable request to have the whole parcel put under one zoning. And I hope that we can address that later when we have the hearings.

Mr. Clemens: I have no problem setting up for a hearing because I think you have the right to be heard, you know, to have a hearing on it. Are there any questions from the committee for Mr. Bates? (None) Yes, Mrs. Frazier.

Mrs. Frazier: The two addresses that are in the ordinance were taken from the application that you filled out. And I'm wondering Mr. Clemens, if you may want to consider holding it for two weeks while he comes in and goes over with Luke and makes these drawings reflect, make sure this description...the things aren't going to match what you have. And the way he's just explained it, I mean, I even had questions when we got this stuff and I went to Luke and I said okay, what's this, what's the elevation, what paperwork has he turned in? So he's got an answer and they're marked here. But what he's saying now is, the drawing he's got, it doesn't

reflect the CC already. You've got a portion of the property that's going to be rezoned. I just think your paperwork needs to be adjusted to make sure that we're all on the same page.

Mr. Bates: Well, can I speak?

Mr. Clemens: Yes. Go ahead.

Mr. Bates: When I had mentioned that, I did it as a matter of clarification. I think that the application is valid the way it stands because both buildings are on the one property. It's one property. It's not two properties. But as it happens, the one building is on an area that's zoned. The other building is partially on an area that has not been rezoned.

Mrs. Frazier: What's on the .648 acres?

Mr. Bates: The south half of that 7961. And then there's parking. And then there's the 50 foot setback for the required setback of commercial buildings from residential property lines.

Mrs. Frazier: Well, the first thing on here says >address or location of property; 7961 and 7967 Oak Valley Road=. The documents, you know, half of them are .648 acres, and the rest of them are two addresses. So they need to be the one deal that you're doing, and these documents need to back up the .648 acres.

Mr. Clemens: Okay. What we'll do on this Jim, and like I said, I think that I would have been in favor of moving it on if everything had been correct because there would be a Public Hearing set, and then it would go before the Planning Commission, then it would come back to Council and we'll give everybody time to come and speak, residents and everybody else. As Nancy brought up, and she's much more quick on this than we are, everything has to be proper. And I think you should go back and reapply, and get the application correct on the property.

Mr. Bates: Okay. I can do that.

Mr. Clemens: If you would. And also get with Luke, and get everything straightened up so when you come in we have no questions.

Mr. Bates: We're not under any time constraints here.

Mr. Clemens: That would be fine then. We could hold it for two weeks if that would give you time. Or longer, whichever you think you would want.

Mr. Bates: Well I think, I could go in and talk to Nancy and Luke.

Mr. Clemens: Then we can bring it back to committee and discuss it. Yes, Mrs. Newman.

Mrs. Newman: I'm just wondering, Mrs. Frazier, is the difference of the reference and referring to it as 0.64 acres, that being used to identify the property, as opposed to 7961, the address? Or 7967. Did you want that to all be in conformance and all references use one or the other? The address? Or the size of the lot?

Mrs. Frazier: I want to make sure that all these documents here, based on the way he just explained it, back up .648. And that your maps and everything are correct.

Mrs. Newman: So that they're all identified the same way.....

Mrs. Frazier: Yes, because if you're going to go in here and you use this drawing, and it shows everything that's on the property, but we're just doing a portion, you need to show the portion that you're doing.

Mrs. Newman: Okay. Does that clear it up?

Mr. Bates: Yes. I've been into those discussions. It is a difficult concept that you're trying to rezone only a portion of a tax parcel. And you say >the property=. When you say >the property=, what are you talking about? Are you talking about that portion? Or are you talking about the whole thing? So we need to clarify that. She's right.

Mrs. Newman: Well, just that portion probably, wouldn't it be right, Nancy? Since part of it is already zoned CC?

Mrs. Frazier: That's okay. I understand what he wants to do and he's right, but his documents aren't reflecting it that way; and that's a simple thing to fix. He just needs to come in and go over it with Luke and make sure that it's proper. So then once you have the ordinance, you've got it right.

Mr. Clemens: Would that be alright with you, Mr. Bates?

Mr. Bates: Absolutely.

Mr. Clemens: Then I'll put you down for the next committee meeting. That will be two weeks.

Mr. Bates: Okay. Fine.

Mr. Clemens: In two weeks, we'll start it then.

Mr. Bates: I appreciate it. Thanks. Thanks, Nancy.

Mr. Clemens: Thank you, Nancy. Okay.

Next item, Discussion: Multi-occupancy of residences - listed at request of Chairman Clemens. Item was held 9-4-07. I met with our City Attorney at times on this. Also, with our Development Director, John Brandt. And John=s working, he=s looking up some things for me with some people he knows in Columbus. What we=ve done, we=re working on the same ordinance that we discussed the last week where I made the change on. The only change I made basically was on 4541.05 where I changed the age from one year to eighteen years, under eighteen years of age. Then also, Mrs. Newman had brought up something and I would like to eliminate that from the ordinance here before we get it all drafted up, because I want to be correct. But in Section 4541.05, ALocation of Rooms@, item (b) where it says Ain dwelling units@, I=d like to eliminate the other words Aor rooming houses where the bath is shared by one more than one family@. I want to eliminate those words right there. And also we=re working on, of course, bring it back, we=ll have to change the reference codes on each and every one of them. It shows a different ordinance it refers to. Those are not our ordinances. Jed will be working on that and I=ll be working with him. We=ve discussed, and we=re still in discussion, and John is doing some work for me on this, how we enforce the penalties. We=ve pretty well nailed down what we want to do. But John is also looking into this on how we want to enforce it and who will be in charge of the enforcement. And what the penalties will be and how we function from there. So we=re still working on it. I want it to be correct when we bring it to you so we don=t have to redraft it or redo it. So if there=s any questions pertaining to what you=ve been given as far as the ordinance is concerned that you would like us to look into, I=d like to probably have it informed before Council to be ready to move on if Council feels that way at the next committee meeting. But if there=s anything that you see in this ordinance that we=ve presented that you have questions on, if you don=t have any questions this evening, or seen that you=d like to (Tape Change), would you please contact me and I=ll discuss it with Jed? And we=ll go over it before I bring it back. Because I would like to be able to really have it in shape to bring back within two weeks so that we can get moving on the issue. But I do want to make sure that it=s in the form that committee will represent. Yes, Mr. Baxter.

Mr. Baxter: Thank you, Chairman. I have spoken to a few people who are within Columbus, not within the City of Reynoldsburg. And being that we=re looking to tailor our legislation around Columbus, there are concerns, it=s not working for them in Columbus. They have that problem. So the enforcement, I think section of this, needs to be stronger than what they=re using in Columbus because it=s not working for them. So I don=t want to draft legislation that is going to be useful to Reynoldsburg if it has the same components of Columbus that=s not working for them.

Mr. Clemens: That is our concern. That=s why we have met on the enforcement, how we enforce it. I think we=re capable of doing it. It is a problem. And the problem could be people calling in on their neighbors and so forth. And really, because they=re disgusted with each other and things like that. We=re going to go in an enforcement deal where you have to file a complaint and you have to sign it. In other words, you have to come in here. You just don=t call on the telephone. We don=t do anything. We don=t investigate it unless it=s a filed complaint and signed with your signature on it. Then we=re going to have a way that we will enforce it. So

that is one of the problems. And that also is what John is looking into. And that=s why I just haven=t felt that it=s ready to bring forward. But we hope to have it ready to bring forward at the next committee meeting. And that is one of the problems. Of course, Columbus is much larger. They have a bigger problem. I think their=s is basically aimed at Ohio State University. I know they have a problem up there. If you try to enforce this, it would take a warrant to get in the house. That=s maybe what we=ll have to do. But anyhow, this is an ordinance that Jed feels that stands up in court. That=s the important thing. And if we can handle it, the thing with the ordinance, it=s not to deprive families of living space. And that=s why I changed that one section to where years of age is 18 and under. Because I realize that the homes in Reynoldsburg, a lot of homes in Reynoldsburg, the sizes of the rooms really, wouldn=t meet this requirement with two children in it, or three children in it, or four children in it. Because if you multiply like I did with my family, I had to bunch them up. I would have been in contrast with what I=m presenting here. But if they=re under 18, you could have two, or three in your own family in that room. It would be legal. So anyhow, these are things that we have to watch. And it=s not something that=s aimed, like I said, at our families. It=s something that we=re trying to design to stop the use of these homes for migrant workers, or motels, or hotels, or just shacking up a bunch of people in it. That=s what it=s all about. So anyhow, I will come back with the ordinance drafted up. I hope to have it back here in two weeks that we can present that will be in the form that Council will accept. And if that=s alright with members of the committee, I=ll put this on hold for two weeks. Yes, Mr. Baxter.

Mr. Baxter: Just a following comment if I could? And it=s more of a warning. This is a slippery slope issue and I know we=re all cognizant of it. Going into people=s homes with warrants, takes you back several years ago. And I=m certainly not for that type of legislation. This needs to be tailored in such a way that specifically it=s trying to solve a problem. And not be used as a tool against citizens of Reynoldsburg to invade their privacy of their homes.

Mr. Clemens: That=s what it=s all about. And nobody has insinuated that we would use a warrant. You know, you do have people that cooperate. And that=s what we, if there=s no problem, there=s cooperation, if there=s a problem, you don=t cooperate, now this will be a long, drawn out process before anything like that would happen. But, we do need something in place that will curtail to the problems that we have now and that could exist any place. And we have to start somewhere. So I will have this back to us drafted in a way I hope, that=s presentable. And then we=ll have more discussion on it and get the feeling on how Council feels about it. Are there any other members of the committee or members of Council have any questions? (No response). If not, I=d like to hold this for two weeks. And if not, if we don=t get it ready, we=ll hold it for another two weeks. But we=re not going to bring it back until we feel that it=s presentable. Because I don=t want any problems any more, or like you brought up Mr. Baxter. We want to do the correct thing. Alright. We=ll hold that for two weeks.

The next item on the agenda is, ORDINANCE ACCEPTING TWO UNRECORDED DEEDS OF EASEMENT (sanitary sewer, water line) (Metropolitan Reynoldsburg, LLC). It had its first reading 9-10-07. Is there any discussion from members of Council? (No response).

Members of the committee? (No response). If not, I=d like to send this on for the second reading. Do I have a second? Second by Mr. Baxter. All in favor, say aye. (All voted AAye@). Opposed? (No response).

Next, ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 3.78+/- ACRES IN JEFFERSON TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Thomas M. And Trulee Barnett). It had its second reading 9-10-07. Are there any questions from members of the committee? (No response). Members of Council? (No response). Public? (No response). If not, I=d like to move this on for its final reading to Council for adoption. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted AAye@). Opposed? (No response). Thank you.

And that ends the Service Committee meeting at 8:55.

Service Committee

September 17, 2007

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday)

FINANCE COMMITTEE MEETING MINUTES
September 17, 2007

Members of Finance Committee present: Ron Stake, Mel Clemens, Doug Joseph, Preston Stearns.

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

Mr. Stake: And I will call to order, the Finance Committee meeting at 8:56.

Item number 2 is approval of the agenda. Are there any changes to the agenda? (No response).

Item 3a is approval of minutes of July 9, 2007 special Finance Committee meeting. Are there any changes to those minutes? (No response). None being heard, they will stand as submitted.

Item 3b is approval of minutes of September 4, 2007 Finance Committee meeting. Are there any changes to those minutes? (No response). None being heard, those minutes will stand as submitted.

Item 4 is Discussion: Resolution accepting amounts and rates, etc. (Franklin County). I would like to point out that the Auditor has requested emergency on this. And in reviewing the attached documentation, I can see that this was drafted on August 31 and requires to be back by the 1st of October.

Mr. Harris: That is correct. This is something that, thank you Mr. Stake, this is something Council does every year. When we send the tax budget to the county, they will in turn, send these back to accept the rates. This goes back to the 1920's and 30's when they had the inside millage, was divvied up every year. Unfortunately, this has turned into no more than a check box on somebody's list. But we are still, by the Ohio Revised Code, required to do it. So if there's any question on it, I will certainly be glad to answer those questions.

Mr. Stake: Are there any questions for Mr. Harris from members of the Finance Committee? (No response). Members of Council? (No response). Okay then, if there are no questions, I will make a motion that we send this forward to Council with recommendation for adoption as an emergency. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 5 is Discussion: Supplemental appropriation - Debt Service/Bonds Issued

(Taylor Road Sewer Line Extension). Mr. Harris.

Mr. Harris: Thank you, Mr. Stake. Back in the Spring when we issued the debt to put the sewer line under Route 40 to run that sewer line down Taylor Road, there is now an interest payment that=s going to be due on that in December. We did not do it, and have never traditionally done it with the bond ordinance or with the appropriation to spend the money. But we do need to move \$9,202 to account number 250.991.5424 ABond Interest@ to pay the service on the debt that will be due in December.

Mr. Stake: Okay. Are there any questions for Mr. Harris from members of the Finance Committee? Councilman Joseph.

Mr. Joseph: Mr. Harris, was this expected?

Mr. Harris: Yes. Any time you issue the debt, you can only do one thing in an ordinance at the time. And we=ve always traditionally done it where we issue the bonds, and then we come back later on for the service on any debt that would have to paid in the current fiscal year.

Mr. Stake: Are there any additional questions or comments from members of Council? (No response). Okay then, none being heard, I will make a motion that we appropriate, or send on to Council for its first reading, appropriation of \$9,202 from the unappropriated Sewer Capacity Fund to account number 250.991.5424 upon interest to pay debt service on bonds issued to pay for the Taylor Road Sewer Line Extension passed this spring. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

And Mr. Harris, Discussion: Supplemental appropriation - Debt Service/Bonds Issued (Broad Street Water Line).

Mr. Harris: Thank you, Mr. Stake. This is very similar to the one you just passed. This was to pay the debt service on the 24 inch water line that was constructed from the west side of Waggoner Road to the spot where Columbus is going to build another water tower out next to the current one we have. We issued debt at that time. There is a debt payment due on that in December of \$47,000. That will go to bond principal. \$22,898 will go to bond interest. And I need an appropriation from the Water Fund in order to pay the debt service.

Mr. Stake: Okay. Any questions or comments for Mr. Harris from members of the Finance Committee or members of Council? Councilman Baxter.

Mr. Baxter: Thank you, Chairman. The question I have is based upon funding for next year. Is this going to show up as another interest payment that=s going to be needed next December?

Mr. Harris: It will be included in the budget documents that will happen which you=ll be getting

here in a few weeks.

Mr. Baxter: And that=s inclusive from what we spoke about earlier and later?

Mr. Harris: Yes. We always include them in for the following year. But we don=t put anything in until, we can=t put anything in until a debt has been issued and that service is needed.

Mr. Stake: Any other questions or comments from members of Council? (No response). Okay. Then I will make a motion that we send on for its first reading, an additional appropriation of \$69,898 from the unappropriated Water Fund as follows: \$47,000 to account number 710.991.5414 ABond Principle@; and \$22,898 to account number 710.991.5414 ABond Interest@. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

And item number 7, Discussion: Supplemental appropriation - Debt Service to OPWC (Main Street Phase II). Mr. Harris.

Mr. Harris: Thank you, Mr. Stake. This is something we did not think we would get until next year. But the Ohio Public Works Commission did send us where they need a payment on this particular item. This is \$123,750. Originally we thought we would need to move money from the unappropriated General Fund over to that; we do not. All we=ll need to do is just appropriate money from the General Debt Retirement Service into the account number listed to pay the debt service this year. We didn=t think we were going to get this until next year but unfortunately, it showed up this year. This is all, it=s a no interest loan that was used on Main Street Phase II as part of the original funding. And we do need an appropriation to pay the debt service in December of this year.

Mr. Stake: Are there any questions or comments from members of the Finance Committee for Mr. Harris in regards to this item? (No response). Members of Council? (No response). Okay then, I=ll make a motion that we appropriate \$123,750 from the General Debt Retirement Service Fund to account number 310.991.5414 to pay debt service to the Ohio Public Works Commission for the no interest loan that was part of the Main Street Phase II. Do I have a second? Second by Councilman Joseph. Any further discussion?

Mrs. Frazier: Mr. Stake, did you just want General Fund?

Mr. Harris: No. From the unappropriated General Debt Retirement Fund.

Mrs. Frazier: Well, your legislative request says General Fund.

Mr. Harris: Yeah; well, I just explained that we don=t need to move it over.

Mr. Stake: That=s the first I heard of that too so, I made a note on the sheet here.

Mrs. Frazier: Okay; just double-checking here.

Mr. Stake: Okay. Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

Item number 8 is Discussion: Appointment to Income Tax Review Board. I believe Council members received a letter of interest from Nathan Burd who Chaired the Charter Review Commission, served on the Charter Review Commission this year. He is interested in serving on the Income Tax Review Board. Are there any questions or comments in regards to that appointment? (No response). Anybody else interested? (No response). Then I will make a motion that we send on to Council, a recommendation Nathan Burd be appointed to the Income Tax Review Board. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 9:03.

Finance Committee

September 17, 2007

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday)