

SAFETY COMMITTEE MEETING MINUTES

September 2, 2003

Members of Safety Committee present: Mel Clemens, Ron Stake, Lane Beougher. Councilman Jim Wade was absent.

Other members of Council present: Sarah Cannella, William Hills, Eric Gilbert, Council President Bradley L. McCloud.

Mr. Clemens called the meeting to order at 7:35 p.m.

Mrs. Cannella: We have a message from the Visitor's Bureau Director, Mary Hudson. We would like to thank the Street Department, Police Department and Parks and Rec for the wonderful job they did yesterday. Without them, there wouldn't be any race. We also had a number of volunteers that were out there in the rain, the pouring rain, and they did wonderful work. There were water tables, marshals, timers, registration. It was an absolutely terrible day, but everybody was out there and got soaking wet. I know I did. We had approximately 425 people registered. (Inaudible). And most of them were there which includes approximately 50 in-line skaters, which I didn't even think would come out for all that weather. There they were, slipping and sliding along our streets. We had a few cuts and bruises, but only from the in-line skaters. Everything else was absolutely wonderful. I just wanted to thank all of the citizens that volunteered, that worked yesterday, even though it did rain.

Mr. Clemens: Thank you, Sarah. Next item, Mayor McPherson would like to give a little report.

Mayor McPherson: Thank you, Chairman Clemens. I just want to let everyone know that we sent an e-mail out earlier today regarding the Tomato Festival. It has been delayed one day, the opening. It looks good at this point, if it doesn't rain much harder than it has been, and the pumps that they've installed continue to pump. So the opening is tentatively scheduled for Thursday at 4:00. So you may want to just put that on your calendars, and if things should change over the next few hours or tomorrow some time, we'll let everyone know. But right now it looks like the Tomato Festival will open at 4:00 on Thursday.

Mr. Clemens: Thank you, Mayor. Item number 2 is the approval of the minutes of the July 21, 2003 Safety Committee meeting. Do I have any comments on this? If not, they'll stand approved. The next item is the approval of the agenda. Are there any comments on this? If not, that'll stand approved.

The next items, 4, 5 and 6 are discussions of liquor permits. I've discussed these with Chief Miller and they're in the process of working on these permits. One of them has to be in by the 8th, and she will try to have it back to us at our next Monday's meeting.

Mrs. Frazier: It has to be postmarked by the 8th.

Mr. Clemens: Postmarked by the 8th.

Mrs. Frazier: Or it's considered late.

Mr. Clemens: We'll have that for a week from Monday night. Is that, does that give us time on that?

Mrs. Frazier: If they don't have any problem with it. If she can tell me by Friday, then we can send it back or we can postmark it on Monday. But if not, then...

Mr. Clemens: That'll be fine. We'll check with them before that.

Item 4, Discussion, Liquor Permit Request, Transfer from DiTello Powell Corp. Livingston Avenue, Reynoldsburg, Ohio to DiTello Powell Corp., Pop A Top Carry Out. I guess Chief Miller's working on this. She'll have it back for us. Are there any questions on this?

If not, we'll move to item 5. Discussion, Liquor Permit Request, Transfer from Kocolene Marketing to Reynoldsburg Main Arc LLC, Fast Max Kocolene 70, 6748 E. Main Street, Reynoldsburg, Ohio. Do I have any questions on this one?

If not, we'll move to item 6. Discussion, Liquor Permit Request, New, Armbruster Energy Enterprises, Baltimore Road, Reynoldsburg, Ohio, 13885 NW Baltimore Rd., Reynoldsburg, Ohio. Do I have any questions on this? If not, we'll move on, as I say, Chief Miller will have these reports back to us for next Monday night, and the one that has to be in by the 8th, we'll try to have that by Friday.

Item number 7, Discussion, Final Resolution for rehabilitation of Main Street (0.77 miles) and appropriation of funds (request by our Development Director). Mr. Brandt.

Mr. Brandt: Thank you, Mr. Clemens, members of Council. Most of you possibly remember when this started with MORPC and ODOT had agreed as I outlined in the memo that you got this evening, and we apologize for the lack of timeliness on this, but this kind of surfaced at the last minute. Originally MORPC was going to do, or ODOT via MORPC, was going to do a resurfacing their standard milling and resurfacing on the segment of Main Street that is under revitalization at this point, and provide new master arm signals at Brice and Rosehill. The initial balance that was to be the city's match was about \$98,000 under the original request. There was a change that as a result, and you can see the original request is attached under MORPC's resolution T-17-02 which was 392 and 98 for a total of 490. Inasmuch as there was a decision made to add extra asphalt as detailed in item 1, the price shown as an estimate provided a ball park range by ODOT. ODOT, when they have a bid package going out, doesn't provide a breakdown on unit prices as what I was told. They told me this was a rough estimate. They don't release their estimate prices prior to bidding for obvious reasons. Item 2 was 1500 square yards of full depth pavement repair. Due to the varying conditions, that's a difficult one for us to give you an estimate. But according to my conversation with numerous people at the ODOT today, that would account for the basic amount of increase in the request. The proposal was to pay the additional funds out of the County Motor Vehicle Tax as outlined, because the year end balance for 2003, according to county information, was estimated to be about 750,000. We detailed some

expenses to come out of that fund. The only one that has people checking to verify if it was not, in fact, taken care of - the school flasher I believe is the one down here on Main Street several years ago. So one would think that would have been processed. And to give you a wrap up, the estimate to be on hand in the fund by 2005, because Mr. Clemens and I spoke about this, he has concerns about Rosehill Road project and that's estimated to go in 2005. The fund would have over 400,000 in it, or estimated to have at least 400,000 in it by then. The additional work, or improvements if you will, were as a result of, it's my understanding of the Service Department and their conversations with other parties involved. And I can't give you the technical aspect as to the full depth pavement repair. I know that the, or was told that the additional asphalt layer was to avoid or at least take the place of putting in bus pads, which would possibly, or could possibly be more expensive in this process. Bus pads were in. Bus pads were out. At one time COTA said it doesn't meet their standards to pay for bus pads. They have some type of criteria as far as usage and frequency at intersections. And hence, the decision was made to provide a better long term project and product, to add the additional inch and a half of pavement approximately of pavement.

Mr. Clemens: Mr. Hills.

Mr. Hills: Let's move back up to paren 1. 1442 cubic yards of intermediate course asphalt 1 ½ +/- additional pavement. You're saying eight-five to ninety-five thousand dollars. You're saying here that ODOT says, for another inch and a half on top of the inch and a half that we've already put in our little magic fund up here to pay it, that's \$100,000 going to round numbers. Correct?

Mr. Brandt: And there's some firms that were, I've got the whole package upstairs I can bring down. It's got tacking to be put down which I presume is the gooey stuff.

Mr. Hills: Is that tacking in your eighty-five to ninety-five thousand dollars?

Mr. Brandt: No, sir. No.

Mr. Hills: Well how much more, what are we talking about to put down another inch and a half of asphalt?

Mr. Brandt: Their whole estimate, they didn't give me and will not give a specific break down on unit prices. They told me that on the asphalt, traditionally it's between fifty-five and sixty-five dollars a yard. And I verified that with some sources in another community and they estimate, their estimate's \$30,000 a lane mile. So...

Mr. Hills: So if all we are doing is putting down an inch and a half additional asphalt, then we're looking somewhere 100,000 give or take some of these little dollars you're talking about.

Mr. Brandt: That would be my understanding of it.

Mr. Hills: Now let's walk to number 2. 1500 square yards of full depth pavement repair. Where are those being done and who's made the determination that it needs to be done.

Mr. Brandt: That, I can't honestly tell you.

Mr. Hills: But, that makes up another \$150,000 of the \$250,000 you're saying you're going to get out of the Permissive Tax Fund that may or may not be used for something else. So you're asking for another \$150,000, but you can't tell me where those are going to be. John, you're the Development Director. I don't know why you should be able to, I don't know how you inherited this and I'm not sure I want that detail. You know, if our Parks and Recreation people built Olde Reynoldsburg, I guess you can revitalize Main and Brice.

Mr. Brandt: We can get from them, unfortunately time kind of ran out on me today, this was done at the last hour after having worked my way through the maze if you will.

Mr. Hills: Probably after we had our uncomfortable phone call of this morning that we (inaudible).

Mr. Brandt: I was already into the maze by then, and we worked our way through the maze and quite frankly, everyone was very helpful and very, from the ODOT side...

Mr. Hills: If it's \$100,000 to put on an extra inch and a half of asphalt, and I understand that, is that what someone within the city and/or with the engineer's blessing, if I understand it right, we had this whole project done and it was supposed to be done and the revitalization calls for a \$500,000 repaving of this section, Phase I, and the \$500,000 is done in round numbers? \$400,000 by ODOT matching funds, and \$100,000 by the City of Reynoldsburg. Of which, if you look at the ordinance we did, we took that \$100,000 from the Street Fund because it is repairing streets and that's where our matching dollars came up to make the \$500,000. Now, I see all your stuff here and I'm trying to understand it, but \$500,000 has now gone to \$750,000 and I'm told all we're getting is another inch and a half of asphalt, but yet your report says 1500 square yards of full depth pavement repair, but you can't tell me where it is.

Mr. Brandt: I would be happy to find out tomorrow and get from the engineers the proposed areas of rehab and get that to everyone.

Mr. Hills: Mel, I'm just a little confused as to how we got here so late in the game. And then I read in here, I guess, they've already approved? The county's already approved as of this afternoon. The 250,000. So here it is, use it for something.

Mr. Brandt: I was told that the county had approved it, and when we _____ our discussions with the submission of the paperwork, Mrs. Frazier suggested that we find some type of backup for your review and observation, that in fact we did have that funds available, which she was prudent and wise to suggest that.

Mr. Hills: Well I think that there's not a Council person up here that was aware of this project until they read the agenda on the weekend that says, "Discussion, Final Resolution for rehabilitation of Main Street and appropriation of funds". If you went all through our packet, there's not the first thing about a resolution, there's not a first thing, we didn't even know how much money it was. Now, I didn't try to call everybody over the weekend because they weren't available. We get

here, it's like, this Council worked very hard to be sure that the funds that everyone had requested are in a frozen account to cover the best estimate costs. And some of those estimates sucked. AEP and the telephone companies, for whatever reason. Nobody knows who did it. You know, everybody points everywhere, but the estimate's really off. But we had our Auditor stand up and say, "that's alright, we've got enough in the contingency fund. We're still okay". Now I understand today, we don't have a spare dollar in there, but we're being asked to come up with another \$250,000, which we can get out of another fund and transfer over. So, is it coming out of the city General Fund? No. But it certainly is coming out of funds that are earmarked to be used in other projects throughout the city. But, why didn't somebody update the little pot? Why didn't they make the pot aware? Are the people controlling the pot aware? Hey, we need to change something because something needs to be done. I certainly think that the 1500 square yard, would like to know where we have now found there's a need for that. I'd like to know how and by whom said, "now we're going to three inches instead of one inch". I've heard three or four different stories. None of which names happen to appear in the room here tonight. So you never know which one's right. The only person that I was aware of that didn't have anything to do with this was you. But yet you're here. And I don't know if the Mayor even had anything to do with this. I think he may have missed most of this one. So it just, I can assure you that I get frustrated, and I don't mean to take too much time at Council, but we all are concerned to be sure that projects come in at the cost that we projected for them to be. And anything that isn't is certainly justified and shown as to why. And I'm not saying that, maybe this isn't a good idea, but somebody's got to tell me why it's a good idea. Why the change was made. I mean, we've had these monies, when did we put the money in the, when did we do the bonds? March? March or April?

Mr. Brandt: Something like that.

Mr. Hills: Sometime from that time, you all decided, let's go spend more money but didn't even bother to, not you, I don't know who. But I don't think there's anybody up here on Council that did it. And now we've gone ahead and we've gone to the county saying, "give us more money because we're going to go put more asphalt down and do some other work that we don't know what it is yet". Mr. Clemens, I'm sorry but these things do frustrate me.

Mr. Clemens: That's fine. I think they're good questions. And I do have the problem too, is that we did do the \$98,000 back in March on the inch and a half concrete, and I don't know who changed it or why it was changed in the interim. And I think that's something Council needs to know if we spend \$250,000. So could you find out John, what the situation is and why it was changed? Really if there's a reason to do it. I mean, if the county would approve it the way it was, I don't know why it was up to us to make a change really. In other words, if they felt it was good enough, I have no reason to know why we changed it just for the heck of it. I mean, I think that sometimes we like to spend money, and no different than when I was there. I liked to spend too. So I mean, if you could clear it up and get an answer for Council next Monday night on when the changes were made, why it was made, who made it, and for what reason. And if it's acceptable and it is something that has to be done, needs to be done, I have no problem in doing it. But if it isn't, if it's just something that we just think, well, it would be nice to have the others and it would be nice to save the \$250,000 too. And I have one little problem on the \$250,000, and I see where you worked it out and we'll have it by 2005, and I don't know when they're going to do

Rosehill Road. They say 2005. I hope it isn't. It may not be. We were talking about \$500,000 when I discussed this almost 5 years ago. Knowing how estimates are and knowing how things have changed in 5 years, I have no doubt it's going to cost us three quarters of a million dollars now. If it was \$500,000 four years ago, it's probably up to \$750,000 now. I would like to keep the money up there and get the money there that we'd set aside. If it doesn't go until 2006 then we're okay. We're back up to where it was at. But anyway you look at it we have to come up with the money. If that starts at 2005, we only have \$430,000 in that account, then we're going to have to come up with maybe another 150, \$200,000. So, that's something we want to look ahead to. Because Rosehill Road has to be done and we've made a commitment on that. I'll be glad when they get it started. So I mean, that's something we want to think about before we spend all of our money out of that account. Then I'm reading here in the legislative request, it says, "when \$250,000 is received from Franklin County Engineers, it will be used to reimburse the CIP Fund". Why would it be used to do that when we're pulling the \$250,000 out of the _____ Tax Fund?

Mr. Brandt: My understanding is, it's more of an accounting issue. It goes in one and is paid out of the other.

Mr. Clemens: Mayor, will that be set aside when we get that back for the Rosehill Road?

Mayor McPherson: Yeah, when we get it, it's put into the CIP and then it would be reimbursed to the CIP. And that's where we would get the money for the Rosehill Road project, out of the CIP.

Mr. Clemens: Okay.

Mayor McPherson: So it's kind of like a loan for \$250,000 until the county reimburses us.

Mr. Clemens: Alright.

Mr. Brandt: And they've indicated that as far as they're, I believe it's attached, the resolution that was to go to the, for the Commissioners, I believe is their General Session today.

Mr. Clemens: Mrs. Cannella.

Mrs. Cannella: What difference is between the one and a half and three inches of pavement and how it will make a difference to Main Street?

Mr. Parkinson: There are two factors involved. By removing three inches of asphalt, we take the road down to the base. It allows us to examine the base prior to replacing the asphalt. That's where the 1500 square yards of full depth base replacement comes in. We don't know where that is. We're going to examine it as we go down the road. We know we have weaknesses out there but until we remove the asphalt, we don't know if the weakness is in the asphalt, or if the weakness is in the concrete base below it. When we remove all three inches, we're able to analyze and understand if we need to remove the base and replace it with a structurally sound base that will then carry the road and the load, and we'll do that. And honestly, 1500 square yards is a guess.

And we're going to live with it. We're going to live with the worst 1500 square yards. And that's what we'll replace. And it could be 500. It could be 50. We don't know today. We can't tell you where it is. This is fairly common. We are not doing anything that is unusual for this type of a project in proposing this. Once the question was raised, do we want to take more than one and a half inches? That's probably the second part of the answer. The answer to the first part of the answer is that, three inches, when we put back one and a half, we're putting back one and a half new. And so the entire load is riding on that one and a half, and your interface between your new asphalt and your old asphalt is only an inch and a half. When we take three, you provide a much heavier if you will, wearing course for the traffic. The interface between the old and the new is now twice as deep and it just provides a better asphalt replacement. Now, do we need to take three inches every time? No. You don't. And it's a matter of resources. When you have them it's better to take three. If you don't have them, it's better to take one and a half to nothing. And so I would hazard a guess, and it's purely a guess, that ODOT in its effort to stretch its limited resources through all of its urban resurfacing programs, made the decision that we're going to go an inch and a half because that lets us stretch our dollars further and help the communities further. Would they have liked to have done three? I would hazard to guess that ODOT would have preferred to have done three if they could, but they couldn't. So those are, you know, can I tell you how much better? I can't tell you how much better, Mrs. Cannella. It is better and it's a decision. It's a conscious decision to say, "we want an opportunity for full depth replacement when it's needed. And we want a better asphalt replacement. And that's going to cost us, the estimate is \$250,000". If in your opinion that is not the investment that you want to make, you can go back to the original design concept.

Mr. Hills: Mr. Clemens, if I could...

Mr. Clemens: I just want to have one thing. I think that's a good explanation then because we've done this before and things like that. My only problem is, when you do a project like this, why wasn't it discussed before we got into it?

Mr. Parkinson: That's a very good question and I...

Mr. Clemens: I mean, that's the question.

Mr. Parkinson: It's a very good question and I apologize but I don't have an answer for you.

Mr. Clemens: Bill.

Mr. Hills: Mr. Clemens, as a follow up, and I want to clarify because everybody's listening to this \$250,000, as I now read, after seeing it for the first time laying at my table, the total isn't as Mr. Brandt's talking, as I have assumed through reading Mr. Brandt's memo, that the one stated 85 to 95, the other 1500 was for the remainder of the 250. Therefore, subtraction, 150,000. That's not the case. Because the ordinance that we having coming with this is asking the transfer of 314,000. So therefore, taking John's 100,000, the 1500 square yard of full depth pavement repair is \$214,631.88. Because that's what you're asking us to transfer from the CIP, and then when you get the quarter of a million back, we would put it back in. So the additional work project is not \$250,000, it's 314,600 is what it appears to be from the documents that, of what right hand

prepared and the left hand prepared. But I don't want anybody to think it's just a quarter of a million. It's not. It's a \$300,000 increase. And I guess one of the questions, as I look at this memo, and I appreciate having it, I'd loved to have had it last week where I could have asked these questions somewhere other than sitting here, but we talk about this _____ or county motor vehicle tax, we've got Main and Graham at \$280,000 as anticipated use. I believe that's earmarked out of the CIP Fund and not out of the Permissive Tax Fund. And I think it has been, and I think it all was when we talked about the transfer of the million dollars just recently back in to the CIP Fund. The flasher thing I agree with. I think it's probably gone. So your numbers are better than you're giving yourself credit for. Because I think the 288 doesn't come out of Permissive Tax Fund. So there's probably going to be more left than what you've shown. But I think, for goodness sakes, we ought to try and figure out which funds we've got earmarked for what. And I'm not sure we're doing a very good job of that. Now Dave, the one question I do have, because it comes from a memo, the one and a half inch is the standard milling and resurfacing urban pavement program. Now you've just gone through an explanation that ODOT would prefer to do three inches, but yet the wording in this says it's their standard milling and resurfacing urban paving program. So is there a difference between the two? Is this not their standard program?

Mr. Parkinson: Yes. It is their standard program. And I guess I was maybe outside of the bounds when I was speaking from my sense of if I were ODOT. I believe ODOT picked one and a half inches as their standard urban repaving program to allow them to stretch their dollars twice as far.

Mr. Hills: Should we not stretch our dollars as best we can here?

Mr. Parkinson: Yes we should.

Mr. Hills: Did we not just overspend our revenues by two million dollars last year? We spent two million dollars more than we received. We are in the middle of an ongoing major project to rehab Brice and Main. I want to see it done right, but I get real frustrated when everybody works hard to put the Chevrolet together and all of a sudden it becomes a Cadillac. And there's been absolutely no input from the one who had to appropriate the dollars for the Chevrolet. It's like buying carpet. You can go out and buy carpet for \$10 that's going to last for 20 years. You can buy \$30, it's still going to last for 20 years. It's just thicker. But does it work? I mean, and these are things that I guess I'd be asking if I'd had the opportunity 3 months ago. Are we really going to derive \$315,000 benefit out of doing this?

Mr. Parkinson: I believe you are. But I can't...

Mr. Hills: Can you document that any better than what we are now.

Mr. Parkinson: No. I probably cannot document....

Mr. Hills: We're having trouble getting to the right numbers much less...

Mr. Parkinson: With graphs, and charts, and pavement duration, it's an intuitive sense that there are weaknesses in Main Street that we can find and correct with this project that we will not find

the hard way and correct the hard way later down the road. And that would be worth \$320,000. Now if those soft spots are not there, then this may not be worth the money.

Mr. Hills: When did you first become involved in this David, as an employee of EMH&T and the City Engineer?

Mr. Parkinson: I don't know. I do know this. I do know that Part 2 of Phase I, which is what this project is...

Mr. Hills: I'm sorry, this is what?

Mr. Parkinson: This is Part 2 of Phase I. Part 1 of Phase I is what's under construction. Part 2 of Phase I is the urban paving and the mast arm street light things. That's what ODOT is bidding out, I believe in the Spring.

Mr. Hills: When are they going to bid this?

Mr. Parkinson: I believe this is being bid in the Spring.

Mr. Hills: In the Spring?

Mr. Parkinson: I believe.

Mr. Hills: Why are we being told we have to pass this next week? Somebody tell me, why we need to pass it next week.

Mr. Parkinson: Okay. I may be in error in that.

Mr. Brandt: (Inaudible).

Mr. Hills: What's the date of the paperwork you were given to process? Just late August or something?

Mr. Brandt: (Inaudible).

Mr. Hills: No. What was the date on the information that the city received? First of August?

Mr. Brandt: That's my recollection.

Mr. Hills: We're going to see that some time?

Mr. Brandt: It should be stapled to the yellow form.

Mr. Hills: I see some things back in June. And I see some later things on August saying, "here you can get your money on September 2."

Mr. Brandt: (Inaudible).

Mr. Hills: They're going to do what?

Mr. Parkinson: I stand corrected then.

Mr. Hills: That's the nice thing about having these things ahead of time when you really can read them. They need them back not later than September 12. And that was received on August 21, dated on August 1. But now, this document, when did we tell ODOT we want to do 3 inches? Because that's what this document does, is 3 inches. Correct? So it's some time prior to August 1 that they wanted to give us the information to do 3 inches.

Mr. Parkinson: I believe that's correct.

Mr. Hills: Do you know what that date was?

Mr. Parkinson: No I don't, but I can probably get closer to the actual date with a little research. I was about to say, I do know that we designed Part 2 and completed the design for submission to ODOT with the 1 1/2, and that's the same time that we submitted to the city for their concurrent review when these questions came up. When these issues were placed on the table for further discussion.

Mr. Hills: And that would be before the time we were putting the money aside and matching the Street funds in to come up with the \$400,000.

Mr. Parkinson: I don't know if it was at that time or not. And I'll try to find to the best of my ability and the best of our records, the period of time where these discussions occurred.

Mr. Hills: Well we do have in the monies in our receipt of funds in the Brice/Main account. We did have the \$391,000. You've got it as 392, but we did have the 391,000 committed in from ODOT, and our 98, which we used 100 and transferred from the Street Department to make the \$400,000 estimate originally. And if it was around the same time when they decided to change to 3, I guess somebody just forgot to say, "oh, we may have another 300,000 here". Mel, we're just sitting here beating a dead horse. If this is something we have to do by next week, and it's the willingness of everybody to do it, I just think we need more information. I have no problem sending it forward, but only for the purpose of, it may pass if there's enough documentation as to why we ought to be doing it.

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

Mr. Stake: Thank you, Mr. Clemens. Dave, since you're up there, is this something we're going to do with all of Main Street?

Mr. Hills: Thank you. That's a good point.

Mr. Parkinson: It's something we can do with all of Main Street.

Mr. Stake: Do we know what that might cost us?

Mr. Parkinson: No. I can do the rough calculations just as easily as we did the first _____. We know the length of the project and the width and we can put in 1500 square yards or we can put in 2,000 because it's a little bit longer. Phase II is a little bit longer and if you wanted me to continue that for the remaining three phases, I can do that for you and show you what that additional project would cost. There's no obligation if you choose 3 inches now to do 1 ½ later, and there's no obligation. There's nothing to prevent you, if you pick 1 ½ now from doing 3 later. It's simply your decision at this time.

Mr. Stake: Mr. Clemens. Under the circumstances, I'd like to delay this a little bit if possible. I'd like to get some more information on this.

Mr. Clemens: You brought up a real good question about the rest of Main Street. We're not doing a very big section out there.

Mr. Stake: Right.

Mr. Clemens: And I'm not in for busting the city. Now when we start talking about the rest of Main Street, I mean, then we are talking big dollars if we get into the 3 inches for all of Main Street, and what underground problems we might have and so forth. I understand the project that we're doing, it's a costly project and we want it right, and if that's what it takes to do it right, that's something we may have to get into. I agree with Ron, we may be, there's two ways to look at it. If we're planning on this being appropriate, and if it's appropriate to say that we have the problems now, at the east, and I drive Main Street like everybody else does here and I see all the problems that we have on the rest of Main Street. I can see where we'd be in the same problem that it might be brought up that once we do something like that, why don't we do it the rest of Main Street. So I think that's something we should think about and I think what Ron's thinking about.

Mayor McPherson: Mr. Clemens.

Mr. Clemens: Yes, Mayor.

Mayor McPherson: What I'd like to do, I mean if you guys want to move it forward that's fine, we would appreciate it if it has to be voted on by September 12. What I'll do is make sure that you get a report both written and oral by next Monday. We'll reevaluate whether or not we want to go the inch and a half or the three inches. If the inch and a half is decided upon after meeting with the engineers, then there will be no need for the additional legislation for the additional monies. I have not personally been involved in this issue. I will get personally involved in it. And I will see to it that you all have a report prior to Friday in your packet and we'll move forward from that. I do recall an issue of the bus pads either not being in the ODOT project originally. I just can't recall what the issue was that was brought to my attention, but I know it was going to be some extra

money for that too. So I'll try to sort all of this out, meet with EMH&T, meet with John, and get a report to you by Friday. So again, if you want to go ahead and move it forward just for expedience sake in the event that we have to go ahead and vote on it, you'll have all the information by Friday that you'll need on it.

Mr. Clemens: Mr. Hills.

Mr. Hills: Mr. Clemens, I'm not on Safety Committee, but would you mind as Chair of Safety, calling a special Safety Committee meeting prior to Council next week?

Mr. Clemens: That would be fine.

Mr. Hills: And that way we'll have, if we're sending it forward, we'll be sending it out of that special meeting for reading Monday night and that way we'll deal with it in...

Mr. Clemens: Why don't we do that. Why don't we hold it until our special meeting next Monday night and we can always send it forward. Would that be alright, Nancy?

Mrs. Frazier: Yes.

Mr. Clemens: Are there any other questions pertaining under this subject? Mr. Beougher.

Mr. Beougher: Mr. Parkinson, we've used non-destructive inspection techniques, like x-rays and tomography on small areas to see below the ground. Is there anything available that's like a lane width wide to inspect below the pavement? And I know that you probably know where the suspect areas are so maybe it's not as, I guess my question, is there an alternative to removing all the asphalt and looking at it directly?

Mr. Parkinson: That's a good question. I don't know. I'm with you. I know that there are techniques for non-destructive subsurface exploration. Good question. Do you have to do it continuous which gets very pricy. So I can look into that too. I'll look into that this week.

Mr. Clemens: Thank you, Mr. Beougher. Are there any other discussions for any members of Council, Committee? What I'll do, we'll set a special Safety Committee meeting next Monday evening at 7:00. And if you'll have the information for us Mayor, we'll handle it then. Is that okay, Bob?

Mayor McPherson: Yeah. We'll get it for you.

Mr. Clemens: Next item on the agenda, Resolution of Support for DARE program. Chief Miller.

Chief Miller: Thank you, Mr. Clemens. This is an annual request that we've made for you to use for a number of years now, and it's in keeping with our annual application for DARE grant funding from the state. And we just need something on the record that says City Council supports the DARE program in our schools.

Mr. Clemens: Are there any questions for Chief Miller? Mr. Stake.

Mr. Stake: I don't have a question. I just have a comment. I believe DARE to be a valuable resource for our young people here and I'm glad to support it.

Chief Miller: Thank you very much, Mr. Stake. Just to clarify a little bit, there has been a major, obviously we've had some discussion in the past about the effectiveness of the program. We've certainly read where larger agencies across the United States and in the State of Ohio are withdrawing from the DARE program. The University of Akron received a fairly large multi-million grant from the Robert Woods Foundation, which is a foundation that looks and supports health issues. Community health issues across the United States. And there is currently a major effort underway to revamp the program so that it can be in more levels of education, that is at the 5th grade level or the core curriculum course at Junior High and then again at High School level. And on top of that they are going to be tracking students who have the program at all of those levels in five major urban areas across the United States. They're going to start at the core urban area and take students in the core urban area and then go out into the suburbs and then the surrounding rural area. So the bottom line is that the State of Ohio is very, very involved with improving the DARE program. And of course we've made a major commitment in the City of Reynoldsburg for a number of years now. So I believe that it's worth your effort. I think that we have done exactly what the University of Akron and the Robert Woods Foundation is suggesting. That is that we take our program and not have it just at the 5th grade core curriculum, which is what agencies in large urban areas are often financially only able to do. But in fact, what we are doing is repeating the message multiple times throughout our students' school careers with Reynoldsburg. And that's exactly the direction that the program is now going. So you know, I think that we've just been ahead of the curve for a number of years now.

Mr. Stake: I agree.

Mr. Clemens: Thank you, Chief. Mr. Hills.

Mr. Hills: Chief, I just wanted to clarify, and this is more of a question than anything else, but to the best of my knowledge, the DARE program within Reynoldsburg has not received any budget cuts from Reynoldsburg, nor has it received any reduction in any state, local, county, outside grants, we have not suffered as of right now any way, any reductions in incomes to our DARE program. Is that correct?

Chief Miller: That's correct.

Mr. Hills: And we in turn have actually applied for grants that have increased DARE, and we've had some secondary monies come in. So our program, whereas some cities may be cutting back or stopping totally, we certainly have not noticed any reduction of income into our DARE program. If anything, we have increased our income. Is that correct?

Chief Miller: Well for any number of years we've applied for the state funding.

Mr. Hills: Which has always been available. Right?

Chief Miller: Which has always been available. And we currently have two officers who are committed full time to the program from September through to the first part of June who teach literally thousands of students over the course of the year. They do our kindergarten, 1st grade, 2nd grade, 4th grade. Those are very brief presentations. Usually maybe only an hour or two at a time. Then we do the 5th grade core curriculum. We go back and do something at the 7th grade and then we're back in at the 10th grade at our high school level. So we have a major commitment, yes. And we have not suffered nor have you seen fit to make any change in the budget that would cut back that service to our students.

Mr. Hills: Okay. Thank you.

Mr. Clemens: Are there any other questions for Chief Miller?

Mrs. Cannella: No, but I would just like to tell Chief Miller that I applaud all the work that you've done, and I've been to a graduation ceremony for the DARE program and it is absolutely wonderful. You could see they have responded so well to the program. So I am so glad that we are keeping up with all of it and it's an ongoing thing.

Chief Miller: Yes. I would like to see us to try and continue.

Mr. Clemens: Ron, would you like to make a motion to move this?

Mr. Stake: Yes, I would.

Mr. Clemens: There's been a motion by Mr. Stake to move this to City Council for adoption. Second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response). This is to go to Council with recommendation for adoption.

Chief Miller: Thank you, sir.

Mr. Clemens: Thank you, Chief. Next item on the agenda, Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio, Chapter 505, Animals and Fowl. The reason this is on the agenda is that we said we'd bring it back to the first meeting in September. We've had many discussions on this, many people spent many meetings and many months. We've had many reports. I think it's time now for Council to make a decision on the ordinance that we have before us. And so therefore, that's why it's put back on. I'd like to move it on to Council. I do have a speaker, but at the present time, do I have any members of the committee that would like to speak at this time? Members of Council? I do have a speaker. Tanya Fent. Tanya, please.

Ms. Fent: Good evening. I've presented you guys with a lot of information. I'm kind of at the end of what I have available to give to you. I'm sure by now a lot of you have made up your mind about what you're going to do. I just wanted to present to you, in case you guys hadn't seen, I

have the bite statistics from 2002 for Reynoldsburg. And I also have the 2002 for Whitehall, Ohio who are planning, they are going to be proposing a ban on pit bulls. And their reasoning, because I talked to the Animal Control Officer there, is because Reynoldsburg and Bexley, who they are surrounded by have bans, they're saying they're getting all of the pit bulls moving into their neighborhood. Now the thing is, I have the bite statistics before me, pit bulls are number four on you guy's list. There are two bites. And then I go to Whitehall's. They have three bites. Not a big difference for us having a ban. And I don't know how effective then our ban is. We shouldn't be having any bites, right? If this is being effective. And also to bring up something that was mentioned at the last committee meeting, when we had a resident come up and she was for the ban, but she brought different incidents of several different breeds coming up and going after her and her dog, and it's my understanding that Reynoldsburg doesn't have a leash law, and I think that would be an issue as far as community safety is involved. Unless the dog's considered dangerous, it's my understanding, the dog does not have to be on a leash when it's with the owner. Is that correct?

Male: It has to be.

Ms. Fent: It does have to be? Because I didn't see anything in your guys' ordinance where it did have to be on a leash. I know in my community, there are a lot of dogs that people just walk down the street with and I think that's a big issue. And I don't feel that we have strong enough penalties if this is happening enough. I mean, we provided you with information to prove these dogs, they're passing. They got one of the highest scores in the temperament test. We provided scientific evidence to you guys that they don't provide, they don't cause more damage than any other breed. You know, I think education for the children, their 60% of the dog bites would be great (Tape Change) our educational programs for the younger children, elementary school, since these are the children being bit. I know that's not what this ordinance is about, but I just thought it would be something good to bring up. And there are programs available. State Farm has coloring books. They have pamphlets, and there are other educational programs and grants that go into schools. And I think that would be important as far as our public safety is concerned. I really don't have any more information to give you because I've kind of exhausted it on the last two meetings. So, that's really all I have. And that's it.

Mr. Clemens: Thank you, Tanya. Are there any members of committee? Members of Council?
Mr. Hills.

Mr. Hills: Mel, I'm not on your committee, but I do, I know there's been a lot of discussion on this, and there's been a lot of feelings one way or another. Many of the issues I had earlier expressed have been addressed as far as the multiple different types of breeds being named. The State of Ohio and their laws do say that a pit bull is a vicious dog. This ordinance does closely follow the state law, and one thing that I clarified, and I'd like to thank Mr. Underwood for it, anyone who receives a letter, assuming there is a letter, said, you have a pit bull it must leave, all that does is establish that prima facie, that dog, in that it is a breed pit bull, is a vicious dog, and they have the right to then be able to prove to the authority that says it is, that it is not a vicious dog. So unfortunately, does the pit bull take a hit because of what it is? Yes it does. I don't know that that's going to change. I know what statistics are. There are a lot of dog bites. I'm not going to

get into the debate of comparing which bite is worse than others. But certainly, I think the city has addressed many of the issues and did address my concern and certainly ease my further worries when I saw that one who does receive some sort of a notification of eviction or whatever it may be, does have the right to appeal that to show that the burden is on them. That it is not a vicious dog. So with that, I certainly will agree that this has been around for a long time and I think certainly should the state change it's laws, maybe at that time we'd consider something different, but other than that I can be supportive of these changes and thank you for the time Mr. Clemens.

Mr. Clemens: Thank you, Bill. Are there any other members of Council?

Mr. Gilbert: Mr. Clemens, thank you. And I would just _____ my agreement behind what Mr. Hills had said, I agree with the amendment, and talking with residents over the break, this does come down to a question of community standards and community safety. I've sat on this Council when we've implemented ordinances to prevent the discharge of a pellet gun or BB gun in city limits. The discharge or the firing of a crossbow or a bow and arrow, all weapons or items that can cause harm and under the state's definition, a pit bull is determined to be vicious and I can't in good conscience not help or support establishing this as a community safety issue or a community standard and I'll be supporting the amendment.

Mr. Clemens: Thank you, Mr. Gilbert. I intend to make the motion to send it to Council, and the reason is, if this is a help to Chief Miller and the police department, and Mr. Underwood to help prosecute these cases. It's a safety issue I look at and anything that can be made safer and easier to handle by our departments for the safety of the citizens of Reynoldsburg, and I think it should be taken into account. I'd like to make a motion to send this to Council for approval. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response). This will be sent to City Council as a motion for approval.

That ends the Safety Committee meeting at 8:28. Thank you.

- Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
September 2, 2003

SERVICE COMMITTEE MEETING MINUTES September 2, 2003

Members of Service Committee present: Eric Gilbert, William Hills, Lane Beougher, Ron Stake. Other members of Council present: Sarah Cannella, Mel Clemens, Council President Bradley L. McCloud. Councilman Jim Wade was absent.

Mr. Gilbert: I'll call the Service Committee meeting to order at 8:28. The first item on the agenda is the approval of the minutes of July 21, 2003. Are there any additions or deletions to those minutes? None being heard, they will stand as read. Item number 3 is the approval of the agenda. One motion and then a question that might be included in my motion. I was contacted by the applicant for item number 6, requesting that we hold the rezoning of this parcel for an additional two weeks. And Mr. Brandt, item number 7, we had established a second reading for the Green Mountain Energy Company, and original intent was to put this into Other Legislation at this point unless something had changed. If we still want to move it to Other Legislation I can do that in this motion. And we're clear on that? And then we'll have discussion on the natural gas? Very well. If I could include in the motion then to move item number 7 into Other Legislation until the Development Department sees fit to bring it out. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is discussion, Draft Report from Ad Hoc Residential Zoning Review Committee. Members should have received via e-mail over the weekend the report to the Service Committee from the Ad Hoc Residential Zoning Review Committee that had been meeting for the past four months addressing or reviewing our residential zoning codes, and I guess I would just first like to begin by thanking Chairman Stake, Councilman Beougher, Planning Administrator Barbara TenHoeve for your hard work and diligence in addressing these issues and the topics that Council charged you to review. I was very impressed with the report. I thought it was a cohesive analysis of where our zoning code stands today in terms of residential development and where we can move into the future. I think how I'll handle this, and I'd open up to just some brief comments from Councilman Stake and Councilman Beougher if you'd like, but just ask the members to review this report over the next two weeks and then we will begin discussion at the next committee meeting in September. I'll start with Mr. Stake if you have any comments you wanted to share with us in regards to the committee.

Mr. Stake: Yes, I do. Thank you, Chairman Gilbert. I would like to thank also Mr. Beougher. He worked hard on this report and also our Planning Administrator Barbara TenHoeve. She was very valuable in our meetings. She arranged for some guest speakers to come, some experts to come talk to us about some of the issues, and I thought that was great. We also had regular guests, Mr. Brusk, Chairman of BZA, Mr. Underwood, our City Attorney, and also Mr. Wilson, Chairman

of the Planning Commission, which were also very helpful. And we had some people from the public who were there as well. And I do appreciate all the input that we had at our meetings. We were charged with reviewing the residential zoning as it relates to density, overlay text, and impact fees. And in the process of that, we took a look at the planning guide that was adopted by Council in 1990, and I think that was really our first step, was to take a good look at that. We do have some recommendations in regards to the planning guide. We do feel that it's a little bit underused today and we would hope that we can get some more of those printed and spread out amongst our commissions and our boards. Other than that, I don't have much to say at this point. I'm sure we'll have some discussion down the road. Mr. Beougher probably has some additional insight on that, but again I do appreciate all the input and advice we had from everybody.

Mr. Gilbert: Thank you, Mr. Stake. Mr. Beougher, anything you'd care to add?

Mr. Beougher: Yeah, I know Mr. Stake meant to thank our Clerk, Susie Smith who transcribed our very confusing deliberations at times.

Mr. Stake: Yes, I did. I'm sorry.

Mr. Beougher: She did a wonderful job of keeping track of where we were and her minutes were indispensable in preparing the report. And I would direct Council to the bibliography, and a lot of those sources are on line and I will leave my copies with the Clerk of Council and they'll be in the Clerk's office for review. There's a lot of good information out there and it doesn't do it justice to condense it into a 12 page report. So I would encourage you to take a look at those issues. And that's really, take your time and review it and if you have any questions, we'd be happy to have a discussion.

Mr. Gilbert: And I will meet with Clerk Frazier to see how to break this down into discussion form for the committee. And just for the members' reference and for the public, that was a nice touch with the Rush tune Subdivisions as the cover page. The younger generation at the table, Mr. McCloud, Mr. Beougher and myself, knew that was a song. Some of the older members thought it was a poem. So I was glad to be able to clarify that for the members before the meeting this evening.

Mr. Hills: Is that what it was? Younger knew what it was? I'm older. I didn't know it was a song.

Mr. Stake: I'm not sure I liked that.

Mr. Gilbert: That's a poor attempt on my part of humor I guess. With nothing more to be said, we'll hold this for two weeks and begin discussion on the report at our next Service Committee meeting.

Item number 5, Mr. Brandt, Natural gas supplier proposals.

Mr. Brandt: Yes, Mr. Gilbert. I believe before your summer break, we had a review of some of

the suppliers that were interested in providing service. We received from AmpOhio today, a proposed agreement which we printed off about 6:00 this evening and we're going to submit to the City Attorney to review prior to submission to Council from IGS that would be an aggregation offer, if you will, for the city.

Mr. Gilbert: Prior to next week's meeting?

Mr. Brandt: I'm going to give it to Mr. Underwood tomorrow and then he and I will discuss it and probably have some conversation with Amp and then submit it to Council as soon as we can.

Mr. Gilbert: Okay. So if we just hold this for two weeks, you'll have your discussions concluded and then we can move it forward if so desired by Council at that time?

Mr. Brandt: Correct.

Mr. Gilbert: Okay. Do you know what their time frame is?

Mr. Brandt: I printed the document off, as I said, about 6:00 in between my attempt at reconciling the infamous Main Street massacre.

Mr. Gilbert: Okay.

Mr. Brandt: Thank you.

Mr. Gilbert: Thank you, Mr. Brandt. I'll make a motion that we hold this item for two weeks. Do I have a second on the motion? Mr. Stake with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I'll adjourn Service Committee at 8:36.

Service Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
September 2, 2003

FINANCE COMMITTEE MEETING MINUTES
September 2, 2003

Members of Finance Committee present: William Hills, Mel Clemens, Eric Gilbert, Sarah Cannella.

Other members of Council present: Lane Beougher, Ron Stake, Council President Bradley McCloud. Councilman Jim Wade was absent.

Mr. Hills: I'm not sure I was ready for that quick of a meeting. I'll call Finance together at approximately 8:37 and ask for approval of the minutes of July 21. Are there any additions or deletions to those minutes? Seeing and hearing none, I will accept the minutes. Approval of tonight's agenda. Is there anything to add or delete from tonight's agenda? Seeing or hearing none, it will stand with the exception of as long as no one on Finance opposes, I think we'll join the Safety Committee meeting at 7 p.m. next Monday. We'll make it a special Safety and Finance so we can all hear what may or may not need to be done. Moving to item number 4, Adoption of Code Supplement. This is an administrative type procedure. It's my understanding from the Clerk that all the codes have now been supplemented in the general and permanent nature enacted and now this is a matter of incorporating them in with our current codes. Is that correct Mrs. Frazier?

Mrs. Frazier: That's correct.

Mr. Hills: So it is just an administrative matter of we pay, we use, I'm not sure what we pay them, but American Legal Publishing, they put all the documents, and you know when we get all these packets that we're supposed to go in and substitute, this is the ordinance that allows us to go in and do all that substitution. So it's a, it's just clarifying for paperwork purposes and updating the ordinances. So, does that raise any issues of concern with anyone? If not, I'd just recommend that we send this forward as an ordinance which will become effective immediately upon approval of Council. Is there a second on that? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward for immediate adoption.

Moving on to item number 5, Ordinance making appropriation for Waggoner/Rodebaugh intersection improvement project. This has been for second reading. It's back, getting ready to go forward. This is an amount of \$215,000 and the account we're given is 410.090.5651. And the \$5,562 which was, do we need an account number on that Nancy? Did they provide anything on that for us?

Mrs. Frazier: I don't have that.

Mr. Hills: I don't have an account number on section number 2, so we will have one I guess by next, this is that new thing where I guess we're going to reimburse the general contracting account because maybe there wasn't enough money in it to move the light pole if I remember that one right. Procedurally we may look at some other way to do that next year.

Mayor McPherson: I think it was a siren, not a light pole.

Mr. Hills: Siren. Yeah. But this Peter and Paul may be a better way to do this. But other than that, we've had a chance of twice to discuss it. Does anybody have any questions or concerns? If not, I'd send it forward for third reading with recommendation for adoption. Is there a second?

Second by Mr. Gilbert. All in favor state aye. (All voted "Aye"). Opposed? (No response).
It will go forward.

And with nothing else, we will adjourn Finance at 8:39 p.m.

Finance Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
September 2, 2003