

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
JULY 25, 2005

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

Members of Council present: Mel Clemens, Antoinette Newman, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert.

The Invocation was given by Mr. Beougher. Mr. Hills led the Pledge of Allegiance.

Minutes of the special Council meeting held July 5, 2005 were approved without objection.
Minutes of the regular Council meeting held July 11, 2005 were approved without objection.

The agenda was approved.

Reports- - Mayor McPherson stated that we will not be doing a full Street Program. He said that we will do Rosehill Road from Rosedale Avenue south to Rocky Den Rd., spot repairs. He said East Main Street from City Hall east to Graham Road, spot repairs. The intersection of Graham Road and East Main Street, thermal plastic, which means they will mark it. He said Taylor Road in front of Sam's Club entrance, thermal plastic. Lancaster Avenue from East Main Street north to the corporation line, crack seal. Jackson Street from East Main Street south approximately 100 feet, repair. He said they will bring this back in September for approval on the financing.

Safety/Service Director Sharon Reichard stated that she has a few items to brief Council on. She said for the Revitalization, they are having their pre-construction this Thursday. She said they are expecting to open the ground August 8. She said the water line will be the first order of business as they begin to work on Main Street.

She said Taylor Road will be closed to thru traffic this Thursday from 9-3. She said the CVS Taylor Road sanitary sewer line will be going in.

She said the widening of the new school entrance on Waggoner Road will be installed at the same time the new culvert is being installed by the county. She said when that happens, Waggoner Road will be closed for 6 weeks. Mr. Beougher said he said the school district rejected the bids because they were 12% over estimate. Mrs. Reichard said if it did, it happened this afternoon. Mr. Hills said the bids on Waggoner Road did appear in the paper. He said they were rejected because they exceeded the 10% above estimate. He said then they were going to declare an emergency. Mrs. Reichard said it is not going to be done before school starts. Mr. Hills asked if there is a schedule date for closure. Mrs. Reichard said she did not say a schedule date.

She said the July 4 fireworks were the best ever. She said they have had a lot of positive comments from the community. She said personnel cost for overtime was \$10,476. She said for fencing and lights, it was \$4,155. She said that adds the \$15,000 that they need to keep in mind when they are planning for that holiday.

She said there was a public hearing held today from 5-7:30 at Tussing Rd. Elementary School for the ODOT Far East Freeway Study. She said they have 4 plans that they are showcasing. She said they all affect us in one way or the other. She said there will be another public hearing this Wednesday from 5-7:30 in these chambers. She said there will be a presentation at 5:30 that will explain what they are talking about. She said for more information, you can go to www.i-70.org.

She said the last couple of items deal with speeding. She said on Firstgate, there have been a considerable amount of reports on excessive speeding as they are coming out of Etna Twp. She said on Refugee Rd. as it approaches Summit and goes into Firstgate, that is a 50 mph zone. She said Larry Ward, our Street Superintendent has talked with Paul George (Etna Twp. Trustee) that they are amenable to putting up a stop sign there. She said that would be the most effective place to put the stop sign. She said they have two studies on the speeds on Firstgate. She said in November '03, there was a higher rate of excessive speed but an average speed of 26 mph over all. She said this time, there's fewer on the excessive speed, but what is there was really high. She said they were going over 45 mph.

She stated that there have been a lot of comments and concerns about Graham Road with the trucks. She said the truck signs went down. She said our trucks have to have somewhere to go. She said they have been monitoring Graham Rd. to see how many 18 wheelers come down through there. She said right now, it appears that there are more trucks than what there are because of all the construction that's going on on Palmer Rd. She said the trucks have to get there some how, and that's the way they are coming. She said with the closure in making 256 at Main right in, right out, they are working on that. She said it is not her intention to change the speed limit on Graham Rd. She said it is still 25 mph. Mr. Stake asked if the administration has a position on the I-70 project. Mrs. Reichard said not at this time. She said she has asked Mr. Parkinson to look at those and they will be addressing those this week. She said it is probably 7 years down the road before anything happens because it is a matter of money. Mr. Hills said he understands that will substantially modify Brice Rd. also. Mrs. Reichard said to a degree. She said they are looking at all the entrances. She said one of the issues they're looking at is the sharing of the ramps going on to Brice Rd. and coming off of Brice Rd.

Mrs. Newman said she doesn't like the Great Wall of Mrs. Reichard on Main Street. Mrs. Reichard said it is rather ugly. She said they are also looking at something that could be put there permanently that would fit in with that part of town. Mrs. Newman said we have State Route 256 coming on to a U S Route 40. She asked if we can really restrict the traffic legally that way. Mrs. Reichard said they have a report from ODOT that told them to do it. Mr. Beougher said the markings directing traffic on to Jackson are very effective and do a good job of telling people where to go and how to get there. Mrs. Reichard said most of the trucks coming off of 70 onto 256 are going to Taylor Square. She said if they are not, they could get off at Brice and use that. She said she also has a request that we make 256 south, one way south, and Jackson, one way north. She said it is a step at a time. Mr. Beougher said the traffic study that EMH&T did for us, contained that recommendation. Mrs. Reichard said it would make things easier in front of the school. Mr. Baxter said it seems to him that it makes more sense not to have semi truck traffic going up the two roads that we have with schools on them. Mrs. Reichard said there is a minimal amount of trucks going through there.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby reject the bids received on July 5, 2005 for the maintenance of the landscaping beds and plants of Phase 1 of the Main Street Corridor Revitalization. Mr. Beougher moved adoption. Mr. Gilbert seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby adopt the Resolution that recommends and encourages eligible electors to vote against the Etna Township Joint Economic Development Zone (JEDZ) agreement between the Township of Etna and the City of Newark, at the Special Election to be held August 2, 2005; resolution signed and dated July 25, 2005. Mr. Beougher moved adoption. Mrs. Newman seconded.

Mr. Burkholder: Thank you, President Hills, members of Council, Mr. Mayor. I'm a little concerned as far as the motion to recommend against the passage of the JEDZ. I'll be happy to answer any questions tonight but, in my opinion, this is a win/win situation. This is a limited tax, income tax that applies only to the jobs in the Joint Economic Development Zone which is approximately 237 acres which lies solely in the unincorporated area of Etna Township within the Corporate Park. 30% of those tax, future tax revenues would go to the Southwest Licking School District. 30% of those could be used by Etna Township for infrastructure improvements such as Taylor Road. It appears to me that this motion, or this policy would in fact, limit the ability for Etna Township to improve our section of Taylor Road. Now, I commend the City of Reynoldsburg for moving forward with their section but as we know, with far fewer resources in Etna Township, that we're looking at as many possible revenues streams as possible in order to approve our section of Taylor Road. We have moved Taylor Road on to the County Engineer. I got a letter just this week that he is negotiating price with an outside engineering firm in order to put the engineering plans forward. We are looking to apply for Issue 2 monies for Taylor Road as well. But that still isn't going to be enough money to complete that project. I'm happy to answer any questions but, for the life of me, I can't understand why you would be against our ability to generate revenues that would help citizens that live both in Etna Township and within the City of Reynoldsburg. Meaning primarily, those residents that live on Taylor Road. So I would ask that you vote against this. I think it's a bad policy. I think it closes the door between an open relation between the City of Reynoldsburg and Etna Township. I have long said, and I've said it publicly, and I think it's important I say it here tonight, I am a strong supporter of a healthy Reynoldsburg, a healthy Reynoldsburg, a healthy Pataskala, a healthy Harrison Township is good for Etna Township and vice versa. A financially viable Etna Township is the best thing for Reynoldsburg as well. We are all in this together. I think we need to take more of a reasonable view. We're not in competition. And I don't see where the passage of this Joint Economic Development Zone in any way, hurts the citizens of Reynoldsburg. In fact, it helps them. I think if this doesn't pass, it's going to be harmful because it jeopardizes the ability to build infrastructure, much needed infrastructure, and Taylor Road is the prime example. It was said during the Invocation, and I think rightfully so, that we hope for safety for our children. And one of those schools lies on Taylor Road. This motion in my opinion runs totally contrary to our goal, our common goal to improve Taylor Road and to make it a safe thoroughfare for everyone. I appreciate your time. I'll be happy to answer any questions. I guess I just regret that we've gotten to this point. I know there have been comments said about, well, we couldn't get the CEDA done. That's correct. But the CEDA is dead. The CEDA is behind us. And in my opinion, we need to look to the

future and look forward and adopt policies that benefit both communities. Thank you.

Mr. Hills: Are there any questions of Mr. Burkholder? Mr. Beougher.

Mr. Beougher: Thank you, President Hills. Gary, you and, Trustee Burkholder...

Mr. Burkholder: You can call me Gary.

Mr. Beougher: You mentioned that you felt that this would help citizens of Reynoldsburg. Can you explain that for me please?

Mr. Burkholder: Yes. The revenues generated from this can be used for the improvement of Taylor Road. And as you all know, that we have common constituencies. And half of our voting population reside on Taylor Road. It is probably, it's often said, what can a trustee do for anyone that lives on Taylor Road or within the City of Reynoldsburg? We don't provide water and sewer. We don't provide police protection. But the one thing we can do is work with Reynoldsburg to try to improve Taylor Road and make that a safe and efficient thoroughfare. That is, in my opinion, one of the number one infrastructure challenges facing both communities.

Mr. Beougher: I don't disagree. And I guess I'm concerned that you know, we made overtures to the trustees to work together to improve Taylor Road. And that did not go anywhere. And I think we bent over backwards to make that happen.

Mr. Burkholder: Well, I don't know the entire history. But I would certainly take everyone's word for that. But I wasn't on the board then. And I ran on a platform of improving Taylor Road. And I'm fortunate to say, that I won not only in the unincorporated area of Etna Township, but I won in the incorporated area Reynoldsburg based on that issue. And I intend to see it through. I'm not apologetic about standing up for what I consider is a good economic development vehicle that will generate the kind of revenues that Etna Township needs to improve our infrastructure which will benefit us all. I don't think anyone can argue that the improvement of Taylor Road is not going to benefit citizens of Reynoldsburg whom I represent also. And I don't just represent, oftentimes people will say, well you just represent the unincorporated area. No I don't. I represent the citizens of Reynoldsburg as well. And it's not just those that live in Licking County. It's the other residents throughout the City of Reynoldsburg who now maybe go to Taylor Road. Because even though that's an unimproved road, it's still easier to get to Sam's than to try to navigate the tangle that currently exists on State Route 256. I don't see the down side for the City of Reynoldsburg I guess is my point. Your point is well taken about the past. I know about Trustee Jacks who dumped the dirt loads and the truck loads of stone in there. That was an irresponsible act. And I don't have a problem saying that publicly. I can't change that history. But I am dedicated to hopefully moving us forward. I've had talks with the school. They've had talks with City Council. They're very concerned about that avenue. They've been very supportive saying, what can we do? We're even going to look to talk to MORPC. The thing right now really on Taylor Road is getting enough money to pay for the construction. And I'm trying to find any creative way that I can. 30 of this also goes to Southwest Licking Schools. So in essence, I think, if you pass this motion, in essence you're making a statement that you're against the funding of the Southwest Licking Schools by the 30%. It's been estimated. It could

be up to 6.8 million dollars over a 30 year period depending how quickly that industrial park develops. I didn't....

Mr. Hills: Mr. Beougher, I didn't know your question was that detailed.

Mr. Burkholder: I'm sorry, Mr. Hills. But, I apologize. I just wanted to make sure the story gets told.

Mr. Hills: Mr. Beougher, do you have any further questions?

Mr. Beougher: No thank you, Mr. Hills.

Mr. Hills: Mr. Stake, you had some questions?

Mr. Stake: Thank you, President Hills. Hi, Mr. Burkholder. I guess I'm wondering why you didn't approach the City of Reynoldsburg to do the JEDZ.

Mr. Burkholder: Well, that's a good question. And I was not on the negotiating team. And the developer also thought that going to Newark, and the developer is from Newark, Southgate Corporation. They do have a 1.75 income tax. As you all know, when this JEDZ was proposed, I came to this body and said, would you be interested down the road if there were ever a vote for an additional JEDZ with Reynoldsburg? But it was decided to go to Newark. And I support that decision because Newark is our County Seat. And I think it's important from a policy standpoint that the western part of Licking County begin to identify and form a connection with our County Seat. In addition, and I don't know what the CEDA negotiations were, but the City of Reynoldsburg is only taking 14.5% of the projected revenues from this JEDZ. 10% will go to the General Fund. Well, 4.5 on top of that will. But that's for administration costs. Which I thought was extremely reasonable. So when they were approached, they were very open to this. The negotiations went extremely smoothly. That doesn't preclude further negotiations with Reynoldsburg. That's just the way it happened. And I hope....

Mr. Hills: Your reference to the City of Reynoldsburg, you meant City of Newark getting 14 ½ %, didn't you?

Mr. Burkholder: I'm sorry. Yes. City of Newark.

Mr. Hills: Because we'll be happy if you want to go ahead and give us 14 ½%. We may have been happy to do that at the time.

Mr. Burkholder: Well, apparently that was never negotiated during the CEDA unfortunately. And I hope that this isn't about political retribution. Because we couldn't consummate an agreement on the CEDA, now that it's Reynoldsburg's position, we shouldn't be able to have an agreement with anyone else. I hope that's not the motivation behind this. I sincerely do. Because....

Mr. Hills: Follow up Mr. Stake?

Mr. Stake: Yeah. I do have just, I guess a comment and then another question. I guess it's kind of hard for us to believe you know, that you're interested in working with us given the past. And I guess my other question would be, since you've been elected as a trustee, what have you done for the constituents you have in Reynoldsburg?

Mr. Burkholder: Well, the Taylor Road is what I've been working on diligently.

Mr. Stake: Nothing has happened there yet from Etna's perspective that I can see.

Mr. Burkholder: Well, you're incorrect on that, sir. I just explained to you that I just got a letter from the County Engineer. You wouldn't believe the resistance we get from the county officials in Licking County. The County Commissioner's have told us that's not our problem. That's a township problem. Now I have diligently lobbied with the County Commissioners, and I have lobbied with the County Engineer. We have hired outside legal counsel who has advised us that the City of Reynoldsburg could help us in the improvement of that road. You can spend money outside of the city limits.

Mr. Stake: Excuse me. The citizens in Etna Township who are also in Reynoldsburg pay quite a bit of money to Etna Township and I don't see any coming back to them.

Mr. Burkholder: Well, you know, as I talked to the Mayor earlier this week about that, I hear that complaint all the time. You have two choices. You could either approach the State Legislature and change the annexation laws when it comes to the sharing of those tax revenues. Or you can decide not to annex property that comes into....

Mr. Stake: Or the Township Trustees could step and put some money back into that area.

Mr. Burkholder: Well, we have expended, which you don't know, but we have expended money for outside legal counsel in order to get this engineering moving forward and to use that as our match money. We only have a budget of 1.5 million dollars a year. And that's everything. Snow removal, the entire thing. So we don't have the budget you do, but we are making efforts to find any funding source, including hiring outside counsel in order to get the engineering portion moving forward. Now that hasn't hit the newspapers yet, but I got the letter from Tim Lollo, who's our County Engineer just this week that said that they are already negotiating with an outside engineering firm. Part of the resistance is, is that the county, Licking County, who currently is running toward the deficit budget, is going to have to expend monies probably with an outside engineering firm, in order to get the engineering done for that Taylor Road section. Which as you all know, I think the City of Reynoldsburg section was \$369,000 I believe was the estimate. Is that correct? Somewhere in that ballpark?

Mr. Hills: I'm not going to quote _____.

Mr. Burkholder: So unfortunately, it is a matter of economics. But don't assume that that's because, at least two trustees out of the three have been supportive in moving the Taylor Road project forward. I understand your concern. I know the past history. It's not what it is today.

Mr. Stake: It just may be too late with me I guess, Gary. Thank you.

Mr. Hills: Before I ask for other questions, let me if I could, just say a couple of things. Number one, Taylor Road's been around for a long time and it's been around before you, and it's been around since, you're in your what, third year of your term?

Mr. Burkholder: No. I've only been on for 18 months.

Mr. Hills: So you're in your second year of your term?

Mr. Burkholder: Yes.

Mr. Hills: And you certainly are familiar with everything before that because you are a hard campaigner. There's no doubt about that.

Mr. Burkholder: Correct.

Mr. Hills: You picked up votes where you campaigned. That's usually how people get elected. Statement you made about 1.5 million dollar budget, things that are true Gary is that \$750,000 of that budget comes from corporate Reynoldsburg residents who are within Etna Twp.

Mr. Burkholder: That's incorrect. You mean annually?

Mr. Hills: Yes.

Mr. Burkholder: No. That's incorrect.

Mr. Hills: About half of your income in Etna Twp. comes from the corporate Reynoldsburg citizens.

Mr. Burkholder: No. The township budget is defined as what you have available. A lot of that is from previous years of carry over. We do not get \$750,000 a year.

Mr. Hills: _____ budget, your income that comes in from tax dollars, half of it comes from Reynoldsburg residents.

Mr. Burkholder: That's correct.

Mr. Hills: And many up here have stated, what have you done for them? The things that concern me, I know that it's my understanding that Etna Twp. didn't even apply for Issue 2 funding last year.

Mr. Burkholder: That's correct.

Mr. Hills: Is there a reason you didn't apply if you had some intent to do something about Taylor

Road?

Mr. Burkholder: Yeah. Absolutely. We intended to apply, and Trustee Siddons who was in charge of that waited until the last moment and made it impossible to meet the deadline. She was the superintendent's over roads. And if you'll check the minutes in our Etna Twp. minutes, Mr. George and I removed her from the roads because of the fact the job wasn't getting done and Issue 2 was part of it.

Mr. Hills: I'm not going to check. I understand you removed her. You even changed meetings so she couldn't show up. You all have enough problems.

Mr. Burkholder: Mr. Hills, you can attack me about the procedures _____.

Mr. Hills: There's no attack there, Mr. Burkholder.

Mr. Burkholder: Then let me finish. The facts of the matter are, we did not apply, and we are applying this year and Trustee Siddons is against, including Taylor Road, on the Issue 2 application. Mr. George and myself have voted to include Taylor Road and to go to Issue 2 fundings.

Mr. Hills: I would be more than happy to see you go after some Issue 2 funds because it has certainly, from negligence acts, they haven't been done before. Does anyone else have any comments, questions?

Mr. Burkholder: Well, just so you know...

Mr. Hills: Mr. Beougher.

Mr. Beougher: Thank you, President Hills. Gary, there is one other issue that does affect the City of Reynoldsburg and that is, we both are 1/6 members of the West Licking Joint Fire District.

Mr. Burkholder: Correct.

Mr. Beougher: And I know Chief Weber talked to Paul about participating in the JEDZ a number of times and was never given any say, any space at the table to negotiate, anything. And you know, I'm looking at the six entities that are getting money from the JEDZ and I don't see the entity that's providing safety services to highly industrialized uses within your industrial park. And that concerns me. And I'm the Reynoldsburg representative to that body. And so that's one of the reasons, one of the primary reasons I brought this up. We recently did an abatement with The Limited, and we were able to negotiate a one time stipend if you will, from The Limited to the district. Now, it's certainly not enough, but it was better than nothing. And at our last meeting, we discussed that. Paul, and I think four other trustees were concerned as well. So, is there any reason why West Licking wasn't given a seat at the table or at least the ability to participate in the negotiations?

Mr. Burkholder: Well, let me just say that I first learned of that. I think it's a valid criticism. I

really do. I'd be the first to admit that. Because I think you have to tell it like it is. That's a valid criticism. I first learned about it when I talked to the Mayor. I think it was this last week. And that was never brought up at a board meeting by Mr. George to my knowledge unless it was one of the two meetings that I've missed in 18 months. Why they weren't brought to the table, I don't know. I think the criticism is valid. That they probably should have had a percentage of that and they didn't. Now, without the JEDZ, they're still going to be providing fire service there and fire protection without the revenues. And yes, with the JEDZ, they're not going to be getting those revenues. But I think it's a valid point. I can't tell you why because I haven't had a chance to address that in a public meeting which would be the next, on August 2 is our next trustee meeting. And I think that's something that should be on our agenda. Why the fire district was not included at the negotiation table for some of those _____. But it's a good point. And I don't have an answer because I don't serve on the fire board.

Mr. Beougher: I just find it interesting that Paul didn't bring it up because I know it was discussed, and I observed them discussing it.

Mr. Burkholder: And I believe that's correct. That it probably was, and we do not have, we probably should have more of a fire board report than we currently do. But I think it's a good concern. Do I believe that it's a justification to not support the JEDZ? No I don't.

Mr. Hills: Okay. Other questions or comments from anyone? Yes, Mr. Baxter.

Mr. Baxter: Just a quick question here Gary. I'm looking at the breakdown here and I see 30% going to the schools which I think is great. 6.8 million over 30 years projected as you said. Then I see 30% of revenue will go to the infrastructure needs within Etna Twp. But I also heard you say when you first came up that it could be. What other programs does Etna have plans to use in additional, for infrastructure improvements other than Taylor Road? And could those be put ahead of that? Or where is the priority of Taylor Road? I heard you commit to it several times. But is that 30% of the total 30%? Or is that all of everything that is intended to come out of this to go to Taylor Road until it's paid for?

Mr. Burkholder: Well those monies, that's a very good question. That 30% is of the total tax revenue generated. 30% can be used by Etna Twp. for infrastructure needs. Have those all been dedicated to the Taylor Road project? No. Not at this time. What is the priority of the Taylor Road project as far as infrastructure improvement? Number one. There has been debate on the trustee board about Columbia Road, which there is a school there which runs between Refugee Road and 40. It's been paved. But Trustee Siddons has wanted that to be top priority. And it has been the feeling of Mr. George and myself that Taylor Road needs to be the top priority. It's a little discouraging though when your County Engineer tells you that there's no way you're ever going to get Issue 2 funding for Taylor Road. And I don't believe that. If we have to go to MORPC. If we have to take part of the General Fund. If we have to move some of those funds from the General Fund to the Road and Bridge in order to get Taylor Road started, I'm committed to that. But it will take at least 2 out of the 3 votes. I worked on State Route 256. I was elected on 256 issue in Pickerington. It was said that that project was, not necessarily dead, but it was stuck in the mud. And I worked for the 4 years I was there to see that that project get completed. So I have to say I have some experience in getting these state roadways and these township roads

completed. 310 is going to be a priority for us, but not anywhere near what Taylor Road is.

Mr. Baxter: Alright. Thanks, Gary.

Mr. Burkholder: Thank you.

Mr. Hills: Other questions or comments from Council members? (No response). Mayor, do you have any comments you'd like to make?

Mayor McPherson: I think everybody has pretty much done a good job. Every note that I had has been covered. So, I think one of the biggest issues I have is that we were not selected to administer the JEDZ. We are the adjacent entity. Etna Twp. skipped over entities to get to Newark. And in my opinion, that's a direct slap in the face to Reynoldsburg. And I don't like it. But you know, it's not a matter of whether my feelings are hurt or not. I feel that we could have done as good a job or better. I still feel that way. But there are several other issues. One being the fire district. The other, and I asked Gary about this the other day when, I think it was Mr. Fowler, I indicated that they had another 500 acres in southeast of the area that they were planning to also work a JEDZ on with Newark. And I know you mentioned you were going to call him. I don't know what the results of that were. But these things, they bother me. Because we're being totally excluded as if Etna Twp. isn't a part of Reynoldsburg. And we're a great deal a part of Etna Twp. Whether it's 50% or 40%, it really doesn't matter of your overall budget. The point is, we are a very involved entity in the township. And we just aren't treated as if we are there. And it was, I'm going from memory, but I think Paul George said we're not even in the County of Licking. You know, and that concerns me that there's that much apathy for the City of Reynoldsburg. And you know, I see this JEDZ as being something that could be good. But it should have been something that was done with the City of Reynoldsburg and not the City of Newark.

Mr. Burkholder: Mr. President, may I address some of the items he's brought up? Particularly the 500 acres. In our conversation, that's correct with Mayor McPherson that he had brought up the item that he heard that there was a negotiation for 500 more acres for a JEDZ with Steven Fowler, who's the Economic Development Director for the City of Newark. After we got off the telephone, I called Mayor Baine, that is the Mayor of Newark, and specifically asked him about this and the concerns you had Mr. Mayor. You've never been able to identify which 500 acres you're talking about other than you've heard about it. I talked to the Mayor, and the Mayor said, absolutely not. There have been no discussions. I don't know where those discussions, or who made those discussions, but the Board of Trustees didn't, and I didn't, and that's who it has to come through. So there are no discussions for additional 500 acres. Now I don't know if that's just a rumor somebody started. But I talked specifically on the telephone with Mayor Baine and he said, no we're focusing on this one here. Unfortunately, and respectfully, I have to say, I think it's political vindictiveness to say that just because we didn't choose Reynoldsburg now, you're totally opposed to it. Even though it can benefit some of your citizens. I can't change the attitudes and the comments from my colleagues on the Board of Trustees. I can only be responsible for what I say and do. And quite frankly, I think I've taken a leadership role in trying to mend the fences between Reynoldsburg and Etna Twp. because I have taken the lead on Taylor Road. That is the one thing that I can make a difference for the citizens that live in Reynoldsburg.

And as I've said before, I pay taxes in the City of Reynoldsburg too. And I want the City of Reynoldsburg to be prosperous. I understand there are hurt feelings about this. But I think we have to get beyond that and above it. That's my view.

Mr. Hills: Mr. Burkholder, you do represent Etna Twp. These gentlemen, ladies and gentlemen represent Reynoldsburg. I think you know, it depends like who spoke last as to where this shift is going. But bottom line is, we have a motion by Mr. Beougher on the table and a second by Mrs. Newman.

With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed.

Clerk read motion: That the Mayor be and is hereby authorized and directed to apply for financial assistance from the Ohio Public Works Commission for the project known as "Rosehill Road Reconstruction Project, North of Main Street". Mr. Stake moved adoption. Mr. Stearns seconded. All voted "Aye". Motion passed.

ORDINANCE AUTHORIZING AGREEMENT TO CONTINUE MAINTENANCE OF THE LANDSCAPING BEDS AND PLANTS OF PHASE I OF THE MAIN STREET CORRIDOR REVITALIZATION, THROUGH OCTOBER 2005; APPROPRIATING FUNDS THEREFOR; AND DECLARING AN EMERGENCY- -Clerk read ordinance for the one required reading. Mr. Beougher stated that the City Attorney has advised us that we should waive competitive bidding and there should be a contract. He said a copy of that contract was included in the packet. Mr. Beougher moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 59-05 adopted.

ORDINANCE GRANTING DYNALAB, INC. A FIFTY PERCENT (50%) JOB TAX CREDIT AGREEMENT AS A RESULT OF THE INCREASE OF FIXED ASSET INVESTMENT AND DUE TO THE COMMITMENT TO CREATE NEW FULL TIME EMPLOYEES, AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 60-05 adopted.

RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)- -Clerk read resolution by title for the first reading.

Mr. Clemens moved suspension of the CRC Section 4.04 three reading rule. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; rule suspended.

Mr. Clemens moved to amend the resolution by adding emergency language. Mr. Gilbert

seconded. All voted "Aye". Motion passed; resolution amended.

Mr. Clemens moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Resolution No. 61-05 adopted.

ORDINANCE ACCEPTING UNRECORDED GENERAL WARRANTY DEED (Reserves A and B, Woods at Reynoldsburg, Section 4, Part 2) (Woods at Reynoldsburg, LLC an Ohio Limited Liability Company)- - Clerk read ordinance by title for the second reading.

Mr. Gilbert moved suspension of the CRC Section 4.04 three reading rule. Mr. Baxter seconded.

Mr. Beougher stated that this property is in his neighborhood and he does pay dues to the homeowners association. He said he thinks he needs to abstain from these votes.

With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Abstain"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; rule suspended.

Mr. Gilbert moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Abstain"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 62-05 adopted.

ORDINANCE AUTHORIZING ENGINEERING SERVICES BY E.M.H.&T. FOR DEVELOPMENT OF AN IMPACT FEE PROGRAM FOR CITY SERVICES; and APPROPRIATING FUNDS THEREFOR **AND DECLARING AN EMERGENCY**- - Clerk read ordinance by title for the second reading. Mr. Gilbert thanked Mr. Brandt, our Development Director, for making Council aware of the importance of this issue and how we deal with development in the future. Also to Mr. Parkinson, for his efforts when we re-entered this on to the agenda several weeks ago, to provide us with all the information required in a timely manner.

Mr. Gilbert moved to amend the ordinance as redrafted 7-22-05 to reflect the funding information and emergency language. Mr. Stake seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 63-05 adopted.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE TENNANT 6400 POWER SWEEPER, AND ONE 16' LOWBOY TILT TRAILER **AND APPROPRIATING FUNDS**

THEREFOR- - Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend the ordinance as redrafted 7-22-05. Mrs. Newman seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 64-05 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Section 371.06 "Use Of Highway For Soliciting; Riding On Outside Of Vehicles" OF CHAPTER 371 Pedestrians- - Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 65-05 adopted.

ORDINANCE APPROVING TRANSFER OF SPECIAL EXCEPTION USE PERMIT - (7354 East Main Street)- - Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mrs. Newman seconded.

Mr. Hills stated that he didn't have concerns when it was the former motorcycle shop. He said those were specialty cycles. He said you don't have a lot of traffic coming in to get those bikes. He said these are small bikes attractive to people who may or may not be driving. He said they are not street legal but they certainly attract younger people. He said the city has chosen to block off any access to that facility in an east bound direction. He said he does have a concern that the clientele coming there are going to be somewhat different. He said it is a concern. He said he has been pro business, but it bothers him to think that we are moving into something that he thinks the traffic pattern of getting in and out is going to be extremely difficult.

With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 66-05 adopted.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 29.558+/- ACRES IN ETNA TOWNSHIP, COUNTY OF LICKING, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Steven J. Fulkert, agent for petitioners (Bard))- - Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 67-05 adopted.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 3.82+/- ACRES IN TRURO TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Grant Medical Center)- - Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 68-05 adopted.

Motion to recess for the month of August: Mr. Gilbert moved for Council to recess for the month of August. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed. Council will recess for the month of August.

Meeting adjourned at 8:30 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council

(Transcribed/Susie Smith, Ass't. Clerk of Council)