

SAFETY COMMITTEE MEETING MINUTES

September 15, 2008

Members of Safety Committee present: Doug Joseph, Ron Stake, Leslie Kelly, Fred Deskins, Jr.

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

Mr. Joseph: I'll call the Safety Committee meeting to order at 7:30 p.m.

The second item on the agenda is the approval of the agenda. Are there any changes, additions or deletions to the Safety Committee agenda tonight? I have three additions to the Agenda. As #3a, we're going to add a Report on the windstorm repairs. As #4a, a Report describing the City's new Pothole Curb Repair Program and as #5a, Rosehill Road reconstruction, the authorization for the Mayor to enter into contract with the Ohio Public Works Commission for the reconstruction of Rosehill Road. Second by Councilman Stake. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Item #3 is the approval of the minutes of the September 2nd, 2008 Safety Committee Meeting. Are there any additions, deletions or changes to those minutes? Seeing none, those minutes will stand approved

Item#3a. This is a report on the windstorm repairs. Mrs. Boratyn.

Mrs. Boratyn: Thank you Chairman Joseph. Good Evening members of Council. What I'm passing out is just a memo that we got typed up here late with the information we got from AEP which I'll cover as we talk. Well, as we all know, yesterday we go what was apparently 75 mile an hour winds that swept through a lot of Ohio, particularly around our area and probably about 4:00p.m. yesterday is pretty much when it started for Reynoldsburg with our first call out for Maintenance because we had some power outages here so we had our Maintenance Foreman, Joe Taggart, he was down here. He spent about five hours yesterday dealing with power outages and things of that nature. Probably around 5:30p.m., I was in conversations with the Chief of Police because we began to have some issues with tree limbs and trees falling down and limbs being blown out in the streets and things. The Street Department came in with a couple of crews and I was in contact with them and the Mayor throughout the entire evening until about 10p.m. as we wrapped up what was going on yesterday. We had five men out for five hours cleaning trees on the streets last night and they covered a number of streets that had some power lines down or trees crossing the roadways. We had Graham Road, North Jackson Avenue, Palmer Road blocked by trees at various times which we got cleared away. We had AEP power lines hanging down on Rosehill Road at the 1100 block so we had to put up a detour there. That detour is still there until AEP comes to fix the downed power lines. The Street Department today continued cutting, chipping trees and limbs, they had seven men out for eight hours today. Most of our street lights came back on, they were doing pretty well. We had two Police Officers who came out early yesterday ahead of their shift to help maintain traffic for any traffic lights we had out. We were lucky in that a lot of ours came back on. We've got three lights on generators today, the one at Waggoner and Main, Taylor and Main and the one at Oak Valley and Main. At 8:30p.m. tonight, we're going to have a man come out and refill those generators to make sure that they continue through the night in hopes that electric will be restored to those as well. The Street Department is

still out. It's been out, they're running on generators as well. I can only hope that they'll be back up. The Police Department was out but it's back on, electric was restored to them. So, we also, late this afternoon repaired the fence and the barriers on the sidewalk around the two burned buildings which I was very worried about last night and had several conversations thinking they might blow into the street and they did not, so I'm just happy to see that they're still standing today. Although soon here, I'll be telling you about taking them down. For City property, we didn't really have very much damage, we had a little damage over at the Police Department. We had some soffit blow off the roof. Joe Taggart, our Maintenance person, was out today. I think he's going out to repair that. We had a door in the back entry of the Police Department, it's a very heavy metal door, when it opened, it got caught by wind and slammed and it had, it's kind of bowed and I think that door's going to have to be replaced over there but other than that, it seems like we did pretty well. Jason Shamblin is here as far as I know, we did pretty well in our parks. I don't have the specifics but he could answer those for you if you needed them. We also had a dispatcher who stayed over late yesterday as well. In terms of calls that we got, most of them were still the standard type of Police calls. We did have, today we dealt with a lot of calls that had to do with what to do with trees and limbs. We put out a Press Release to people after we talked to Rumpke. Rumpke will run services, they'll consider this emergency and they will pick up on Thursday if the people will tie their trees, twigs and things in bundles no longer than 5 feet in length and 24 inches wide. They will pick those up. They will do that over a period of time it takes to clean all this up. We also are working with them and should have by tomorrow, two dumpsters at Spangler Field at the South end of Huber Park off of Livingston Avenue for tree limb and branch drop off. That would be 24 hours that they could drop them off at Spangler Park. The other calls would have been people who were either calling about the traffic lights or electric being restored or damages to their homes really kind of wanting to know, what do we do about the damage to our house and our neighbor's tree fell on our fence and tore it down and those types of things and so we just tried to help address those as to who they should be talking to, whether they should be talking to their insurance company or those types of things that the City doesn't have responsibility for and can't do much about. We tried to get information from AEP all day today who of course is extremely busy but what I passed out to you is something that we put together about 6:00p.m. tonight when we were finally able to get information for AEP. So as of 5:30p.m. today, they report that over 640,000 residents in central Ohio with 350,000 in the Columbus area alone are without power. The initial report this morning was that one half million residences, they have continued to assess the outages and they are placing each area on a priority basis. Throughout the day, power's been restored to several local areas. Their first priority was hospitals, then areas with grocery stores and other consumer related areas. Their second priority is based on the larger areas most affected residents continuing on down so all areas are restored. They are treating this a five to seven day event and expect 90% of central Ohio to be restored by Sunday. They have called for assistant from resources, contractors will be arriving tonight throughout tomorrow, much like we experienced during the ice storm of 2005. For Reynoldsburg, we've had a number of calls asking us how many people in Reynoldsburg without power, how many have been restored, we have not been able to get specific numbers but we believe that it will be available sometime tomorrow morning and we'll update anyone who wants to know that information. Also American Red Cross has set up an emergency shelter at the Rhodes Center at 717 E. 17th Avenue in Columbus. They're asking that we please note this is a last resort and if persons without power can have family or friends and you can go and stay with them, it's not a medical shelter so they won't have that kind of equipment there. So and I know

from talking to Jason Shamblin that Gahanna has opened up a center as well. We have Reynoldsburg's water comes out of a tower that's operating on a generator right now. The Mayor of Columbus has ask that the people of Reynoldsburg in the Eastern part of Columbus will do what they can to conserve water because of the fact that the booster station there is, that fills the Taylor Road Water Tower is running on generators until the water comes back up. They're currently keeping up with demand. The issue is that they want to try and not have, get a situation where they have to issue any kind of a boil water advisory. I think that pretty much updates all the information that I have.

Mr. Joseph: Okay. Are there any questions like from Committee or Council. Yes, Councilman Stake.

Mr. Stake: Thank you Chairman Joseph. Last night did we have the Emergency Command Center that we have in the building operational?

Mrs. Boratyn: We did not bring it into operation. No.

Mr. Stake: Is there a reason that we didn't.

Mrs. Boratyn: Well, to my knowledge, if we had felt that we should have, we would have. I was not aware of that. I talked with the Chief, I don't think the Chief felt that we needed to bring it into operation. I think we did a very good job of responding to all the situations. I mean I think that if this had been a situation where maybe the temperature had been ten degrees, something like that, if we'd had more situations like those, probably would have been a different situation or if we had rain along with the wind.

Mr. Stake: Strongest one I've ever seen last night. Trees going down all over the place. Roads shut down. Wires down.

Mrs. Boratyn: I believe that the City responded well. I believe that the people working for the City responded well.

Mr. Stake: Okay. Another question. We have a number of residents here in Reynoldsburg who do not have City water still and without City water, without electricity they're not able to get water from their well. Are we doing anything to help those folks out?

Mrs. Boratyn: We are working with AEP and trying to.....

Mr. Stake: I know but they need water. Before, I'm reading a memo here. It looks like Sunday they'll have power. If you go to Sunday without water you're going to be in trouble. Do we have the ability I guess, and wouldn't it be good if we could set up some kind of situation where they could come get some water?

Mrs. Boratyn: Well, we'll certainly look into it and tomorrow morning I will get on...I am aware of our basic Disaster Plan and actually we are working to try and update this and make it more meaningful than what it has been but I will get on the phone with people.

Mr. Stake: I appreciate that. I'm just, and the immediate concern that I have and I've been contacted by a number of residents who are on well water still. They're not able to get water. Can you make a statement tonight or is there something tomorrow that you can do to help set up a facility or somewhere where they can come get some water if they need water?

Mrs. Boratyn: I'll certainly do my level best.

Mr. Stake: Thank you. That's all I had. Thank you.

Mr. Joseph: Any other questions tonight, comments. Okay, thank you very much Mrs. Boratyn.

Mrs. Boratyn: Thank you.

Item#4. Discussion: Liquor Permit Request - TRFO - from Yong Mi Inc dba Sunset Grille to Sunset Grill LLC dba Sunset Grille, 1921-25 SR256, Reynoldsburg, Ohio 43068. Chief go ahead.

Chief Suci: Yes, Chairman Joseph. An investigation into this transfer was conducted by Officer John Bock and we find no reason to appeal this transfer.

Mr. Joseph: Any questions tonight for the Chief on this? Okay. Thank you very much. We'll turn this over to the Clerk with no action. Tonight, on Item 4a is a Report on the pothole, curb repair program from our City Engineer.

Mr. Miller: Thank you Chairman Joseph. We have recently started a Pothole Curb Repair Program here within the City of Reynoldsburg that we are evaluating for effectiveness. We have started patching curbs and fixing potholes. We've started on Hunt Valley and Shank Avenue which is in the Northwest corner of the City. We're kind of looking at this as kind of fix the worst first type program. We want to fix as much curb and as many potholes as we can with the existing staff and resources that we have at our disposal. We want to evaluate how effective the repairs are and how much repair can be done in a given period of time. Unfortunately, with concrete repairs we can't do it in the cold weather but early next Spring or towards the middle of Spring, we want to report to you how effective the program has been, how much we can accomplish with what we have in a given amount of time and we will also want to report to you as to whether or not this program is deemed successful based on its cost and benefits. So this, again is a program that has just started and we're going to be evaluating with the few warm months that we have left in the year and a couple of the warm months starting 2009 and we'll be following up with a report in the Spring on how successful the Program was. I'd be happy to answer any questions.

Mr. Joseph: Any questions, yes, Councilman Stake.

Mr. Stake: Thank you Chairman Joseph. How much money do we plan on spending on this this year.

Mr. Miller: That's an excellent question. We don't know yet. We're looking at how much we, the money that we are going to spend is currently within our Maintenance Budget.

Mr. Stake: How much is there right now?

Mr. Miller: That amount in our Maintenance Budget?

Mr. Stake: Yes.

Mr. Miller: I don't know the total amount but I know that on Shank Avenue and Hunt Valley we're talking about a few bags of concrete and spackle that have been purchased from the Home Depot which was to supplement what we already had and a.....

Mr. Stake: Why did you start there?

Mr. Miller: Worst first. We made a decision.

Mr. Stake: You went out and evaluated all the curbs and roads and you figured that was the worst part of Reynoldsburg and we should start there?

Mr. Miller: Larry Ward did last Summer. I did not personally Ron, or Councilman Stake before this started but Larry felt that section was the worst in the City and so that's where we started.

Mr. Stake: Okay. I guess I'd be interested in talking to Larry about that because I think I can point out some other places that are pretty bad as well.

Mr. Miller: There are lots of places within the City that are bad. I don't....

Mr. Stake: And how are we going to prioritize this in the future?

Mr. Miller: Well, it's being prioritized with our Street Program which we are currently evaluating the condition of every street in the city.

Mr. Stake: We'll be doing that right until the end of the year for the next year.

Mr. Miller: I'm working on it right now. I mean.....

Mr. Stake: So we're just going to do Hunt Valley and that other street you said until the end of this year and then next year we'll start on whatever our priority is.

Mr. Miller: No. We've started on Hunt Valley and on Shank. When those are complete, we will

move onto the next street. I have not talked yet with Larry to determine what those are.

Mr. Stake: Okay. I'd appreciate it you could just let me know how you're, what formula you're using to evaluate that in getting to your priority. I'd appreciate that.

Mr. Joseph: Mr. Harris, I see you're standing back there to give some numbers.

Mr. Harris: Yes, Mr. Stake the Street and Maintenance Account in the Street Department currently has about \$7,764.19 encumbered on it for supplies. There's also money available to have an account for aggregates and they also have one for operating supplies. Those have about another \$7,000 in them.

Mr. Stake: Thank you Mr. Harris.

Mr. Joseph: Yes, Mr. Clemens.

Mr. Clemens: Personally, I always thought that patching potholes was an ongoing thing. I thought we did that all the time. What are you talking about patching curbs?

Mr. Miller: Correct.

Mr. Clemens: I've never seen any patched joint.

Mr. Miller: There are several sections in the City where the joints are present at the curb. The concrete corners have completely broken off around these joints.

Mr. Clemens: Why don't we cut a section out put it in? Don't we have the money to do that? Too expensive?

Mr. Miller: That and the resources and equipment.

Mr. Clemens: I just don't know. I don't see us wasting our time because. I don't know but patching the concrete on the curb, it doesn't seem like it's going to stay there very long.

Mr. Miller: Well, it's not designed to stay there for long periods of time, Councilman Clemens. It's to temporarily band-aid an issue if you will until streets are evaluated for the Street Programs and the proper repairs can be implemented.

Mr. Joseph: Other questions. President Hills.

Mr. Hills: Jim, I know that I've been one that's talked about the streets, curbs and gutters which are not well in the City at all and our Street Program is not where some of us older Council

people worked hard to get it up over \$1,000,000 year and it isn't there now and it hasn't been there for awhile. Ultimately, when that happens, your curbs and gutters are going away as quickly if not quicker than your streets. I have people in my neighborhood who go out and patch them with asphalt. I don't care what they get patched with, we need to be fixing some that we have. I'm going to be candid, big enough holes in the gutter become a City's liability if we're not careful because we know they're there. The gutter belongs to the City so. I appreciate what you're attempting to do. I think it's a good makeshift. I suggest you try to move throughout the City so that everybody gets to see and use as many people as possible to do it. I'm not sure that I would stop because of funding. I agree with Mr. Clemens. It's not going to substitute for replacement. If we get two or three years out of it, that's two or three years that there wasn't a hole sitting out there or a problem for somebody as they're going by. I think again, I want to reiterate we need to increase our funding in the CIP to get an accelerated street program, get back where we were four or five years ago and if we'll remember, most of the curbs and gutters don't get fixed with the street program but they get fixed with the Sidewalk Program and we ought to look hard at do we need to start over with the sidewalks. I'm sure that everyone is hearing their neighbors complain about the sidewalks aren't level and things like this. We have to look at some of this. We have a long way to go to get caught up. This is a step that you've taken to, it appears that the Administration has taken to try to offset some of the fact that all the street programs that needed to be done last year weren't done because it was cut but I certainly don't disagree with trying to fix the holes in the curbs and gutters but I do feel those are the worst that need to be fixed first. I don't disagree with that but they're not all in one part of the City. Let's let the Public see that we're out here doing something. What we hear from the Public is what are you doing and I'm sure they've seen them cutting trees and everything else the last 24 hours but let's go ahead and be sure that they see that this impact is throughout the City. I don't Mel, I agree with you, it's not going to be the cure all.

Mr. Clemens: There's a difference between the gutter and the curb. I don't mind and the curb is the rounded part, that's hard to hold on to it. I think the gutter should be replaced, I actually don't have a problem with that. I don't want to see concrete pass for blacktop, I don't think they plan on doing that.

Mr. Miller: No and most of the repairs on the curb Councilman Clemens, curb and gutter are on the gutter portion.

Mr. Clemens: I was going to say, that's what it means, is the gutter.

Mr. Joseph: Yes, Councilwoman Kelly.

Mrs. Kelly: Mr. Miller could you provide us a list of the streets, maybe the order that Larry has ranked them from worse to better.

Mr. Miller: You're talking about the curb and gutter repairs and not the Street Program?

Mrs. Kelly: I think it will be good for the curb and gutter repairs as well as the Street Program so that we kind of have an idea of where we're starting.

Mr. Miller: Sure and the Street Program's being worked on. It's my goal to have all the streets evaluated by the time Winter gets here so that in early 2009 we can bid a street program. Ward I and II are done and we're working on III and IV now.

Mrs. Kelly: I would say that whenever you get the street program done then if you're already prepared for the potholes and the curbs, if you could get us a list that would be great.

Mr. Miller: If I could address something that you said, President Hills. In evaluating the condition of the streets, we are also including the condition of the curb with each associated street as we look at that street.

Mr. Hills: Just so I can clarify something for Councilperson Kelly, we fix curbs and gutters as a City when one or two things are being done. We're doing the Street Program when we're coming in and working that street and then we fix the curbs and gutters that need to be fixed. The other time that we do that is when we're having the residents fix their sidewalks, we're coming through and fixing the curbs and gutters. So this isn't a magical system. We've had it in place and it's worked. It just hasn't done much in the last four or five years, well, three or four years. It needs to be turned around and we have to do that. There hasn't been what I would consider, I don't want to use the word adequate, but maintenance of some of our areas could be better than what they have been. It's been due to cash flow problems and everything else but I appreciate it, if you have one person on it, gee if you can put three on it for a couple days, that's not going to bother me a bit. The more homes you get fixed the better off we are.

Mr. Clemens: I would think it would be more costly, I think it's the time that's involved, it's not the cost of the material. We're not using that much material, am I correct? It doesn't use much material.

Mr. Miller: Correct.

Mr. Clemens: It's the time of our employees if they have the time to do it because, talk about the money he's talking about we could fix a lot of patching and a lot of concrete gutters because it's the operation of our employees whether we have the time to do that with them or not and I think I would talk to Larry to put in as much time as you could, really.....

Mr. Miller: We're doing that Councilman Clemens. That's one of the variables that we are evaluating.

Mr. Joseph: Mr. Miller when you said I and II are done and you're working on III and IV, are you talking about the Street Program or are you talking about the.....

Mr. Miller: I'm talking about evaluating the streets for the Street Program.

Mr. Joseph: Okay and okay, that's good. Any other questions, yes Mr. Deskins.

Mr. Deskins: I'd just like to say thank you very much for what you're doing and that happens to be the area where I live and I'm already getting comments on what you're doing. I know that we can't do it all at once but we've got to start somewhere and I for one appreciate all you're doing for us. It's been a long time coming and it's starting to look good.

Mr. Clemens: The point of it is, we've got a lot of streets, you go into the district you're talking about two streets. You could do ten streets, I mean you know it doesn't take long to evaluate. It's a hole and you fix it, the same way with the curb and the gutter. My suggestion would be like his there. Do the area. When we talk about something we're doing more than one. You can do more than one, you can do more than three, I don't care what you do, you evaluate one or two streets, I don't get that and I think it's taking too much of your time. Personally, I would say, here's a section of town, we're going to do this section, take those streets and do them. That's all you have to tell us and I agree, spend the money and do it. It needs to be done, it's not that big a project, if you have the personnel to do it. The personnel to do it is what you're problem is.

Mr. Miller: That's the biggest challenge. It's not so much what to do but how to get it all done.

Mr. Clemens: That's what I'm trying to say, just saying I'm going to do one or two streets, that doesn't impress me I'll be honest with you about it. If you're going to say that you're doing Briarcliff or you're doing Huber, that's fine, because we're doing a section, we know you're going to get it done and that's fine, then next year or the next six months you do this section. That way you're not skipping all over town. You're doing something, people see it's getting done. Who's hole is bigger than the other, I don't know. As far as I know, I've got bigger holes in my district than he has in his. Who knows, so this, I'd rather see you do a district and get it done. This District's been done.

Mr. Deskins: I think that's what he's trying to do. I think that's what he said, wasn't it. He's going to get an example.....

Mr. Clemens: He said two streets.....

Mr. Deskins: Then he said he's going to try to do the whole City.

Mr. Miller: We started this just last week. Those were the first two streets we started with. We're going to continue doing as much as we can with the resources we have before the weather gets cold and that will help us gauge how much material we need to budget to do this and how much we can get done in a given amount of time. I want to be able to come to you in the Spring and say we can do a

mile of curb a month or we can do two miles a month or we can do whatever. I want to quantify what we're able to do for you.

Mr. Clemens: You really know because you don't really know how much is in that curb and gutter. You want to do sections, that's what you want to do. Every street's different. I mean don't get me wrong. It's just that I want to see you doing more than two streets. You shouldn't have to tell me about, you should just go ahead and do it anyway. That's not a problem, you're probably going to need extra money anyway, I think it's a good program, it should have started earlier this Summer, it should have started last year. It should have started a year before. I thought we were doing this all along. It's not your fault, don't get me wrong. I thought we had a program where we fixed potholes, if you've got a pothole, you fix it, so I thought this was being done all along so you weren't here so, I thought this was a maintenance problem that we probably did anyway. So I agree, let's get it done and I agree that we're going to need more money, but if we're going to do a section then we need to do a whole section. We've got a lot to do.....

Mr. Miller: Correct. I'm working very closely with Larry and the Street Department.

Mr. Joseph: Any other questions. Councilman Stake.

Mr. Stake: I just have a little something to add. I wholeheartedly agree with Councilman Clemens. Jim, I wish you weren't worrying about curbs and gutters and you worried about more important things in your capacity as Director of Engineering. I think that the Street Department Superintendent and Safety/Service Director could handle that. If they have any questions, they could go to the Mayor with that. But Councilman Clemens is absolutely right. We have potholes, we go fill them. We got holes in gutters, we can fill them in. I think it's a big waste of time for the Director of Engineering. Thank you.

Mr. Joseph: Any comments or questions on this report. Okay. Thank you very much Mr. Miller.

Item#5. Discussion: Demolition of building destroyed by fire (Olde Reynoldsburg)-
-discussion held during special Safety Committee meeting on September 8, 2008; item held until 9-15-08. Mrs. Boratyn.

Mrs. Boratyn: Thank you Chairman Joseph, Council. Last week I came down and I talked and gave you the explanation of everything that occurred with the building so what I have now we have actually got an agreement with the EPA about what we need to do to abate and demolish the buildings and we have a plan how we're going to go about doing that so that's what I've come tonight is to request a waiver of competitive bidding so we can accept a proposal and I think you have a copy of the proposal that's attached to what you were provided from North American Environmental Services to abate the asbestos and to authorize the Mayor to execute the contract to perform those in the amount not to exceed \$20,000 and to appropriate \$20,000 from the Unappropriated General Fund to the Miscellaneous Contract Services to pay this cost abatement and to appropriate another \$8,800 from the

Unappropriated General Fund to same account to demolish the building. To declare an emergency so that it can be considered at the Special Council Meeting tonight. Chairman Joseph, I would ask that you move it to Finance so that we can appropriate the monies then move to Special Council so that we can vote on it and we can get everything signed and start with the program, I mean start with taking them down. So the plan provided that we get the approval tonight, is the demolition, not the demolition, the abatement by North American would start on Wednesday which is the 17th and they expect to be finished by the following Tuesday. We've met already with all the players, with the abaters, with the demolition, with the Street Department and the Police Department. We have a plan in place for how we would move onto the demolition part so the following Wednesday would be the 24th, we're scheduled for demolishing the buildings which would require us to have short street closure for the two westbound lanes from Jackson to Lancaster. We would close the two westbound lanes for approximately between 9a.m. and 2p.m.. It would probably be for a shorter period of time but we want to give that long period of notice to businesses which we'll give to them, that would be to knock the buildings down and then the rest of the time after that, we would be back open as soon as he's knocked them down because I think he plans to come to the front and knock them them to the back. The rest of the time, up through the following week would be intermittent where trucks need to come in and take the debris away to the landfill. So the plan would be that they would start on Wednesday, couldn't start on Tuesday because American already had a commitment on its schedule but it would start on that Wednesday and the following Wednesday the buildings would come down and the rest of the time would be removing the buildings out of there so they would be done by the end of the month or by the first by October 3rd, I would expect that everything would be done. We also have another date of Friday, if something were to occur on Wednesday, something with the weather. We did not want to schedule it for Thursday because of Court. We just have too much traffic that comes down here so we didn't want to have that hassle with the road being blocked. So that is basically where we are tonight. Able to complete the process of where we had started, what I had come down to talk about last week so that's what I would ask Chairman Joseph is that move it from Committee to Finance so that we can get the money.

Mr. Joseph: Okay. Any questions of Safety Committee tonight for Mrs. Boratyn on this, any of Council? Okay.

Mrs. Boratyn: Thank you.

Mr. Joseph: I'll make a motion that we send this to Council and Finance as an emergency. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Item#5a. Rosehill Road Reconstruction regarding the authorization for Mayor to enter into contract with Ohio Public Works Commission for reconstruction of Rosehill Road.

Mr. Miller: Thank you Councilman Joseph. Before all of you this evening and I will apologize ahead of time for getting it to you so late, however there's a memo and the highlights of the contract that we need to enter into with the Ohio Public Works Commission for the Grant loan

monies associated with the Rosehill Road Reconstruction Project. We are requesting \$5.6 Million in financial assistance from OPWC, \$1.5Million will be in loan, the remaining \$4.2Million will be in Grant money and by authorizing the Mayor to enter into this contract, gives us access to that Grant money and to the up front loan money that will be required to facilitate construction of the Rosehill Road Project. When the contracts are prepared and awarded for construction, I will be coming back to Council to request that the money be appropriated. I'd be happy to answer any questions.

Mr. Joseph: Any questions from Safety Committee members for Mr. Miller on this item tonight, from Council. Okay. Seeing none I'll make a motion we send this on to our Special Council Meeting as an emergency. Seconded by....

Mr. Hills: I don't believe that needs to go to the Special Council Meeting.

Mr. Miller: No, that can go to the meeting a week from today.

Mr. Joseph: Okay. I misunderstood.

Mr. Hills: Those kinds of meetings are rare.

Mr. Joseph: I misunderstood. I was under the understanding that we wanted that as well. My apologies. We'll pass that on as an emergency for next week. Seconded by Councilman Stake. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Safety Committee is adjourned at 8:06p.m.

Safety Committee

- - -Sally Cochran, Assistant Clerk of Council

September 15, 2008

SERVICE COMMITTEE MEETING MINUTES

September 15, 2008

Members of Service Committee present: Mel Clemens, Leslie Kelly, Donna Shirey, Fred Deskins, Jr..

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

Mr. Clemens: I'd like to call the Service Committee Meeting to order at 8:07p.m. The first item on the agenda is approval of agenda. Do I have any additions or deletions to tonight's agenda?

Mr. Hills: Mr. Chairman or Councilman Clemens, would it be appropriate or do you mind if I would get an update on where we are on the St. Rte. 256 road modifications from Mr. Miller on that. I guess I should have brought it up in Safety but he spend too much time at the mike already.

Mr. Clemens: No. That's fine.

Mr. Hills: Whenever you would like to add it in there.

Mr. Clemens: We'll add that as Item 2a.

Mr. Hills: I'll go ahead if I could and I just want to summarize so everyone understands. When I was acting Mayor, what second or third week of August, there was an issue came up and I'm sure anybody driving up Rte. 256 sees it right now. Detours here, there and everywhere and part of it's with Target. I don't know if any of the parties are here tonight. I talked to Mr. Miller last week and I was doing a followup because what I was told as acting Mayor, which I fully know was

correct, because the Chief was out there checking some traffic patterns and I think it caught everybody a little bit by surprise but what the business owners out there were told and I'm sure Wesley Ridge was told, it would be a two week period of time that Wesley Road would be closed. At which time it would reopen with no entrance into the Shell station but there would still be an entrance into the exit part of the small commercial strip business and then back to Wesley Ridge and I understand and Jim has been very complimentary of Elford and EMH&T and everybody that's trying to build it but it's my understanding that after they've told everybody two weeks, and you always have communication problems, so I'm sure the owner of property knew, did he tell his tenant, did he tell Joe at the shop and didn't tell Sam. You know, we can't prevent that. Certainly the owners knew and they informed their tenants that it was two weeks, but the problem then if I understand it properly, Columbia and or Columbia and AT&T said oh, by the way, we're going to go ahead and reroute some lines. So in essence, not a bit of work has been done in that three week period of time. I guess I was just, talking to Jim last week and I said can we kind of figure out why because it's not impressive to tell people two weeks and they don't even see anybody moving around in three weeks but I think that's a little short synopsis of where we are. Am I incorrect in anything I've said or....

Mr. Miller: No. No. There has been a hold up on that project. All efforts before that project began to get utilities relocated were in place.

Mr. Hills: And the utilities had agreed to.....

Mr. Miller: And utilities had agreed and it has been explained to me that once the road was removed, Columbia Gas who previously was not planning on moving their facilities, said, wait we're going to move our facilities and they, in doing so, they had to get easements, they had engineering involved and where they were going to put their utilities and they have according to Elford been unresponsive in coming out to the site and actually getting the facilities moved. Their facilities are located right at the intersection of Taylor Park Drive and St. Rte. 256 so they're presence is key to getting that road built and they have not been on site to relocate their facilities and thus has been holding up construction.

Mr. Hills: Is anybody from Columbia here tonight? Utility shows up. Maybe they're helping the electric company with their utility problems. I worked twelve years with a utility. I know what utilities are. I worked for Columbia Gas, that's been a number of years ago but it's just frustrating to me and if it's frustrating to me as a Councilperson, I know what it's got to be like for the business owners. I know what it's got to be like for the residents of Wesley Ridge. What do we know and from what I gather, it's not your fault and I don't think it's EMH&T's fault, it's not Elford's but how do we continue to let it happen? Where's the accountability? Has anybody picked up the phone and called the PUCO because you're paying these rates for this stuff. You know they consider their rates, I don't have a whole lot of sympathy. I'm not getting much sleep now with no electric but I don't have much sympathy with utilities. Especially with one if they commit that they're going to do something and you as a City or we as a City plan a project around what their committed dates are, and as soon as we tear up the road to make it impassible then they say, by the way, I'm going to change, I'm going to take the ball and go home. I'm going to change my plans. Then repave it, put it back where you're not inconveniencing the people and let them come in and do their work and tear it back out themselves, and Mayor we haven't, that was

probably one of the messages I left you on the voicemail when you were back that was an issue that had gone on. I had no idea until late last week that it has become a bigger issue and I guess I think that we have to stand up and address these things. I'm willing and I just want all Council to know about it and if you need somebody to be Mr. Nasty I guess a lot of people call me that. I'll be happy to call the PUCO but I just think we need to take steps. Hopefully, somebody will get off their duff at Columbia and talk to you about it. Have they committed anything to EMH&T, when they're going to do this, have they committed anything from Elford? Is anybody from Elford here? I'm glad you showed up, at least one of the players is here. I think it's time we stirred the pot and if you a stirrer, let me know and I'll stir it.

Mr. Miller: Thank you President Hills. I am stirring it and if you're assistance is needed, you'll be the first to know. Promise.

Mr. Hills: Anything else you want to tell us about the road.

Mr. Miller: I am in the midst of a very aggressive conversation with Elford to temporarily open up that intersection until they are able to provide a revised construction schedule, again which is dependent on Columbia Gas. They, we've talked several times today. They are looking at several alternatives to open up that intersection. Cost is always a big concern, timing is always a big concern.

Mr. Hills: Excuse me. To temporarily get it back to where it was until they move their lines, is that what they're saying?

Mr. Miller: Correct.

Mr. Hills: That's their cost. They put us in this position.

Mr. Miller: I understand, I understand and that's what they're evaluating, right, wrong or indifferent, that's what they're evaluating and I'm working very, very closely with them to expedite a decision on that.

Mrs. Kelly: I have a question.

Mr. Miller: Sure.

Mrs. Kelly: What would happen with this project if we just went ahead and moved ahead and didn't wait for Columbia Gas, your utilities are where they are and we're just going to go ahead with what we're doing.

Mr. Miller: Their gas line would be in danger of rupturing or breaking.

Mrs. Kelly: So essentially they pretty much have us kind of held hostage.

Mr. Miller: Exactly and this has been a ongoing battle and it is as you mentioned frustrations President Hills, it's just as frustrating for us...

Mr. Hills: And I agree with that. Did they blow it when they looked at your plans and say that's okay, you can go ahead and do that. It's not going to bother our facilities and then you tear up the road and Mrs. Kelly, what's the problem. You could hurt our gas lines. Did they blow it, did they miss it?

Mr. Miller: Yes they did. Yes they did.

Mr. Hills: Then fix it Columbia! We didn't miss it.

Mr. Miller: That's right and everything has been impressed upon them to not only fix it but to fix it yesterday.

Mr. Hills: That's all we can do but I think the more pressure, if the press wants to put any pressure on, please go right ahead. Utilities are big people, they've got as much ink as you do so don't worry about them because we're all paying for it. We are all paying for it in our monthly rates.

Mr. Clemens: I agree with Leslie. Finish the job whether Columbia Gas likes it or not. Take care what they have to do. If they don't want to follow it, close it up, finish the job. They can come back and repair the line at their own expense. Are there any other questions. Thank you Jim. If not, Item#3 we'll hold until the next Committee Meeting.

Item#4. Discussion: Proposed annexation of .5+/- acres; Truro Township; Kenneth Rose and Christine Rose; Franklin County Commissioners recommended approval on July 8, 2008; documentation received by Council office on July 16, 2008; can go to committee to begin the acceptance process on 9-15-08. Are there any other questions, if not, I'd like to send this to Council for it's first reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

Item#5. Discussion: Addition of Chapter 1190 - Stream Corridor Protection Zone. Aaron I believe you're representing this for us, am I correct or is Jim....you're going to introduce it are you, Jim's going to. Okay Mr. Miller, it's all up to you.

Mr. Miller: We're introducing Chapter 1190 Stream Corridor Protection Zone. This is going to be a section in our Zoning Code to establish, and I'm going to read this right from the first paragraph. Establish through a designation of riparian setbacks that will be required on all natural or manmade open channels. This zone shall be kept in it's natural state as possible so that it can perform it's inherent functions of erosion protection, flood storage and water quality protection. This is going to be a setback along our natural and manmade waterways to, we're not going to allow construction, we're not going to mow, we're going to designate this area with signage so that the stream corridor itself is protected and that's the purpose of this Policy. If there are any questions, I'd be happy to field them or if there's.....

Mr. Clemens: I've got a question. I can understand why we're doing it but did you say that we're not going to mow. Did I hear that. I mean, are we going to let weeds grow, or what are we going to do?

Mr. Miller: Correct, we're going to let the natural vegetation that is there grow.

Mr. Clemens: And it's going to look like Blacklick Woods over there with all those weeds growing along Livingston Avenue, is that what we mean? That's what their's is, natural habitat.

Mr. Miller: I've haven't seen it but I would say yes.

Mr. Clemens: Personally, I'd rather see you mow it but whatever you want to do. Are there any other questions? And why aren't you going to mow it, I mean I'm not crazy about having a bunch of weeds grow. What's the deal on it?

Mr. Miller: I'm sorry, you're question again.

Mr. Clemens: I'm not crazy about having all the weeds grow along there. Why aren't we mowing it? That's why I'm asking the question.

Mr. Miller: I understand. This is also to be in compliance with the MPDES Regulations. This is something that they are telling us that we need to do. I understand that it's not the most aesthetic feature to our streams, however it is a policy that does prevent erosion. It does improve water quality and it does those things.

Mr. Clemens: In other words, it's required.

Mr. Miller: Exactly.

Mr. Clemens: Are there any other questions for Jim on this item. Yes, Mr. Stake.

Mr. Stake: Thank you Chairman Clemens. I just have one question. You mentioned you're going to put signs out along these waterways I guess. Is that every piece of property that has a stream going through it you're going to put a sign on?

Mr. Miller: Every piece of property that develops or redevelops this setback will be established and there will be a sign.

Mr. Stake: So it would just be developing property and redeveloped property that this will be applicable to?

Mr. Miller: That's correct. Mr Lucas, if you'd like to say something.

Mr. Lucas: Basically, Councilman Stake, what's intended with that is when a new subdivision is platted, we'll require the developer to come in when he creates the lots and put something like a 4 x 4 post with a plaque on it or carved into the post saying "Stream Corridor Protection Zone" so that they know that they are not to mow beyond that area or we'll require it to be put in some kind of permanent conservation easement or ownership of Home Owner's Association or the City ownership.

Mr. Stake: Okay. Thank you.

Mr. Clemens: You know, I can see this. Let me tell you the situation on this. I have some relation that have moved on this golf course and it's right up in New Albany there and they've got this stream running through the golf course and it runs along all these people's property and they've got really nice yards then all at once they've got all this garbage. They're not allowed to mow. That's what you look into, in other words, a bunch of weeds and I'm standing there saying why don't you cut the darn weeds. Well there's a sign there that says that we're not allowed to cut them. It might be good for one thing, it sure doesn't look good for the other. I mean you know, it's it's.....

Mr. Miller: In your situation, Councilman Clemens remember that this is for developing or redeveloped land. If there's something there that's existing, we're not going to.....

Mr. Clemens: This was developed because it's a golf course, it means the same thing. Maybe I can see why you're doing it but I'll tell you, it looks a lot better to see a nice stream going through all these communities and see the grass cut down to it and everything looks nice. To have property that says that you can't do anything on it, that you can't cut it. It would look like Blacklick Woods over there as you drive down Livingston Avenue, am I right or wrong. That's what it's for you know. Are you sure we have to do this by law.

Mr. Miller: Yes Councilman Clemens.

Mr. Clemens: I don't like that law. All right. That's me I guess. Yes.

Mrs. Newman: Mr. Clemens, I'd just like to say that there might be an advantage for you duffers that are out there playing on a golf course like that because your golf ball would more easily roll into the stream if it were mowed.

Mr. Clemens: But you can find it quicker in all that junk, I'm telling you. But you're right. Are there any other questions pertaining to this. I'll make a motion to move it on, I don't like it but I'll make a motion to move it on for first reading and send it to Council for first reading and then we can have some more discussion on the proper mowing of this situation. I'll make a motion that we send this to Council for it's first reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you Mr. Miller and thank you guys for your work. Thank you.

Item#6. Discussion: Authorization of Refuse Contract from Dec 1, 2008 through Dec 31, 2009. I don't want to talk too long but I don't want to go home. My house is dark. If you people don't care, we'll stick around.

Mr. Hills: Yours, mine and who else, who else got....

Mrs. Kelly: Mine.

Mr. Hills: You guys can all come to my house. I have electricity.

Mr. Clemens: Thank you Pam.

Mrs. Boratyn: Thank you Chairman Clemens. We went out for bid as you know back in July for have our services for collection and transportation and solid waste and yard waste and trash for the citizens. We were looking to have a thirteen month contract running from December 1st, 2008 through December 31, 2009 and we had one bidder which was Rumpke. We didn't have any other bidders and they did and so that's what we're here for, is requesting authorization for the Mayor to enter into the contract with Rumpke for the collection, transportation, delivery and disposal of residents solid waste, recyclable materials and yard waste. It's basically, their bid is \$1.32 more than what the current rate is so we were actually pleasantly surprised and pleased to see that it came in at what we consider to be reasonable rate and we've talked with Auditor Harris about having our 2009 budget reflect the amount of \$2,000,000 for this trash account accepting this contract. So really, it's pretty much standard, the contract is to what we've had in the past. Except they offered something that was new, was for \$55 they'd remove like refrigerators or freezers with the CFC removal and disposal and that was also in the contract. It's kind of pretty standard to what the City has done in the past, the same service provider we had in the past, just a difference in the amount. You have time to have further discussion about it. It's got an emergency clause, it would be effective immediately upon the Mayor's signature but it doesn't have to be, we wouldn't start the contract until November 1st.

Mr. Clemens: It can go three readings.....

Mrs. Boratyn: If you would like.

Mr. Clemens: Could I ask you a question and I forget because I thought we had changed it maybe Dick would know more about it. What percentage are getting back for taking care of the building part?

Mr. Harris: With the last contract Councilman Clemens, we are currently not adding anything on to the cost of the refuse because of the additional funds that have built up in the Solid Waste Fund but you will also probably have to look at since this did go up, you're probably going to have to look at an increased rate starting December 1st also.

Mr. Clemens: Thank you.

Mr. Hills: Mr. Chairman if I could ask one question. I just heard Dick hear that magic thing, rate went up. What was the cost of the twelve month contract last year with Rumpke picking up the same trash, same way?

Mrs. Boratyn: I don't have a calculator with me but.....

Mr. Hills: Whoever's got it. Obviously it must not be \$2,000,000.

Mrs. Boratyn: It was, well we have basically 10,000 residents. We have about 8,000.....

Mr. Hills: If we feel that it's going to cost us \$2,000,000 to get our trash picked up from December 1st, 2008 through December 31, 2009, which I guess is a thirteen month contract. What did it cost us for the latest year figure?

Mrs. Boratyn: I can calculate it out. He's got it (looking at Mr. Harris).

Mr. Harris: \$1,700,000 was appropriated for the twelve months of the fiscal year '08.

Mr. Hills: \$1,700,000 for twelve months so that would be, so we're up about \$1,900,000. It appears to be up on \$100,000 or so on a thirteen month period, is that right. I'm from West Virginia. I'm not sure my math is that good but so it's not a substantial increase.

Mrs. Boratyn: No, no, that's what we were so surprised about.

Mr. Hills: So it went up but it's not any more than we're seeing 2-3% of whatever you do this year, like your utility rates.

Mr. Harris: I'm sure that the biggest increase probably for them was probably the cost of gasoline.

Mr. Hills: They didn't run the...., they just rolled this in. So certainly this bid for the thirteen month period is not out of line from our prior twelve month contracts.

Mrs. Boratyn: That would be our assessment.

Mr. Hills: Thank you Mr. Clemens. That's what I was just trying to figure out.

Mr. Clemens: Were there any other questions for the Service Director? Mr. Stake.

Mr. Stake: Thank you Chairman Clemens. I heard the Auditor say that we're probably going to need to do a rate adjustment. When do you plan on bringing that forward?

Mrs. Boratyn: Well, it depends on.....

Mr. Harris: We'll probably need to get it in place prior to January 1, 2009 because you'll probably start it with the January 1st water bills because that's when they go out so I'd think you'd certainly need to get it down here, get it approved so it could be effective for January 1, 2009.

Mr. Stake: So if we start this at the next Committee hearing, we'll have enough time to do it without any emergency or anything like that?

Mrs. Boratyn: We should have, yes. I've been working with the departments to get all of their various rate increases that we might have to look at so that I could put them into our budget as it's coming. So we're just putting those things together so we are looking at it. We will.....

Mr. Stake: I would just rather not have to deal with the rate increase as an emergency so if you'd bring that forward in a timely manner so we could avoid that, I'd appreciate it.

Mrs. Boratyn: Okay, certainly will do that.

Mr. Clemens: Are there any other questions for the Service Director pertaining to this item at the present time? If not I'd like to move it on to Council for the first reading. Seconded by Mrs. Shirey. **All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.**

Item#7. Discussion: Addition of Chapter 1194 - Historic Commercial Overlay and Chapter 1195 - Community Commercial Overlay. Luke are you handling this one.

Mr. Haire: Yes, thank you Chairman Clemens, members of Council. I appreciate the opportunity to present this to you. It's something I've been working on for nearly two years it seems like, almost the whole time I've been with the City. We've had a Committee that was formed in December of 2007. We met on numerous Thursday evenings over the last year or so and I want to thank some of the Committee members, especially Councilmember Newman who's given up many of her Thursday evenings and the Chairperson of our Committee, Monica DeBrock, who's in attendance tonight as well and all other community members that served on that committee and have done dedicated work on behalf of this and I really appreciate their input. One of the main complaints we've had with the Design Review process, that I've heard from developers when they come into the City is that they don't know the expectations. There's no guidelines in place. They don't want to go before a Board, that arbitrarily says "no, we don't like this" after they already spent their design dollars on the building and they have to go back and redesign. So that's what initially what this process started over is that we didn't have a set number of standards in place. When the City established Design Review Board in 1996, we were sort of cutting edge at the time. Not many communities had Design Review Boards at that time. Since that time, most communities have established Design Review Boards and established guidelines, either through a form based code or a zoning overlay like we're doing here or just through design guidelines that are set into their standards. So this will kind of bring us up to par with what other communities in Central Ohio area are doing at this point. Like I mentioned, this will take away some of the arbitrary decisions that have been made in the past at the Design Review Board that have upset some of the community members and will also prevent future litigation against some of those decisions that there's some potential for when you make any type of decisions not based on regulations. This will also protect the investments that developers make when we're demanding that they build a quality building for the community and most developers are willing to do that if they know that their neighbors are required to do the same and that their investment that they made in their infrastructure and in their building we protected by the neighbors

also building quality buildings. This will really set a standard in Olde Reynoldsburg and will allow for the redevelopment. We did an Olde Reynoldsburg Revitalization Plan that was adopted in 1996 as well as part of that Design Review Board being established in the same time frame there. We've seen little reinvestment in that Olde Reynoldsburg area. A lot of that has to do with the Zoning Standards that didn't allow for redevelopment. We required those buildings that are not suburban style strip development lots to meet suburban style strip development standards that require 40 foot setbacks and require parking to be set back 40 feet and require 20 foot side yards and some of those lots are 35-40 feet wide so they have no chance of redeveloping the 20 foot side yard. They wouldn't have any place to build. Their building footprint wouldn't allow for redevelopment. So hopefully by changing the Historic Commercial Overlay will allow for the redevelopment of Olde Reynoldsburg and it will allow people to get interested in putting in money and investing in that area and investing in new buildings and rehabing the buildings that they currently have. I'd also like to thank Aaron. Since Aaron's come on, he's really put a lot of work and research into this and I appreciate all the work that he's done as well. With that, Aaron and I will be available to answer any questions or concerns that you have over the Legislation that's proposed.

Mr. Clemens: Members of the Committee, anybody got any questions for Mr. Haire at this time? Members of Council. Mr. Stake.

Mr. Stake: Thank you Chairman Clemens. I notice that you mention the Design Review Board I guess would have something to do with this. How about the Planing and the Zoning?

Mr. Haire: Yes, the way that this is written is that it will be codified in the Zoning text so prior to coming before the Board of Zoning and Building Appeals for a major site plan approval, the developers typically have to show a potential building rendering at that point so we'll look at that building rendering administratively and consider whether they're meeting the Zoning standards before they move forward with the Design Review so with these standards, they'll know up front what to expect. There'll still be some leeway in Design Review Board decisions. We don't mandate any specific materials that need to be used in this code. We don't mandate any type of color schemes so those are items that will still be considered. We don't mandate any type of landscape materials. All those items will still be considered as if they're appropriate for the site but there's just certain minimum standards that will be required to be met as part of the zoning.

Mr. Stake: I think it's a great idea. I know that it's been in the works for a couple of years. I appreciate it coming forward this evening but Planning and Zoning won't have any oversight in this or will any of this be applicable to a Planning and Zoning, BZBA or Planning Commission Meetings?

Mr. Haire: Yes, the BZBA definitely. It's part of the major site plan approvals, yes, it will be considered whether the buildings meet those standards.

Mr. Stake: Okay. Explain to me the Design Review Board's involvement in this.

Mr. Haire: The Design Review Board's role in this would be, they would also be considering whether they met the zoning which should already be taken care of when it gets to them but they'll be considering the actual layout and they'll still be considering the placement of windows and all those types of things that you consider in a design. The materials, how the materials are structured on the building, fenestration, massing. All those things still go into Design Review Board's decision. They are not legislated in this document.

Mr. Stake: So there won't be any guidance on those kinds of things?

Mr. Haire: There will not, no. There will still be some, we don't want to write it so strict that there's no leeway in the design. We still want to leave available to architects to have some leeway in their design and be creative with their design to produce an attractive building. If you legislate everything, then you get conformity in every building and every building looks the same and we don't want every building to look the same. Through the Committee process, we don't want to be like some Communities in Central Ohio that mandate a certain type of stone on every building and a certain type of sign with every building where you get the same look and you don't have any variety.

Mr. Stake: I agree with that and I appreciate that. Do you think maybe that we could roll that stuff into Planning and BZBA? The reason I bring this up, is because I hear a lot of complaints of people who have to go through the bureaucratic process with our City and you know, and you probably hear it too and if maybe we could roll some of this into planning and BZBA, we wouldn't need Design and Review. I'm not saying, I very much appreciate the people on Design and Review and what they've done. I also understand that there's some issues with people showing up and making sure you have a quorum to get things done at certain times, lack of volunteers so I'm just wondering if this wouldn't be a good time to try and put these things into planning and also BZBA and make the process simpler for people who want to do business with the City.

Mr. Haire: Sure, that's something that we were beginning to look at and I know Jim Miller, the City Engineer has begun to look at that process as well. The City of Reynoldsburg is unique in Central Ohio in the ways that we go through our process for a new building. There's more steps potentially than other cities. Many cities combine the functions of a site plan approval, design approval, all under one step which would be a Planning and Zoning Board or Planning Commission roll in most cities in Central Ohio.

Mr. Stake: We have the Director of Engineering looking at that at this time?

Mr. Haire: He has gathered some information for Aaron and I in regards to how other cities in the past have done their regulations.

Mr. Stake: I've got to tell you, I find that kind of strange because he's the Director of Engineering and

you're the Development Director, he's the Planning Administration, I'm wondering why you two aren't doing this.

Mr. Haire: He's just produced the documents for us. We haven't discussed it. We were busy working on this at this point. We will be considering that in the future and it will be something that Aaron and I will be working on.

Mr. Stake: Okay.

Mr. Clemens: Ah, Jim, not Jim, Luke, I'm sorry. This is quite extensive. Let me understand it. Maybe I didn't understand it and I read something I didn't understand. There'll be certain requirements when it comes to you. In other words, maybe the square footage or the setbacks. It's already going to be there that they have to meet that we're allowing them to do, am I correct on that.

Mr. Haire: Yes.

Mr. Clemens: Okay, and that's fine. I have no problem with this because this speeds it up but does it have to go before the B&Z. I mean if they meet the standards, why would the B&Z have to be bothered with it. Why wouldn't it go right from you to the Design Review Board unless they wanted to get a variance on it which I would hope we don't give variances on them.

Mr. Haire: That's what we're trying to avoid is the number of variances that we do give now by creating these.

Mr. Clemens: If they meet the qualifications, after you look at the building, you and Aaron and the setbacks and all thatin it's district, I would hope we would try to keep it out of the B&Z as much as possible because they have enough work and then would go to Design Review Board.

Mr. Haire: Sure.

Mr. Clemens: Unless they want a variance, I suppose, it would have to go to them.

Mr. Haire: Sure. Currently the way our process is set up Councilman Clemens is that they're required to do a major site plan approval for any commercial buildings, any additions, or any new commercial buildings are required to go through a major site plan approval process. That process currently is in the purview of the Board of Zoning and Building Appeals so that's why it goes, any of these would go to them. Some cities are doing administrative approval now if they meet all requirements which wouldn't leave as much leeway and public input which is the complaint that some cities have gotten when they have done a process like that.

Mr. Clemens: It cuts a lot of time out for everybody if it could be Administrative approved.

Mr. Haire: It's very business friendly.

Mr. Clemens: You know and I can understand why the cities are doing it. Because we do get calls all the time from people that are interested in doing something in Reynoldsburg and if we have our standards set, I would think the quickest and easiest way to do it would be to eliminate one step or try to eliminate a step out of the whole issue and I'm in favor of what you're doing, don't get me wrong but I'd rather see it controlled by you and Aaron than have to be bothered by another committee that they have to wait on and possibly come back two or three times something like that. That's just my opinion on it.

Mr. Haire: As our processes move forward we'll look at that and Ron, just to add on to the question that you'd had. The reason that Jim is involved in this is because the development process also encompasses the plat utility, the engineering drawings so that's part of the reason that Jim's involved, because we're looking at the process from the time someone steps in the building and talks about a project all the way through their building plans being approved. So we're trying to re-evaluate the whole process to help streamline it and speed it up.

Mr. Clemens: On this, this is up for discussion. Did you want this moved on and then we'll discuss it as we go.

Mr. Haire: Yes, I would appreciate that.

Mr. Clemens: Are there any other questions from the Committee for Mr. Haire? Members of Council? I'll make a motion that we send this to Council for the first reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you Luke. Appreciate it.

Item #8. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1103.05 "DUTIES AND RESPONSIBILITIES" Subsection (a) OF CHAPTER 1103 DESIGN REVIEW BOARD. - - 2nd rdg 9-8-08. Are there any questions from the Board pertaining to this subject? Members of Council? If not, I'd like to make a recommendation that we move this on to Council with a recommendation for adoption for the third reading. Seconded by Mrs. Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Service Committee is adjourned at 8:43 p.m.

Service Committee

- - -Sally Cochran, Assistant Clerk of Council

September 15, 2008

FINANCE COMMITTEE MEETING MINUTES
September 15, 2008

Members of Finance Committee present: Ron Stake, Mel Clemens, Doug Joseph, Antoinette Newman.

Other members of Council present: Donna Shirey, Fred Deskins, Jr., Council President William L. Hills, Leslie Kelly.

Mr. Stake: I'll call to order the Finance Committee Meeting at 8:44p.m.

Item #2 is approval of the agenda. Are there any changes to that agenda from members of the Finance Committee? I have one addition and that would be #3a would be the Asbestos Services Abatement Funding for the asbestos abatement services and demolition of 7336 East Main Street. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #3 is approval of the minutes. We're going to hold those until the next Finance Committee Meeting.

Item #3a. Appropriation for the Asbestos Abatement Services and demolition at 7336 East Main Street. That would be \$20,000 from the Unappropriated General Fund and \$8,800, \$20,000 for the asbestos abatement, \$8,800 for the demolition of the facility at 7336 East Main Street to Account 110.448.5399 and I believe this comes from the Safety Committee. Chairman Joseph.

Mr. Joseph: Yes, the Safety Committee recommended that we move forward with this and referred to both Council and Finance tonight.

Mr. Stake: Okay. Very good. Are there any questions or comments from the Finance Committee, members of Council. Then I'll make a motion that we appropriate the \$20,000 for the asbestos abatement services and the \$8,800 for the demolition from the Unappropriated General Fund to Account 110.448.5399. I'll send that on to Council with recommendation for adoption as an emergency. Seconded by Councilman Joseph. Any further discussion. This will be sent forward to tonight's Special Council Meeting. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes and this will be on the agenda tonight for the Special Council Meeting.

Item# 4. Discussion: Acceptance of amounts and rates as determined by the Budget Commission - Franklin County, Richard Harris, Auditor will address it.

Mr. Harris: Thank you Chairman Stake, members of Council. Back in July Council passed the Tax Budget and we sent that on to the Franklin County Budget Commission. They in return have sent back to approve the rates and budgets from that tax budget and this is something we've done every year. It does need to be back down to Franklin County by the end of the month so that's why the necessity for the emergency and if there's any questions on this, I'll be glad to answer them.

Mr. Stake: Are there any questions for the Auditor from members of Finance Committee, members of Council. If there are none, then I'll make a motion that send this on to Council, to the regular Council meeting with recommendation for adoption as emergency. Seconded by Councilman Newman. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item #5. Discussion: Establishment of two funds for (1) moving violations and (2) non-moving violations. This came from the Clerk of Courts, Dan Herman.

Mr. Harris: I also got involved with this so I'll get my little part done for Dan gets started here as a matter of explanation if that's all right. Dan came to me, the state has established through House Bill 562 just as they had done before with the computerization needs where they're going to basically put a surcharge on certain violations. The recommendation from them was to go ahead and set up a separate fund just as we had done for the computerization needs so that the money could be tracked and we could pay them as we'll be required to under that law. They also looked at this since it's very difficult to separate the moving violations from the non-violations to set up a second fund for money from the non-moving violations to charge them the same thing and I'll let Dan speak on those but the reason that we need to do this is for the Accounting reason of keeping the money separate just like we

do with other funds and if there's any questions on that, I'll be glad to answer but I'll let Dan talk to you about House Bill 562 which passed and the necessity for doing that.

Mr. Stake: Okay. Thank you.

Mr. Hermann: Chairman Stake, Councilman, Councilwomen as well, I'm sorry. The House Bill 562 was mandated by the State of Ohio. The three funds that actually the funds are going to are the Drug Enforcement Fund, the Indigent Alcohol Driver's Fund and the Indigent Defense Support Fund. The City actually gets no money from that first \$10, that actually is all paid out to the State but the 2nd will definitely keep money in the City so everything will be across the board, everything will be the same. The Court costs will all be the same on all tickets.

Mr. Stake: Okay. Are there any questions for Mr. Hermann and Mr. Harris in regards to this? I guess I have a few questions. This would be for the City Attorney.

Mr. Hood: Yes?

Mr. Stake: Is this something that we have to do? Do we have any discretion over this in regards to the moving violations. Is this something, I know the State passed a law but not all laws the State passes we have to adhere to because of our Home Rule in our Charter.

Mr. Hood: I think we have to establish the funds, yes.

Mr. Stake: We have to establish which funds?

Mr. Hood: Both of these funds that they're requesting.

Mr. Stake: We have to establish a non-moving violation fund? I didn't see that in the Statute at all that was attached to Legislative Request.

Mr. Hood: I can review it again Chairman Stake. When we talked about this last, the Legislation that was moving forward was all required by the ORC.

Mr. Stake: Well, from what I see, and before I guess I'd send anything on for Council for recommendation for adoption, I don't see anything in regards to non-moving violations in any of the information from the Ohio Department of Public Safety or the Section 2949.094.

Mr. Hood: There may not be, I'd have to review it again Chairman Stake.

Mr. Stake: Does anybody, Mr. Hermann, Mr. Harris, do you know, is this a requirement by the State of Ohio for the non-moving.

Mr. Hermann: No it is not.

Mr. Stake: It's not. Okay, so why would we establish a fund to charge I guess our residents because they're non-moving violations and probably mostly be residents an additional \$10 when we're not required to by State Law like we are on the moving violations.

Mr. Hermann: Because we figured, we established the fact that we wanted to make everything consistent. All tickets would be the same so all the Court costs would be the same, all the Bond forfeitures and all the Bonds would be the same amount.

Mr. Stake: Do you have any justification financially for the additional \$10 on the one the State's not requiring us to.....

Mr. Hermann: We're going to put it in a special fund which would go to Special Projects Fund. That would cover a variety of things. One would be the Magistrate's and Mayor's Certificate of Education. We would also be able to use it for purchasing things for the office, for training for the staff in the Clerk's Office. There's a variety of things that the fund.....

Mr. Stake: That makes me a little nervous just putting it in a fund for a variety of things. I'm sorry but....

Mr. Hermann: A variety is covered under the Special Projects in.....I can't find it now.

Mr. Stake: Well, I'll tell you what. You can have plenty...apparently the non-moving violation fund is not, it really wouldn't be of an emergency nature, I guess because, I mean the State's requiring us to have this in place by when, the Moving Violation Fund?

Mr. Hermann: September 23rd.

Mr. Stake: So that would, I can see the emergency on that. If you'd like to bring something forward separately on non-moving violations with justification and how you're going to handle all this money, we can take a look at it this time but, at this time, I personally am not willing to send this forward for the non-moving violation establishing that fund, especially as an emergency so if there's somebody else on the Finance Committee who thinks that they should do that, they can certainly speak up at this time. Okay, I guess I'm not hearing any. Are there any questions, from any members of the Finance Committee for the Auditor or the Clerk of Courts, members of Council? Mayor, do you have anything you'd like to say on this? (Mayor motioned no) Okay, then I'll make a motion that we send the request to establish the Moving Violations Fund, Court #212, to Council with recommendation for adoption as an emergency at the next regular Council Meeting. Seconded by Councilman Clemens. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item#6. ORDINANCE TO AMEND CHAPTER 174 PROCEDURE FOR SELECTION OF DESIGN PROFESSIONALS- -first rdg 9-8-08. Are there any questions or comments from members of the Finance Committee in regards to this. I know the Director of Engineering spent a lot of time in the last meeting on this and hopefully all those questions or concerns might have been answered then or between now and then. If there are no questions then, I'll make a motion that we send this item on for it's second reading. Seconded by Councilwoman Newman. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item #7. ORDINANCE AUTHORIZING CITY AUDITOR TO MAKE REIMBURSEMENT FROM THE FEMA FUND TO THE STREET FUND, AND TO THE GENERAL FUND, FOR THE MARCH SNOW EVENT- -first rdg 9-8-08. Any questions or comments for the Auditor or anybody else from the Finance Committee, members of Council. Not hearing any, then I'll send this on to Council for it's second reading. Seconded by Councilman Joseph. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Finance Committee is adjourned at 8:53p.m.

Finance Committee
- - Sally Cochran, Assistant Clerk of Council
September 15, 2008