

SPECIAL SAFETY COMMITTEE MEETING MINUTES  
September 8, 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 6:47 p.m.

Mr. Joseph moved to amend the agenda by removing Item 6 discussion: Beech Alley. Mr. Stake seconded; all voted "Aye".

Item 3 - Discussion: Rodebaugh Road Repaving - listed at request of Mr. Stake for September 2, 2008 Committee agenda, and held until special Safety Committee agenda on 9-8-08.- -Mr.

Joseph: We have some additional information available on this. Somebody was going to have some additional information tonight on whether or not we're going to go with the mill and fill or the full depth repairs because we were waiting on Truro. Did we get that information?

Councilman Stake did you get anything on that?

Mr. Stake: Chairman Joseph, yes I do. We have Truro Township Trustee Patrick Mahaffey here but I stopped by this morning and spoke with him and Trustee Barb Strussion and I believe that they had decided to also go with the full depth repair and I think that was the issue last week when this was on the Safety Committee Agenda. I think the general consensus at the table was that we were going to participate, it just, we weren't sure what they were going to do and what to do, what the Township was going to do on that. So they are going to go ahead I believe and Mr. Mahaffey can comment on this if he wishes but they're going to go ahead and do the full depth repair so the total cost on that would be \$57,851.80 to put down a road that will last a lot longer than just the mill and fill and my recommendation would be that this come from the Capital Improvements Fund.

Mr. Joseph: Okay. Mr. Mahaffey, do you have any comment tonight on your portion or anything like that. (Mr. Mahaffey had no comment) Okay. Any questions or comments from members of the Committee tonight on going with the full depth repair? Yes.

Mrs. Kelly: Yes. I absolutely agree that we need to go with the full depth repair. I would rather spend the extra money to do the full depth repair that's going to last rather than kind of band-aid it and band-aid it and band-aid it so I think that's absolutely necessary.

Mr. Joseph: Okay. How about other members of Committee or Council tonight. Yes, Mrs. Newman.

Mrs. Newman: I agree.

Mr. Joseph: You agree as well. Okay. Any others. Okay, I agree as well so I'll make a motion that we go ahead and join this project for the full depth repairs, \$57,851.80. We'll pass

this on to Council as an emergency. Second by Councilperson Shirey. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Mr. Stake: I don't believe that Councilwoman Shirey is on the Safety Committee.

Mr. Joseph: Yes, you are right. Okay, we'll back up. I appreciate her support though. It's already in Finance Committee, it's already in your Committee, I don't have to resend it I don't believe.

Mr. Stake: It is on the Finance Committee Agenda.

Mr. Joseph: I didn't think I had to resend it there. Let's do that again with someone on the Safety Committee. Okay, Councilperson Kelly seconds. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you. Just seeing if you're awake Councilman Stake.

Item#4. Discussion: Authorization of purchase of road salt and additional appropriation.

Mrs. Boratyn.

Mrs. Boratyn: Thank you Councilman Joseph and our Street Superintendent, Larry Ward is here to help address any questions that might come up, but we're here simply to ask that there be initial appropriation from the Unappropriated Street Fund, \$60,000 and an additional appropriation, \$32,000 from the Unappropriated State Highway Fund to a road salt account in the Street Department so that we can purchase salt off of our current bid or current contract that we have with American Salt for the price of \$46 per ton because we had, when the bids were open, that we belong to a consortium that bids out 105 communities and when they were opened there were fifty-four communities and we were one of them that who did not receive a bid. It looked like they offered some bids to some of the areas that are in the Southern part of the state rather than in the middle or the northern part of the state. Probably because it's easier to reach them and they were much higher prices. They ran from \$66 a ton up to, I think the most expensive was \$154 a ton. We do have the ability to purchase off of our current contract. Mr. Ward contacted them this morning to, our current contractor to make sure that they could fill that commitment if we bought 2,000 tons, they said they would. This would fill two storage bins that we have. It would also give us some additional because and we will store that additional in a secured manor so we would use it first. We don't know what kind of winter we will have and we don't know if we're going to have any kind of a bid for the next year so it's, we need to purchase as much as we can now so that we'll have it for the carryover and we'll see what's going to happen. They're going to open the bids again on Thursday, do the rebid and open again. We don't anticipate they're going to be better prices, they may even be worse because the Department of Transportation opened a bid on last Friday for million and a half tons and we tried to get information, Larry Ward and I, we tried to get information today on that bid to see what happened and we couldn't get any information because they're still reviewing it. They haven't made any decisions and if they were to buy up the market for a million and a half tons, then we're going to face that issue. We've tried to find out why, what happened, whether there really is a shortage of salt which is what's being said, that there's a shortage of salt. We don't have any really good answers on that but that's what we're here for and that's why we're here to ask that you would, as an emergency make this change, put the money over so we can buy the salt before the contract ends on the 30<sup>th</sup>. To that I would try to

answer any questions or Larry's here, he'll be happy to answer any questions.

Mr. Joseph: Two thousand tons. Is that approximately what we get every year or is that more?

Mrs. Boratyn: I think that you tried to keep the 3,500 tons, Larry.

Mr. Ward: The amount we order varies from year to year but on average, over the last twenty years we've averaged using about 1,800 tons a year, but we've gone as high as nearly 3,000 tons in a year.

Mr. Joseph: When we've gone above what we can store in the sheds, I think I read that we cover it with a tarp. Has that been pretty secure that we don't lose much to the elements when it's covered like that?

Mr. Ward: Yes, that should be okay. We have a blacktop surface we can put it on and then put the tarps over it and put concrete block over the tarps. That's pretty much what they do down here if you've seen the salt piles down off of I-670. That's pretty much what they do.

Mr. Joseph: Correct. What is it, is there any type of contingency plan that for some reason we do not get included in on this.

Mrs. Boratyn: Well, we can buy off the current contract but we would normally have ordered off of the new bid that was out there however if another bid comes, we would be included in that bid which would give us the ability to buy salt later.

Mr. Joseph: Okay.

Mrs. Boratyn: But, we don't know if there'll be a bid.

Mr. Joseph: I thought I read an article in one of the local papers over the past week that indicated people who bid earlier would have paid more but they would have had a better chance of getting salt, is that correct.

Mrs. Boratyn: I read the same article and tried to get some information on that and this is my understanding. My understanding is that generally there has been a decision made by Ohio and some other states that it would bid later and that's what this consortium is part of and usually get a better price than if you bid earlier they'll charge you a higher price. I think after the last Winter that occurred what happened is a lot of the Northern states, New York, Massachusetts, Rhode Island and all of those, they bought up a lot of the salt and that's what they're saying has caused this kind of a problem but I don't know, my understanding is they're, it has been normal to buy later and we got a better price. Just didn't work this time.

Mr. Joseph: Okay. Are there any questions.

Mr. Hills: Mr. Joseph, if I could try to just clarify in my own mind, we have the capability in our street barn area to keep under cover 3,000 tons of salt, correct.

Mrs. Boratyn: Yes.

Mr. Hills: In the two storage bins and from reading the memo from Larry, we're about 800 to 900 tons down in our storage because we didn't buy after we used the March salt, which we could have done our contracts up until September 30<sup>th</sup>. But we didn't keep our bins full but what we're doing now is saying we're going to buy 2,000, put 1,000 under cover so we'll be 100% full which is, I always thought was our goal whenever we went into the Winter was to have that and we always bought in the Summer, but we didn't for whatever reason so now we're talking about buying 2,000 tons and the numbers that Larry's just given us, unless it's an extremely harsh Winter, we should get through 2009 with possibly out any salt. But let me just suggest that if we have the opportunity to get a bid in 2009, I think we ought to be there accepting it even if we don't order from them where we probably won't be until a 2010 list. If you're not a repeat customer, the chances of dwindling off are just going to continue so I guess what you're asking us to do is, we need to fill the bins which we would always would have liked to have done and that's going to take 1,000 tons of salt I guess.

Mrs. Boratyn: Yes.

Mr. Hills: And what you're saying is that we can get salt at \$46.02 and the '09 bids are certainly looking like they're going to be \$80 plus, we're going to go ahead and take advantage and buy another 1,000 tons and keep covered which I'm assuming that we would use those first. Is that correct?

Mrs. Boratyn: Yes, that's correct.

Mr. Hills: Is that correct, and Larry's confident that we won't just have a block of goop sitting out there.

Mrs. Boratyn: He assures me we won't.

Mr. Ward: We'll take care of it.

Mr. Hills: So I think, and that sort of clarifies in my mind, we aren't just filling our bins. We are turned around and buying, we're hedging that we may not get Salt in '09 so we're going to take it now and store it outside and we should have at that, we're going to have 4,000 tons of salt and we haven't had a Winter where we've used 4,000 tons of salt so hopefully we'll be in a more advantageous position as it goes up, is that correct?

Mrs. Boratyn: That is accurate.

Mr. Hills: Okay. Thank you Chairman Joseph, I was just trying to be sure I understood it.

Mr. Joseph: Okay. Other questions from other members of the Safety Committee, of Council? Okay and then I'll make a motion that we send this on to Council as an emergency. Seconded by Councilman Deskins. All in favor say "Aye". (All voted "Aye") Opposed. (No response).

Motion passes. Thank you.

Mr. Hills: That already is on Finance, right.

Mr. Joseph: Yes, that's already listed so I did not send it there since it's already listed. Motion carries. Thank you.

Mrs. Boratyn: Thank you Councilman Joseph.

Mr. Joseph: Okay, you might as well stay right there for Item #5.

Item# 5. Discussion: Demolition of building destroyed by fire (Olde Reynoldsburg). Go ahead and tell us what you know about where we're at on the demolitions of those buildings.

Mrs. Boratyn: All right. Thank you Chairman Joseph. I hoped to come tonight being able to present you with the plan and some contracts and get your approval so we could get these buildings down. That's hasn't occurred but I did think it was important to come forward and talk to you and tell you exactly what we've been doing, what the City has been doing, particularly since there was an article that came out since the buildings went up in flames. So basically, that's what I was going to do and then I'll answer any questions that anyone has. But we know that on May 19<sup>th</sup> arson destroyed those two buildings, Dance One and the vacant commercial building. The vacant commercial building was owned by Mr. Pandy and Dance One was owned by Mr. Mauer. The property owners had a reasonable time to make some arrangements to take care of their properties, to contact their insurance companies, to take appropriate action so that they could demolish those buildings and in this case, they were older buildings and they asbestos issues so they also had to deal with getting people on board to deal with the asbestos. Our Building Department was involved with the owners and the contractors with regard to permits and dealing with these issues and we have had then and we continue to have concerns about the stabilities of the structures so we were pushing very hard to get the property owners to take action to move forward on those. Mr. Mauer of Dance One, he was doing all of that. Mr. Pandy was not moving forward as we had hoped, so we issued orders to him to demolish his building in June. He informed the City he was not insured and he did not have the wherewithal or means to abate those properties and demolish them. So the City Attorney filed an action in Franklin County Environmental Court to declare the buildings a public nuisance and to grant the City permission to remediate the property and I think he did either in the first part of July or mid-July. Ultimately Mr. Hood and the Attorney for Mr. Pandy agreed on a Judgement Entry. They provided a copy of that Councilman Stake, to Clerk Frazier. I think you might have a copy of that in front of you but they reached an Agreed Entry which they filed on August 1, 2008 and that gave the City the right to go to the property and proceed with the appropriate actions and that is what we began to do. We immediately moved forward and we continually diligently worked toward demolishing the buildings. We hired a consultant, ATC Associates to survey the property for asbestos which was the first step that we had to make to figure out the asbestos that was in the building. We opened discussions with the contractor, KMA Services Excavating Trucking who was dealing with Mr. Mauer to take down the Dance One building. We opened discussions with him to look at taking down the Pandy building down for a number of reasons, costs, safety, timing, less aggravation to the Public, to the local

businesses, to take them down at the same time. We received the survey information and we consulted with two environmental service providers who handle asbestos abatement to get proposals. Ohio Technical Services, Inc and The North American Environmental Services. During this time we were optimistic, we were optimistic because with what had occurred with Dance One building that had, were able to abate the asbestos there at a very reasonable cost. It didn't seem to be that much in that building, so we were optimistic that cost would not be prohibitive and the Kirby Building, or Mr. Pandey's building and we made tentative arrangements to go ahead with demolishing the buildings on August 8, 2008 or we didn't have the abatement complete by that time during the following week. We all met internally with all the parties and we gave notices to the businesses that was our intent and our hope to do. On August 7, 2008, we were informed by the Ohio EPA that we needed to file a Notice to Demolish which also.....asbestos abatement as did Mr. Mauer on the Dance One building and before either of us could proceed. So Mr. Mauer began addressing that matter as did we. So we provided requested information to the EPA on August 8, 2008. Mr. Hood and I went down and personally met with the EPA officials to go over the survey and the other information that we had gathered on the buildings to make sure that we understood the specifics of what needed to be in the notice. What we needed to provide to them so that we could move forward with this process and we've continued from that date to provide them additional information. We filed our notice over two weeks ago and we have worked with the officials at the EPA with North American Environmental Services and ATC Associates to address additional questions that have come up from the EPA. They've had some questions about the basement, they've had some questions about the second floor. We've taken, we've done all those steps. We filed an updated action plan with the EPA on abatement and today, I spoke again with officials from the EPA, I've had numerous phone calls with them and with all the parties who are involved in this, including Mr. Mauer and his property at Dance One, and I spoke with them today and they requested one additional test on some material that was on the second floor and our surveyor went out today and he's going to complete that and I'm, the Administration's hope is that we will have a final decision this week. This will allow us to come back to Council the next Committee Meeting and with all the necessary legislation that we would want to move forward to abate the problem. We would then ask you to bring that forward as an emergency. So that's our plan, I mean that's what's happened and those are the steps that the City's taken since we took possession of the property on August 1, 2008 so I'll stop there and ask if any has any specific questions for me. But that's a brief outline of what's occurred.

Mr. Joseph: Okay. Any questions from any members of the Committee, Council? Mrs. Shirey.

Mrs. Shirey: I do have a couple of questions. Due to a safety issue with the building being burned, demolished, not demolished but being burnt, did any accidents or injuries occur because of all the debris that we in front of the building and why did it take the City so long to even clean that up so that there were not any.

Mrs. Boratyn: Well, the best that I can answer is I can tell you that we, the City, once the fire occurred, we were up there. The City put up the fencing that was around the building and we cleaned the street up right after the fire. We cleaned up all the debris and put all the fencing around so to my knowledge, it was cleaned up. Then I had a lady who came in who said her husband had wrecked his bike with debris and we immediately went back up to see what was occurring on the street. We straightened up the fence, it looked like it had been pushed over but I think that some of it had been pushed over when the ambulance had responded for this man who

had wrecked on his bike. We fixed that back up again, swept out the street and anything that had come out into the street and we have continually gone out there. The Street Department and the Building Department have gone up and secured that building. We boarded up the building. We don't have control over Dance One but I have talked to the contractor who's working with Dance One on the building and informed him of some complaints that had come up that people had some concerns about people going in there and that they should secure that site, he should secure his area where he was storing some of his equipment where he had taken down part of the back building on the Dance One property. So, I would tell you Mrs. Shirey that the City to my knowledge has been very responsive and we have gone up there and we've continually looked and actually tonight when we're finished, I was going to ask Mr. Ward to go with me to go up there again to check to because I know the surveyor had been in this afternoon.

Mrs. Shirey: I was just concerned because some of the windows, you know, obviously people can get in there, but the doors, if it wasn't even blocked up or anything...

Mrs. Boratyn: I've also talked to the Chief of Police and I've had the Police also, they're to be constantly watching it during their shifts to insure that there isn't anybody going in there that shouldn't be. We have signs that say no trespassing and we have it boarded up. I would say we've tried and we've responded every time anybody has told us that's there's been something.

Mrs. Shirey: The second question is in regards to the asbestos. Are the businesses around there aware that the building contained that.

Mrs. Boratyn: I don't know if they were aware before, I know that they are certainly aware now there was asbestos in both of those buildings. There could be some in other buildings that are up there as well, because these were older buildings as are probably some of the other buildings.

Mrs. Shirey: And do you have a record, a date as far as completion of demolished or anything like that.

Mrs. Boratyn: I don't because we have, my hope is that this week that if we are in this, if the EPA agrees with this plan of action that we have and this last testing that we've done satisfies them, then I'll be able to come back and say here's the plan, here's what it's going to cost because we're going to have to look at some additional money because the City took on the cost to abate this problem and then collect it back from Mr. Pandy and from there, the North American abatement company that we have, they know that we're in a hurry, they know that we want to get the buildings down, they know we have concerns about the stability so I would hope that they would make arrangements to come in as quickly as possible, take the stuff out and then it would just be knocked down all the way.

Mrs. Shirey: All right. Thank you.

Mr. Joseph: Other questions, Mrs. Newman.

Mrs. Newman: This might have to go to Mr. Hood. Is he back there anywhere?

Assistant City Attorney Matt Roth: I'm here for Mr. Hood.

Mrs. Newman: All right. Okay, is there any provision allowing us to auction this property in case it is not sold in a timely manner or to effect our reimbursement for this or does it just go on a tax duplicate or how do we get reimbursed for the cost?

Mr. Roth: We have a judgement actually, Mr. Pandey is the person that we deal with all the time but the property is actually owned by Mrs. Pandey. We have a signed judgement by Mrs. Pandey, also signed by Judge Hale, that says they have nine months to pay us back. It does not state a specific amount, because we did not have a specific amount. They have nine months to pay us back; if they don't we can file that judgement as a lien against the property. So if it's a vacant lot at that time, we would have a lien against it. Further, for instance, if the property sold in the meantime and he doesn't pay us, they're in contempt of court also. Judge Hale has contempt powers that could be used to enforce them to pay us our money.

Mrs. Newman: Well, if we have a lien, wouldn't they have to, or unless this occurred prior to our filing of the lien, we could, they would have to satisfy that lien before they could effectively sell the property.

Mr. Roth: The terms of our agreement are we can't file the lien unless they're in default of payment.

Mrs. Newman: I see.

Mr. Roth: So, there would not be a lien at this point.

Mrs. Newman: Not until after the time period passed.

Mr. Roth: Right.

Mrs. Newman: Okay. All right, thanks.

Mr. Joseph: Other questions? Okay. I guess we'll go ahead and hold this for a week and see what information you have for us at the next, the regular Safety Committee Meeting next week so I'll make a motion that we hold this for one week. Second by Councilwoman Kelly. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Mrs. Boratyn: Thank you Chairman Joseph and I hope to see you next Monday, the whole plan.

Mr. Joseph: Okay. That was our last item. Safety Committee is adjourned at 7:11 p.m..

Special Safety Committee

- - -Nancy C. Frazier, Clerk of Council

September 8, 2008

(Transcribed/S. Cochran, Ass't. Clerk of Council)

## SPECIAL SERVICE COMMITTEE MEETING MINUTES

September 8, 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 7:12 p.m. The first item

on the agenda is approval of agenda. Do I have any additions or deletions to tonight's agenda? If not, it'll stand approved. Item # 3. Discussion: Resolution authorizing the Mayor to sign a Questionnaire Regarding Notice of Intent to Participate in Consortium Bidding Process (Central Ohio Solid Waste Consortium). Our Service Director, Mrs. Boratyn, do you want to speak on that.

Mrs. Boratyn: Thank you Chairman Clemens. This is a resolution that would authorize the Mayor to execute this questionnaire with our notice to intent to participate with the Central Ohio Solid Waste Consortium bidding process. As you recall, back when I came and we were bidding out for our trash contract, we had indicated as part of that, that one of the things we wanted to do was try to become part of this consortium to see if we could get better prices with other communities for our trash pickup and those types of items so this is simply the notice for the Mayor to sign. SWACO indicated that they would need this by September 12, 2008 that's why we're having this Special Committee. Originally, we had been informed that we had everything with them that they needed and then I received this late last week saying that they would also need us to fill this out, and I talked with Clerk Frazier and she thought it was best that we put this before, or that is was necessary to bring this before Council to have approval from the Mayor to just sign this intent. It is not binding the City to anything. This is information that would go to SWACO, they will use it as they go out to put together the information for their bids. In talking with Joe Duram who's the Attorney for SWACO, we specifically talked about this very issue about what this means. They would come back to us with the bidding document to bring back to Council for you to approve that you want to participate in that bid before we would actually be part of the bid and then of course then if there were contracts with the bid we'd come back and Council would have to approve those contracts so this doesn't commit Council to doing anything other than showing them that we have, providing information to them that we have an intent that we would want to participate in the consortium.

Mr. Clemens: Are there any questions from the Service Committee for the Service Director, members of Council. If not, I'd like to send this resolution to Council for adoption. Seconded by Councilperson Shirey. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Mrs. Boratyn: Thank you Chairman Clemens and Council.

**Mr. Clemens: Service Committee is adjourned at 7:14 p.m.**

Special Service Comm- -Nancy C. Frazier, Clerk of Council- 9-8-08(Transcribed/S. Cochran, Ass't. Clerk of Council)

## **SPECIAL FINANCE COMMITTEE MEETING MINUTES**

### **September 8, 2008**

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

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

Mr. Stake: I'll call to order the Finance Committee Meeting at 7:15 p.m.

Item #2 is approval of the agenda. Are there any changes to that agenda from members of the Finance Committee? I have an addition to the agenda at the request of the Mayor, Item#3a. Then and Now - Unemployment Compensation Account. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item #3a is adding a Then and Now for Unemployment Compensation Account. This is an ordinance to approve payment for services performed prior to the Auditor's certification of availability of funds and declaring an emergency. This would be an emergency. The vendor is the Ohio Bureau of Employment Services. The invoice date is August 15, 2008. The amount is \$3,730.92 and Mayor McCloud you'd like to address this.

Mr. McCloud: Thank you Chairman Stake, members of Council. Yes, this is kind of a procedural issue that arose. This bill typically runs less than \$3,000 each month. My review indicated that there was an extra pay period last month which put it over \$3,000. We did not have a Purchase Order open in a sufficient amount so, in consultation with the Auditor, he requested that I submit this to you for your consideration.

Mr. Stake: Okay. All right. Are there any questions for the Mayor from members of Finance Committee, members of Council. We did get this on the August 15, correct? I guess.

Mr. McCloud: Yes. If it's dated the 15<sup>th</sup> of August.

Mr. Stake: Fortunately, we're having a Special Finance Committee meeting tonight and of course the Council meeting to follow so, I see the Auditor standing up, did he have something to add?

Mr. Harris: This is a procedural problem. They usually send it to me because we do the payroll and then we forward it on to HR and then Melanie was out on vacation for a week to ten days and she didn't get back until today and that's why it arose today.

Mr. Stake: But we do have an HR Director.

Mr. Harris: That's correct.

Mr. Stake: I imagine if the Secretary's out, the HR Director could pay attention to these things but, are there any other questions or comments from members of Council. Then I'll make a motion that we send this on to Council with recommendation for adoption as an emergency. Seconded by Councilman Joseph. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item #3. Discussion: Rodebaugh Road Repaving - listed at request of Mr. Stake for September 2, 2008 Safety Committee agenda, and held until special Safety Committee agenda on 9-8-08. Funding will be needed. The Funding amount is \$57,851.80 and that is for the full depth repair of Reynoldsburg's portion of Rodebaugh Road. The reason that we're doing this is because Truro Township is doing their portion and we might as well have a uniform road from Brightstone on to Waggoner Road and the City Engineer has recommended that we do the full depth repair and Truro Township is doing that as well. My recommendation here is to have this paid out of the Capital

Improvements Fund. Mr. Harris.

Mr. Harris: Yes, I would agree. I will go ahead tomorrow and we will have to have an account number to put that in and between this and the regular Council Meeting I'll go ahead and give that to Mrs. Frazier.

Mr. Stake: Okay. What we would be doing is, correct me if I'm wrong, Mr. Miller, what we would be doing is entering into, the Mayor would enter into an agreement. We would be authorizing the Mayor to enter into any agreement with Shelly and Sands for this, correct?

Mr. Miller: That is correct. Not only would you be authorizing the Mayor to enter into that agreement but you will also have to waive competitive bidding.

Mr. Stake: Yes, and okay, thank you, thank you for reminding me. Yes, we would need to waive competitive bidding because it is over the \$10,000 amount. President Hills do you have a comment or question.

Mr. Hills: I have a question because I heard about referring to numbers and I wanted to be sure that we were all clear. Just as Mel was sending the consortium document forward, that is for the meeting tonight. This Rodebaugh Road is going forward. We wouldn't be here for Special Committee Meetings if we didn't have issues that there's a great degree of timeliness. So if you can get the number between now and the time we have to draft the ordinance, we'll probably take a few minutes before we start but if I understand it, just so we're all clear, Rodebaugh Road, road salt, consortium and also the OBES is all being added to tonight's agenda and that's the purpose of these Special Committee Meetings.

Mr. Stake: Thank you President Hills. Any other comments or questions from members of Finance Committee, members of Council. Jim, did you have anything else to add.

Mr. Miller: No.

Mr. Stake: Okay, again Jim, I appreciate your timeliness on this so at the late date we've got you've working on this, you did a fine job and I appreciate your help and I'm sure Truro Township appreciated what you did also to alert them to the full depth repair. I'll make a motion then.

Clerk of Council Frazier: Would you just address so that you get this in the record that there's not going to be any contingency money nor any inspection monies so perhaps you might want to put an 'amount not to exceed' in there.

Mr. Stake: Okay. Yes, I had a conversation with the Director of Engineering. Today he said that there wouldn't be any inspection money or contingency money, correct?

Mr. Miller: That's correct. I'm going to work on the inspection with our Street Department and the agreement with Shelly Sands is coming to us and it will be an amount not to exceed the \$57,851.80.

Mr. Stake: Okay. Then I'll make a motion that we send on to Council with recommendation for adoption as an emergency, to waive competitive bidding on this project and also to provide \$57,851.80 not to exceed that amount and authorize out of the Capital Improvement Fund. Do I have a second.

Mr. Hills: I can't second but I have a question.

Mr. Stake: Yes. Go ahead.

Mr. Hills: I'm hearing what the Clerk is saying and I realize what Jim thinks may or may not happen, but if it would be \$100 over what that bid is, and we get put in this contract, we're going to be coming back here, and I'd just as soon not talk about Rodebaugh Road again and I think what she's suggesting is if I'm correct Nancy, is what you're suggesting, is use a number an amount not to exceed, in case we have some inspection fees or whatever additional contingency fees we are putting in there, but yet we put the amount in and if it's not used it just goes back to the CIP. Right?

Mrs. Frazier: Yes, that's right.

Mr. Stake: Okay, then my next question would be, what would you recommend Mr. Miller to be that additional amount?

Mr. Miller: Just for the sake of round numbers, I would say \$7,500 would be ample.

Mr. Stake: In addition to that?

Mr. Hills: That was more than a little inspection.

Mr. Clemens: Wait a minute, hold it, hold it. I would spend that, you know that. I would spend that. I always did. If you're going to do the inspection, we're not going to have any inspection fees period.

Mr. Miller: No, just the.....no. Not any outside inspection fees.

Mr. Clemens: Okay. \$7,500 as long as you don't spend it I don't mind giving it to you.

Mr. Stake: Why don't we do \$60,000 then. I'll revise my motion to waive competitive bidding and also authorize up to \$60,000 to be funded through the Capital Improvements Fund for the

Rodebaugh Road Project as an emergency. Seconded by Councilman Joseph. Any further discussion. . All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item#4. Discussion: Authorization of purchase of road salt and additional appropriation. This comes from the Safety Committee also and it would be \$60,000 from the Street Department Account #260.268.5253 for road salt and also \$32,000 from the Unappropriated State Highway Fund to Account #270.268.5253 in the amount of \$32,000 as I said and this does come from the Safety Committee. Councilman Joseph, do you have anything to add on this.

Mr. Joseph: No, nothing to add.

Mr. Stake: Okay, then I'll make a motion that we also send this item on to Council with recommendation for adoption as an emergency. Seconded by Councilman Clemens. Any further discussion. All in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you. Finance Committee is adjourned at 7:25 p.m.

**Special Finance Committee**

- - -Nancy C. Frazier, Clerk of Council

**September 8, 2008**

(Transcribed/S. Cochran, Ass't. Clerk of Council)