

SPECIAL SAFETY COMMITTEE MEETING MINUTES

July 19, 2010

Members of Safety Committee present: Mel Clemens, Chris Long, Nathan Burd, Fred Deskins, Jr.

Other members of Council present: Leslie Kelly, Doug Joseph, Barth R. Cotner, Council President William L. Hills.

Mr. Clemens: I'll call the Special Safety Committee Meeting to order at 6:30 p.m. First item on the agenda is the approval of the agenda. Are there any changes to the agenda? If not, it'll stand approved.

Item No. 3 - Discussion: General Safety Issues - - - topic added to special Safety Committee meeting on July 12, 2010; *held one week*. So really, we'll pick up where we left off last time. I don't know if anybody that's here that wanted the opportunity to speak and did not speak, I know that Mr. Cook wanted to speak. I don't know whether he wants to speak right now or wait. Did you want to speak now, or did you want to wait 'til later, Mr. Cook?

Robert Cook: I'm ready.

Mr. Clemens: You're ready.

Mr. Cook: Yes, Sir.

Mr. Clemens: All right. You're up.

Mr. Cook (8170 Priestley Drive): Mr. Clemens, members of the Safety Committee and members of City Council, Mr. Mayor, Ladies and Gentlemen. I have been here for the last two meetings of the City Council, where City Safety Committee discussed this particular curfew amendment. My bottom line is that I think, I think this amendment is not to take away the rights of the freedom of movement in Reynoldsburg, but is to rather restore them, and I would like to call your attention to a couple things that were not said last week and two weeks ago. For example, very few, and if my notes are correct, anybody spoke explicitly to the lines in the amendment as written. For example, it says, 'that it is in the best interest of the city to require minors of the age of 6 and under the age of 18 to regularly attend school'. Nobody said that was a bad idea. No one here, no one behind me. It's a good idea. The amendment goes on to say 'the City of Reynoldsburg also believes it is in the best interest of the city to prohibit minors between the ages of 6 and under the age of 18 from being upon public streets during the school days of Reynoldsburg City Schools throughout the academic school year except in limited circumstances' and no one said that was a bad idea. We all agreed, there was a common ground between those who spoke against and those who were in favor that these were two good ideas. The amendment then goes on to specify the exceptions and they were legitimate, common, everyday exceptions. It then goes on to say that any child who violates this subsection is guilty of being an unruly child. Gasp! Us parents _____. An unruly child in accordance with the Ohio Revised

Code 2151, and again, no one stood up to speak against the Ohio Revised Code, which says for that particular paragraph, “that an unruly child is defined as an habitual truant”, and there again, this amendment speaks exactly to truants and no one stood up and said it was a bad idea.

What were the objections? Generally, according to my notes of the last two weeks, the objections were not about the clauses of this amendment, per se, but about the execution of the amendment; and in my mind, there’s a real distinction, because if we do not have faith and trust in the Police Department and in this particular case, it would be our own Reynoldsburg Police Department, that they can exercise any ordinance passed by this Council in accordance with Constitutions, laws and Police Protocol, then you should not be passing any ordinances at all until you find out why. If some, not all, if some of the objections that have been made in the last two weeks about this amendment were true, then surely someone must have addressed your problems about the nighttime curfew. Yes, it’s different. Yes the number of kids involved are different, but it’s also, one is daylight and one is dark. If you believe you have a Police Department that operates outside of the Constitution, that they violated the nighttime curfew_____ to my knowledge, they have not. If I’m wrong in those assumptions, this is a great time now and later to speak out.

In short, in summary, let me say what I began with. This amendment is not to take away the rights of our freedoms to move on the streets, or any child who may be exempt from this amendment to move on the streets. Rather, it is to help to be a step toward insuring that those streets are indeed free for that movement. Thank you very much for your time. Do you have any questions pertaining to what I said?

Mr. Clemens: Thank you, Mr. Cook. Are there any questions? Councilman Long.

Mr. Long: Thank you, Mr. Chairman. Mr. Cook, thank you very much for coming here this evening. Per the ORC, an unruly child is specifically defined as a truant, I’m sorry, not an unruly child, but a habitual truant is one who has been truant from school for five days or more in a row, seven or more in one month, or an individual who is twelve or more in a school year. The area that was specifically written in the notes that we received from the City Attorney, would be Item D under the Ohio Revised Code which is, any child who violates a law other than division C, Section 2907, Division A of 2923 or Division C1-D of Section 2925.

Mr. Cook: Yes, Sir, my reading also. Go ahead.

Mr. Long: Okay, so it wasn’t the element of a habitual truant that we were dealing with here.

Mr. Cook: That is correct.

Mr. Long: I do agree with you, yes that children of school age should be in school. One of the issues that was brought up is that we do have a lot of children in the City of Reynoldsburg who are of school age who are enrolled in online schools which are State of Ohio sanctioned, they’re even sponsored by the City of Reynoldsburg School District and the reaction to that is well, those

individuals would be excluded.

Mr. Cook: If I may interrupt a moment, in my reading of this amendment, I do not see that those particular cat, that particular category of students is impacted negatively by this. I believe Councilwoman Kelly has circulated to you a memo I wrote to her a couple weeks ago that discussed in this case specifically home-schooling and concerned our own experience as one who's home-schooled one of his children. During Monday through Friday, regular school times, she wasn't on the street. You can have this amendment ten years ago, it would have gone right by me. We wouldn't have noticed, but had she been there she would have had an excuse that would have made it very easy for her not to be impacted by this amendment.

Mr. Long: I agree with you, but once again, you have an element with a parental right with a home-schooled individual. No I wasn't talking about those. You're the ones that brought them up. A home-schooled individual is schooled by the parent at home. They have flexibility and rights as a parent to school that child as they see fit within the curriculum that is dictated by the State of Ohio. It can happen at any time during the day. They could put in a two-hour recess in the afternoon. That child is out of the home; now granted, they would have parental permission there so there wouldn't be an issue there, but getting back to the online schools, our issue is with the fact that you can have a number of students who have been taken from the brick and mortar class room environment and put into a virtual environment. One of the reasons that it's advantageous, is that it's flexible, it gives them the ability to work at their own pace whether it happens to be evenings or weekends and this ordinance as originally proposed, if they were between the ages of 6 and 17 would have kept them in the house. They would have not been permitted to be outside although they have fulfilled their requirements with students within the Reynoldsburg City School District.

Mr. Cook: I agree with and share your observations, but again, I believe there's a difference between the ordinance and it's execution and I think that you tend to, what we're talking about right now, really more pertains to the execution than to the actual legitimacy of the amendment itself, in my opinion.

Mr. Long: But in considering an ordinance within the City of Reynoldsburg, this body has to be concerned with the execution. That's our job. We have to be able to look beyond day one and see what is going to happen, or what could possibly happen in the future and base our decisions upon the application of the law, in the element of how it's going to be enforced, and brought about within the community.

Mr. Cook: You're absolutely correct. I would not expect you to do anything else, but at the same time, I wouldn't expect you to throw the baby out with the bath water either.

Mr. Long: We're not, and this will be other issues that will also come out a little bit farther in the meeting here. I apologize, I thanked you for coming down, I did not mean to argue with you. I just

needed to make certain points.

Mr. Cook: I'm glad you apologized for me standing here so long.

Mr. Long: Quit, quit, thank you very much, Sir.

Mr. Clemens: President Hills.

Mr. Hills: The, I guess just for my own clarification, because I appreciate the debate we just had, but a student within the Reynoldsburg School District, if they are home-schooled, they are registered with the school district as being a home student, correct?

Mrs. Kelly: Yes.

Mr. Hills: I'm going to make the statement, if it's incorrect, somebody tell me it's incorrect. Secondly, I'm not sure there's a significant if any difference between a home-schooled student and an e-student, an electronic student. They are all registered within the School District also. If this Police Department, acting within, as Mr. Cook said, that certainly that they, that we would need to have faith and trust in what they do, but if they have stopped someone and a verification or a call is made, they are a home-schooler, they are an e-student, so be it. It's over, it's done and they have the rights to stop anyone at anytime if they suspect that something's going on. So I, we're chewing at little bits and pieces of things without getting to what the point is and all I want to do is clarify that because it was sort of like e-students are different; they're not any different. You've got students that are in school, you've got home-schooled, you've got e-students. A student's a student. Then you have the ones that are expelled or whatever and not in school and those are the ones whether within this system or outside of this system, the Reynoldsburg system, we, I think through this ordinance, we're trying to say it's inappropriate to be out wandering around the streets during the school hours and I'm not sure anyone has, as Mr. Cook said, anyone has had a real problem with that.

Mr. Long: Nope.

Mr. Hills: That was just for clarity and I thank you.

Mr. Clemens: Thank you, President Hills. Have we missed anybody else that wished to speak last week and didn't? If not, we'll go back to Council. I knew this was coming, Councilwoman Kelly.

Mrs. Kelly: Thank you, Chairman. I would just like to bring up, last week there was some question about what would it look like if we changed the ordinance a little bit to reflect specifically expelled or suspended students? My concern with adding that type of a line that says this applies to suspended or expelled students, is that if you have a student walking down the street, we call him Bobby. Bobby's walking down the street and is stopped. The Police Officer pulls Bobby over and stops him and says 'where are you supposed to be' and Bobby who really is suspended or expelled, says, oh, I'm

a home-school student and they say 'well, let me call home'. Bobby gives them a number and there's nobody there and then next they call Reynoldsburg High School and they can't figure out, Bobby doesn't go to school there either. Well, that's because Bobby was suspended or expelled from Columbus, or from Whitehall, and there's no way to track that. They can't call, the Police Department isn't going to call every single Columbus Public School, or every Whitehall School, or all these other schools. What this would then allow them to do is say, okay, I've called the schools, I've called here, I've done this, I can't figure out where you're supposed to be or what or why you're out here walking out and about. They then can address and deal with that child. If you put something on to that, that just says suspended or expelled students, it would be my concern, or my fear, that you would address a very small issue that, that would not allow us to effectively deal with students outside of Reynoldsburg who may be suspended or expelled.

Mr. Clemens: Thank you, Councilperson Kelly.

Mrs. Kelly: You're welcome.

Mr. Clemens: I listened to this and everything and I think they're good subjects and you know and we've discussed it before, but maybe I've been sitting here too long. Maybe I've been in Reynoldsburg too long. Are we afraid of our Policemen with our children or something? Is that what we're teaching them? We don't want them stopped and questioned. I mean, this is something, maybe, you know, when I raised my five children, I was glad that the Policeman would stop them if they were doing something. So what are we doing wrong? I don't understand what we're doing wrong. We're trying to make exceptions for things that really don't exist. What we're interested in is our daytime problems with our students and our out of school students and the ones that live outside our district coming in. What we're trying to do is help, not only the students, but also the families and everybody concerned. I don't, and I've listened to people stand up and you know really go into the Constitution and all that. That's, you know, they can take that Constitution and the way they speak about it and you know what they can do with it as far as I'm concerned. The object is, these laws have been tested by law, you know and if you want to go before Columbus and argue their's, go before Columbus and argue their's. Don't come down here and argue something that really I could argue the same thing and know about as much as some of them do. I know that they read it off the Internet, they all, you know, we've stood here and listened to all these different ones speak on the same thing and they come up with the same thing and it comes right off the Internet. It comes from Colorado, I believe it is. You know there's an Internet on home-schooling and so forth, and I have nothing against home-schooling. My grandchildren have been home-schooled. They're certainly not afraid of the Policemen and I guarantee you that if they're out when they don't belong out in the daytime, their parents and I would want them stopped. So I don't see and I may be wrong, maybe I'm getting too old to understand what's going on nowadays. We're taking away their identity. What identity do they have when you're twelve or thirteen years old? My identity was a belt right across my bottom from my Dad. He taught me my identity. He taught me when to speak. So I mean, I just don't understand, I don't understand all this really. Like I said, maybe I'm getting

too old, but I do know one thing, we got kids roaming my neighborhood that shouldn't be there and if we can do anything to help the public, or help my district by creating some type of a law, whether it was the one we discussed, or the one you're discussing, maybe we should start out small and get bigger. I don't know, but I get tired of hearing this, that acting like we're taking away somebody's rights, because we're not, and I've taught our children to respect the Policeman if they stop them, not to be afraid of them, and the way I listen to people speak that's out in the audience, like it's something terrible if their child was stopped on a tricycle or a bicycle or in a car because they should be in school, and I could be dead wrong but that's how I feel about it and if we come up with something maybe different, but it has to have an ending to it that's going to work. That's the way I look at it, you know, it has to have an agreement between the schools and the city that's actually going to operate. We can't pass something and then the school just fluff it away. You know, I mean, it would not be good. It would make us look, basically, like we didn't know what we were doing. So whatever we do and it involves the schools, it involves taking the pictures and such things as that, we have to have a commitment from the school. I mean, I don't mean I'll ask and you say yeah, this looks fine, and five months from now, you don't do a thing about it. I want it in writing, I want the Mayor to handle it, or the Attorney, that we know that both parties are going to cooperate; and you know, we feel that this is really going to work, because if not, we're spending all this time talking about nothing if we can't come up with something that's going to work between the city and the schools and our Police Department and our Administration and I haven't heard anything from any of them. I haven't heard anything from School Administration. I haven't heard, I've heard from the Mayor. He's willing to cooperate, what he said, but that doesn't get us there. So I mean, I would like to, you know, I'd like to see you continue Chris with what you're doing and so forth, but I would like to see before it's brought to Council, before we really get serious about it, I would like to hear about it from the school how they feel about what we're considering and what they plan on doing and I know Tricia's here, but you, can you speak for what they mean? I mean, can you tell us and this is what they're going to do and then they do it or do we have to have somebody else that, do we have to have them pass an ordinance, you know pass something. I mean, we've worked with the school on a lot of different things; a lot of the time, it doesn't come out the way it's supposed to. In the past, you know, things have been a little shaky. So I want to know really, if we do, do something, that they're on board with us.

Tricia Moore: Good Evening everybody. I'm glad to be here to sit and listen to the discussion that you're having and I recognize these kinds of issues are complex. If the answers were obvious and easy to find then these meetings would be a little dull as you'd have figured it out a long time ago. From the, speaking for the schools, and we've cooperated with the Police, we have a good, positive relationship with Safety/Services, both Police and the Fire. If Council passes an ordinance then, yes, we're happy to be cooperative to the extent that we can, and if that means communicating with students and the families, we can do that. We certainly have avenues to get information out to them and if it's information that's relevant to students, then we're glad to share that. I can vouch for that personally and we're happy to provide any other information or _____ that you would request.

Mr. Clemens: You know, it was discussed about the pictures, doing it with the Police Department, we're talking about extra personnel. We're doing things that's going to cost, going to make it a little bit more difficult for the school, a little bit more difficult for us, and that might work and it'll be fine, but I wouldn't want to pass something and find out it's too difficult for the schools you know, to do this, to cooperate with us on. That's why I say it's got to be, to me, don't get me wrong, I respect you, you know that, but you know, I would like to see something in black and white, you know. When we get done, you know, the Mayor signs an agreement, or the City Attorney. A lot of this has to be okayed by the City Attorney to even make it right.

Ms. Moore: Right.

Mr. Clemens: And that's the, you know, those are the kind of things I worry about because if it doesn't happen that way, it's not going to be any good any way we do, period.

Ms. Moore: Well, we have a vehicle now to bring those things forward, if there is a need to sit down and work out an intergovernmental agreement or memorandum of understanding or that sort of thing. I mean, you've created a perfect venue to have those discussions, but also, we're right across the street.

Mr. Clemens: Well, it's been talked about, and I think it's the stage that Chris was talking about. I think this is what some of you want. I mean you brought to us what you'd like to do. I think it's time that somebody sits down together, we talk about, we're not getting anywhere unless we got black and white in front of us to start with.

Mr. Long: We're working on that, Sir.

Mr. Clemens: Well, okay, but it's like you and I discussed, you know what I want.

Mr. Long: Yep.

Mr. Clemens: I want to know that they're signed on, and I know that the Mayor would want that too, and I know that the city and I want, when it comes back, I want it okayed by the City Attorney that everything's okay and then I might feel different about it, but I'm still not afraid of the Police, but that's immaterial, but I appreciate you speaking for them.

Ms. Moore: Sure.

Mr. Clemens: But you understand what I want; I want it to work.

Ms. Moore: Right.

Mr. Clemens: That's the best I can ask. Thank you. Yes, Councilman Burd.

Mr. Burd: Thank you, Chairman Clemens. Thanks for being here Tricia. I don't know if you know this or not, but what is the current procedure when a student is suspended or expelled? I mean, how are they notified, how are their parents notified? What currently happens to a kid who gets in that kind of trouble in the district?

Ms. Moore: It depends on the situation to a certain extent. Parents are contacted. If the infraction is such that they need to be contacted right now, then that's what happens. If it's, you know, a letter would follow up certainly explaining the family's rights. There are, there's an appeal process. There's also, in the case of expulsion, there's a hearing that's held no matter what. That hearing would be scheduled as soon as possible. Typically you would have a, if a student were recommended for expulsion, there would also be a suspension attached to that so that the student would be removed from building until the hearing can happen and we would make sure that the hearing is scheduled within the ten days of the _____ of the suspension.

Mr. Burd: So all parents of those students are notified at least, in one way, possibly others, depending on the...

Ms. Moore: Oh yes, there's absolutely contact.

Mr. Burd: Okay, thank you.

Mr. Clemens: Thank you, Councilman Burd. Any other questions? Councilman Cotner.

Mr. Cotner: Thank you, Sir. What about the student that's suspended an hour into the day for whatever reason, get's into a fight or something, and is sent home at that time. How quickly does that notification process happen?

Ms. Moore: Well, you mean like Mrs. Kelly was talking about last week?

Mr. Cotner: Exactly.

Ms. Moore: Right now, if they're going to be sent home, then they're kept in the office until the parent is contacted. Most cases, the parent will come and get them.

Mr. Cotner: Most cases, but not all? So the student is of driving age, they drove to school and the parents notified, but they are suspended. Can they get in the car and drive home on their own or are they required to stay there until someone comes and signs them out?

Ms. Moore: If the parent says go ahead.....

Mr. Cotner: On their own.....

Ms. Moore:and release them and we don't have a reason to keep them, then that would be the case, but I think that would be the exception rather than the rule.

Mr. Cotner: Okay. Thank you.

Mr. Clemens: Are there any other questions from members of Council? Thank you, appreciate it. Other members of Council, is there any discussion? Hold your hand up now. Councilman Long.

Mr. Long: Thank you, Chairman Clemens. One of the other pieces of legislation that I'm currently working on and this is something that was a resounding comment from parents on both sides and I believe also other members of Council here as to where were the parents? In our current ordinance right now, we have under 537.15, I believe the title of that is "Wrongful influence of a minor", and I'm proposing that we add a third section to that, which would hold the parents directly responsible if the child did violate the daytime curfew as _____. You know, if we get our parents behind our children, that in and of itself would go a long way to helping to keep our kids out of trouble. Not that I think we need the result of the belt like they did when Mel was a kid, but....

Mr. Clemens: I needed it too.

Mr. Long: Thank you, Chairman Clemens.

Mr. Clemens: The other, and of course another thing we're interested in and it's part of this, students from other communities causing our problems, and not so much, you know, I know we have some of our own, but we do have a lot of infiltration that's been a problem and that's what we're trying to also correct. Are there any other questions or discussion? President Hills.

Mr. Hills: Just a little clarifying and followup, 537.15 is really not before us.

Mr. Long: Yes.

Mr. Hills: You've looked into the code.

Mr. Long: Right.

Mr. Hills: And I understand from what you're saying, you're going to be drafting some legislation.

Mr. Long: Yes, Sir.

Mr. Hills: If you don't mind, and I would request as President of Council, when you draft this, run it through the City Attorney.

Mr. Long: Oh, absolutely.

Mr. Hills: Before all the members of Council see it, because when I'm hearing hold parents responsible, the first thing to come to mind is, what didn't they do wrong, or what did they do wrong or what didn't they do right, and I would certainly want our City Attorney to weigh in on what they have violated....

Mr. Long: Uh-hum.

Mr. Hills:other than being a parent, and I'm not sure what we can impose upon one for being a poor parent.

Mr. Long: Well, I've already spoken with the Clerk of Council and everything will be given to her in writing, and then she will be going through the City Attorney; 537.15 currently deals with two other sections which is "Truant from Home" and "Truant from School".

Mr. Hills: Okay.

Mr. Long: Holding a parent in wrongful influence of a minor in those applications and the purpose would be to add a section three to it which would also hold a parent responsible if their child were to violate the daytime curfew while under suspension or expulsion.

Mr. Hills: If you want to prepare it and send it through the Clerk and let the Clerk send it, that's fine, but I would suggest whether it be you or anyone up here drafting legislation, and you can do that as a Councilperson, you absolutely can, but I would always suggest before you put it in the inked form.....

Mr. Long: Uh-hum.

Mr. Hills:in the typed form, talk to the people that are going to have to sign off on it, like in cases if it's money, the Auditor's got to.....

Mr. Long: Right.

Mr. Hills:be there. If it's legal principles, the City Attorney's got to be there. Rather than just giving it to the Clerk and say okay, now here's the Clerk's, and I'll give it to the press and everybody's out and all of a sudden, if it's way off-base, not that you would do that, but if it's way off-base, then we're back trying to recreate a wheel to get answers to the questions. So if possible, while you're doing your draft, I think between Jed's schedule and yours, you ought to be able to find out a time that you could kick it around a little bit to see if you're walking down a path. He usually will give pretty good advice. If you're right.....

Mr. Long: Right.

Mr. Hills:he's going to tell you you're right. If something is in violation of our code or ordinance or laws or we don't have the authority, I think he'd probably suggest the same thing and that again is just a suggestion. Rather than putting it in print, get some input on it from those people who are going to have to sign off on it.

Mr. Long: That's the direction it was going.

Mr. Hills: Okay, thank you.

Mr. Clemens: Thank you, President Hills. Mr. Hood do you have anything to add this evening or anything you'd like to discuss? Thank you. If there's no other comments, are there any comments from anybody in the audience that I've missed? Yes, Ma'am. Would you please come up and give your name and address please and don't talk over an hour and half.

Ms. Hobson: My name is Karen Hobson. I live at 6558 Glacier Avenue. I've lived in Reynoldsburg for about, I think, seven years and I've home-schooled my children for about nine, and personally, I'm very upset over this ordinance. I feel as if you want to put rules on my law-abiding children and it's just unfair. Number one, if a child is going to leave school, another law on the books is not really going to stop them. They're not going to say 'boy, I was going to skip school, but there's an ordinance, I might get caught'. You know, that's not really where their mind is going to be, so I don't see how that is going to help that; and then also, I got my information from the like, Reynoldsburg newspaper, whatever, and they were saying that of the solved burglaries in Columbus, excuse me, Reynoldsburg, it was like 2/3rd's of the 15 which only is like 8 were teenagers so we're going to create a law that would possibly stop 8 crimes. Now I appreciate, you know, we don't want teenagers roaming around and everything like that but I don't feel comfortable knowing, I have five children, knowing that my children could easily be considered a group and you know, you look at them and say well, you know, they must be doing something wrong, they're not in school. Whereas, I know where they are, I said they could go wherever they could go generally and I just don't feel comfortable with the Police stopping them. You said, you know, I don't understand, well, I don't want my children to be afraid of the Police.....

Mr. Clemens: Right.

Ms. Hobson:but they know that because of this, that they could be stopped for no reason or you know, if you see them stealing or beating up somebody, by all means, stop them, but if all they're doing is on the street, that's not a good enough reason. Also, I, you had said that you know, that the Police would have a list of the children's names. I'm sorry, but whose names do the Police usually have? Criminals, people who are wanted, not law-abiding citizens, so the fact that you would have a list of my law-abiding children's names, you know, that just bothers me because they didn't do

anything wrong and again, if they did something wrong, by all means, you know, have their names and then again, how many times might my child be stopped? You know, not that my children are out during the day, every day you know, 365 days of the year, but what, you know, might they be stopped in May and then again in September and then again in December, because the Police Officer is just not going to remember what they look like. So they're being stopped and questioned. I don't know how many times, it's a possibility that this could happen, and another thing, I, you know, appreciate the problems that we have of burglaries and just other crimes going on, but we shouldn't be afraid of children. We shouldn't be afraid of teenagers, we shouldn't be afraid of, you know, just one or a group of them, whereas that we would try to put laws on them just to say, you know, stay in your safe approved zones and like I said, you know, I've lived here and my children are here and I want them to continue to feel safe and know that, you know, that they're not going to be stopped for a reason other than well, you know, you're under 18 and you're out on a public street.

Mr. Clemens: You do understand they can be stopped now? It makes no, our ordinance means nothing.....

Ms. Hobson: I understand that, but.....

Mr. Clemens:I mean, you do, I just want you to understand you know, it's there, just as long as you know that.

Ms. Hobson: I mean, they would be doing something.

Mr. Clemens: Not necessarily, they would be stopped, you know.....

Mrs. Kelly: They could be stopped right now.

Mr. Clemens: They could stop just to check on them, period. They don't have.....

Ms. Hobson: So far, and again, I've lived here for about seven years.....

Mr. Clemens: Well, I want to tell you what can hap, what the law is, they can stop, period and check. Now we don't want them to do that, but I'm just saying, I just want you to know, that's not something we're dreaming up. I mean it's

Ms. Hobson: I understand that, but I'm just saying, we've been here this long, we've never been, you know, my children have never been stopped.

Mr. Clemens: I understand, I understand.

Ms. Hobson: And I think that by putting this on the books, it would more, make it more apt to

happen.

Mr. Clemens: That could happen, I understand. I want to thank you. All right, are there any other.....

Mr. Burd: Chairman.

Mr. Clemens: Oh, Councilman Burd.

Mr. Burd: I appreciate it. Just one more comment. You know, being opposed to the ordinance, you know, that we put in "Other Legislation" a few weeks ago, in my case, in no way do I distrust the Police Department. It's actually the opposite. I know the Police Department's going to enforce this the way they should, but we heard testimony on the 21st of June of a fictional home scholar walking home named Susie who would be stopped. If her parents couldn't be located, the story ended up with her being taken to the Police Department. That would not happen now under current law, the Officer has discretion to let Susie go and we were told that Susie may very well end up being driven to the Police Department. So there are some differences in what we currently have and what was being proposed. So I, you know, it's not a distrust of the department. We have a great department, but, you know, I was concerned about that because why waste time on Susie, why take Susie to the Police Department if the parents couldn't be located. We also heard testimony that an adult may be stopped if they look young. To me, that opens up quite a few areas of concern, because if that adult's out jogging and they don't have ID and they're driven home in a squad car because they didn't have their ID, because they were out exercising, that could be troublesome, I believe. So there are some differences and I do agree with what the resident just said. We, if we pass a local law like this, it will be enforced. My concern all along has been that we're asking the Officers to do something that may not be the best use of their time. Now, they can tell me otherwise and that's fine, but in the scenarios we heard testimony from an Officer, it was concerning to me. So I think there are differences between the current law and what we were being asked to consider.

Mr. Clemens: Nobody said so, and darn it, everybody can have something hypothetical you know, bring up about Susie, Fred, or Jim, whatever.

Mr. Burd: Or a student being suspended the other day.

Mr. Clemens: I understand that, but we don't live in a perfect world, and that's just the way the world is, but anyhow, does anybody else have anything to say about, not that ordinance, but what we've been discussing? That ordinance is, if I have my understanding right, that ordinance is in "Other Business", so okay, all right. Are there any other comments from, if not we'll call the meeting over at 7:07 p.m.

Special Safety Committee

--Nancy C. Frazier, Clerk of Council

July 19, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

July 19, 2010

Members of Community Development Committee present: Leslie Kelly, Barth R. Cotner, Chris Long, Nathan Burd.

Other members of Council present: Fred Deskins, Jr., Doug Joseph, Mel Clemens, Council President William L. Hills.

Mrs. Kelly called the meeting to order at 7:30 p.m. and said: The first order of business is the approval of the agenda.. Are there any changes, deletions? Seeing none, it will stand as written.

The next item is the approval of the minutes of the May 3, 2010 Community Development Committee meeting. Are there any changes or deletions? Seeing none, they will stand as written. The next item is the approval of the minutes of the May 24, 2010 Special Community Development Committee meeting. Are there any changes or deletions to these minutes? Seeing none, they will stand as written.

Item No. 4 - Our next order of business, we are very pleased to welcome Mary Hudson to speak with us this evening about the Reynoldsburg Tomato Festival.

Ms. Hudson: Thank you very much, Chairwoman Kelly, and I hope I'm loud enough because I realize when you're in the audience it's kind of frustrating when you can't hear the people speaking to you and you're sitting there, 'what are they saying'. So I will try to speak loudly. Good Evening members of the Community Development Committee, members of Council, Mayor McCloud. Before you go on your summer session break, we are here on behalf of the Reynoldsburg Tomato Festival to invite you to take part in our 45th annual Reynoldsburg Tomato Festival. Forty five years, 45 years of community tradition are continuing in Huber Park on August 20th and 21st. We know we have a lot of things to share, we know you don't have a lot of time, so I'm going to have some of the members of our committee speak with you about the different things that they're working on, but first, I would like to share with you that this Spring, we were fortunate enough to receive our 501C3, our charity designation. So hopefully, we can apply for some grants and get some other things going, and we want to thank Mrs. Susan Brusk, who helped us with that process. She was diligent in helping us getting everything done and we received that in pretty fair time. She did a great job in getting that for us, so we really appreciate her dedication to our cause in helping us get that. I would also like to thank Sandy Long, who is our treasurer and this, starting from scratch, basically in the last two years, starting with a new committee, doing the 501C3, she has just been invaluable to us and it's, I mean, more work than I ever imagined, getting all the forms ready and just doing all the accounting that comes with the 501C3 and getting everything in line and keeping us in line with the finances; Sandy's professionalism and her vigilance have been wonderful and she's a real treasure to our Board. It is, like I said, it really is a lot more labor intensive than I ever imagined it would be. Special thanks to all our Board members, Greta Stake who's not here with us tonight, is taking care of all the concessions and the vendors. So if you want to get in and do something, we try to share so we don't have like ten people doing ribs or something like that. So if you want something special, you have to get in and wrestle Greta for it. So get in quickly if you're interested in being a vendor or in our business tent as one of our businesses. Chuck Cochran who's with us is going to talk about the activities, oversees all the games and the activities for the Tomato Festival and that has been a huge job and this year, as you will hear, we have a lot more things lined up than we did last year. Will Schuck who's also with us has worked on our website and if you've looked at reynoldsburgtomatofestival.org it is wonderful and he does a fantastic job of keeping it updated. Just today, I mean, everything that we get in, everything is new, so if you take a look at reynoldsburgtomatofestival.org any of your questions can be answered. We'd also, Mike Motz is here and Mike's been working with our Queen contest and with the car show. He'll bring you up to date on some of that. Luke Haire is also here from the city, who has been invaluable in working with sponsorships for us and that's been a great help. Obviously, you can't have any advance without the financial backing and Luke's just been great with helping us with sponsorships; and also not here this evening are Jason Shamblin and Bob Martin, two of our characters. They both help with facilities and the parking and tee shirt sales, etc., etc. So they are also invaluable in what they bring to the festival. The first thing that I would kind of like to tell you is we've got our

total entertainment lineup for the two days and we'll be starting out, our first outside group will be the Reynoldsburg High School Marching Band on Friday evening helping us with the opening ceremonies, and then a performance by the band; and then we have a local group, Second Story; and then once again we will have Ashley Everts, who is a local, young singer who has gotten an award from Nashville, being Young Singer of the Year, since she performed for us last year. So last year she was, she prepared the opening act, and this year she is the opening act on Friday night. So we're real excited about that.

Now on Saturday, once again, we kick off with the Mt. Carmel Fitness Challenge, which will take place at City Hall, its half marathon of inline skating, one of the only ones in central Ohio, its 5K and the 10K and that will be off and running at 8:00 on the city streets, and right after that, Kiwanis Club has their _____ Pancake Breakfast, so you can go right over from skating or running and go over and have your breakfast. So start out with that.

Then we have J.A.Z.Z. Dance and More, a dance studio that will be with us. We've got Reynoldsburg's Got Talent back. So any of you that want to, you know, show the city what you've got besides being great administrators, come on out and give it a belt on Reynoldsburg's Got Talent. We also have, then we'll have our Tomato Queen Contest. We have Oblivion Fire which is a local band from last year and then we have the Danger Brothers from 6:00 p.m. until 10:00 p.m. on Saturday night. So Huber Park will be rocking. So right now, I think I'm going to turn it over to Chuck and he can kind of share with you some of the activities that we're planning.

Mr. Cochran: Good Evening. In terms of the kids' activities and games area this year, we're real excited. We've added some additional activities this year. We've added an additional inflatable so we'll have five inflatables this year, for the young people. As well as, we've added some additional games including the opportunity to come see the racing pigs, which I won't go into, but you'll just have to come find out what the racing pigs are. In addition to that, on Friday evening we're going to have a teen movie, "Attack of the Killer Tomatoes". So, all the young people will be able to come out and sit like we have our Family Nights at the Park and watch a movie, and then on Saturday, we'll have the inflatables and the games and activities all day long. Also Saturday, we have, we collaborated with the Knights of Columbus and the Parks and Recreation Department to have a soccer challenge in the afternoon, and in the morning we will have a punt, pass and, later in the afternoon excuse me, we'll have a punt, pass and kick competition sponsored by the Reynoldsburg Football team. So there's lots of fun opportunities and events going on out there for the young people, and I'll turn it over to Will to speak about the website. Thank you.

Mr. Schuck: Good Evening. Hope I don't have to state my name and address and position, do I? As Mary said, I've been working with the Tomato Festival now for two years, primarily with the website, handling public relations, some media relations, and sort of an unofficial member of all committees and being a member of the Board again this year, first time this year organizing committees second year. What I wanted to mention was that the website of the reynoldsburgtomatofestival.org and if you type in .com, you'll still get the same website. The size of the website, that is the number of pages, nearly tripled since last year. We're adding lots of new information and the number of sponsors too just keeps growing. We, I believe Luke will talk more about that, but as of right now, we have 15 businesses, organizations or individuals who are sponsoring the Tomato Festival and there's lots of information about who they are and how they'll be involved on the website. One of things I wanted to mention are our media partners. We have WCVO, 104.9 better known as The River as our radio media sponsor. They're providing about

\$10,000 worth of on-air promotion for the Tomato Festival and this is a great, great help in promoting the Festival to the community. Also, we're working with the *Eastside Messenger* newspaper. They're working with us developing the official program, which will be inserted into the newspaper delivered to households in Reynoldsburg and Pickerington and also it will be distributed at the festival. So we're proud to have these two media partners working with us and I hope all of you will take a look at all of the new pages on reynoldsburgtomatofestival.org and tell your friends there are ways to, on the website, there are ways to volunteer, to sponsor, to fill out a form to have a booth to participate in any of the activities. There's lots to do rather than just read. So I hope you'll take a look around at all the new things at reynoldsburgtomatofestival.org. Thank you.

Mr. Motz: Good Evening, friends. Moved into Reynoldsburg fifty years ago and I don't regret it one iota. So it's been a great time here and I hope I'm here another fifty years. At any rate, my wife and I and Robin Baker are taking care of the Tomato Queen and the Tomato Princess and the Senior King and Queen and what I would like to invite each and every one of you to do, is to go out on the website that was just mentioned and give us a nomination for the Tomato Queen for this year. That young lady represents the City of Reynoldsburg, the Tomato Festival and everything good, and so far, we've had quite a bit of success getting fine young ladies there. So any help would be appreciated. Nominations are open and we sure would like to have Junior, Senior girls in Reynoldsburg School District, only requirement. Thank you for that and the Little Princesses, we can certainly use nominations for those, and Senior King and Queen. Also, we're having a great car show. I'm told we're going to have upwards of 100 cars. Don't know where we're going to put them. I said, you get them there, we'll find a place to put them. So I'm hopeful that that's going to be a great success, and free tomato juice. I've been, I've had probably eighteen years of experience with the Tomato Festival and my friends, this is one of the best groups I've ever worked with. So, hat's off to them and I give them a personal hand. (Applause). These are good people, thank you.

Ms. Hudson: He's worked hard, we know that and we appreciate it. Thanks Mike. Just want to say thank you to all of you because when the previous festival kind of, you know, decided that they couldn't do this anymore and we started this two years ago, we couldn't have done it without all of the support that we had from the Administration and all of you, I know Barth has sat on committees, all our volunteers last year, and just everyone has helped us, and it truly is a community effort, and as you can see, we keep coming up with more and more ideas and it's just getting to be so much fun. So the next thing now you can do is just hope that we have good weather on August 20th and 21st. So thank you so much for your time and we'll see you in August. Thanks.

Mrs. Kelly: Thank you very much, and I'm sure I can speak for Council, if you, would anybody from Council like to jump in? We'd like to thank all of you for not only coming tonight and sharing with us, but for all of the work you put forward to bring such a great event to fruition for our community. I know it's something that I greatly look forward to with my children and my own daughter, participating last year in the Tomato Princess, it was quite an event, so thank you for all of your hard work.

Okay, and then our final order of business is a discussion for authorization of engineering services - Former Big Bear Store #256 Project. Mr. Haire.

Development Director Haire: Thank you, Chairwoman Kelly and Council members. This is a request for authorization to allow Civil & Environmental Consultants to prepare design specifications, bid documents, cost estimates, supply bid documents, advertise for bids and review bids and all the other requirements to fill obligations for the Grant agreement for the cleanup of asbestos from the former Big Bear. We had Request for Proposals that were sent out to a number of firms that were qualified to do this type of work. We had responses from three of those firms and the Selection Committee felt that CEC or Civil & Environmental Consultants prepared the best proposal for that. So we're requesting authorizations to proceed with the contract with that.

Mrs. Kelly: Does anybody have any questions? Okay, I'd like to make a motion that we send this on to Council for approval as an emergency. Seconded by Mr. Long. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion carries. And I would like to ask Mr. Cotner to please be the sponsor of this legislation. He did sit in on the bid meeting, as I was out of town, so I think it just right that he carry it through. Thank you. With that, I will close the Community Development Committee Meeting at 7:45 p.m.

Community Development Committee

-- Nancy C. Frazier, Clerk of Council

July 19, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)

FINANCE COMMITTEE MEETING MINUTES

July 19, 2010

Members of Finance Committee present: Fred Deskins, Jr., Doug Joseph, Leslie Kelly, Mel Clemens.

Other members of Council present: Barth R. Cotner, Chris Long, Nathan Burd, Council President William L. Hills.

Mr. Deskins: I will open the Finance Committee at 7:46 p.m. The first thing on the agenda this evening is the agenda. I'd like to add one item to the agenda this evening, SWACO discussion. I need approval and a second please. Mr. Clemens seconds. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you very much.

Next is Item No. 3, approval of the minutes from Finance Committee Meeting held July 6, 2010. Are there any changes to the minutes? Hearing none, they will stand as written.

Item No. 3a - SWACO discussion and I think Pam and the Auditor are going to talk together this evening to bring us up to date on what's happened.

Safety/Service Director Boratyn: Thank you Chairman Deskins, members of Council. To try to keep this short, the communities were recently informed by the Solid Waste Authority of Central Ohio, which is SWACO, that they were going to propose to take some very quick action by August 3rd to vote some fee increases of \$3.00 at the landfill for 2011 and another \$3.00 to raise their fees for 2012, but I learned today that they are going to postpone this action, that they are not going to move forward with either asking the Advisory Board, of which Reynoldsburg has a vote, to vote in favor of these increased fees, and they're not going to move it forward to their Board of Trustees at the August 3rd meeting. Instead, they're going to push this back at least until October 5th. That's the latest information that I have received. So at that point, I've talked to SWACO and their Community Representative and they don't know yet what they're going to do to revise their Public Meeting Schedule because they were originally going to hold Public Meetings next week. That's not going to happen, when they're going to reset some of these meetings, but there is a coalition of the communities out there who have come together and I went to a meeting of those communities who were going to probably going to be working through August to put together some statements and concerns and ask questions of SWACO and as you know, I had asked to have two members of SWACO come to Council next Monday night so that you could ask questions and hear from them. I talked with Larry Spencer. He feels that you may not want to have them come this month, but wait until September, because they don't know yet what some of the changes are going to be. Maybe there'll be a different change in the fee, maybe it will be higher, maybe it will be less, what kind of other information we can get from them because what we're going to seek is to get some kind of more financial information from them, specifically what it, why they're proposing the fee increases and to be able to ask questions about those. So, that in a nutshell, was what was going on with SWACO but I asked Dick to come down and help me address if you had any questions to talk a little bit about what impact it would be to the city if there are changes at SWACO because several members of, were not here when we passed legislation back at the end of last year. November of last year, we passed an ordinance that was setting the rates for the residents here, Ordinance No. 77-09. We set rates for our five-year contract with Rumpke and those rates were based on numbers that Dick and I sort of worked together to propose what we thought would be the impact over the five years of that contract considering perpetual state taxes increased, fee increases from SWACO, adjustments in the gasoline and utilizing parts of the Solid Waste Fund that the city had, so we were subsidizing some of those rates. If you recall, under that original contract, the base rate was locked in for five years at \$15.89 for regular residents and \$14.39 for Seniors. That was the base rate. Based on the numbers that we kind of ran through, we figured a 3 ½ % to 4% increase every year for the residents under that contract utilizing a subsidy under our Solid Waste Fund which amounted to, basically to a \$.55 more a month change for our residents for 2010, for 2011, 2012, 2013, up to 2014. So for example, today under 2010, even though the rate is \$15.89, we pay Rumpke, by that I mean the city, we pay it. It goes into our budget, my, the budget for Safety/Service, has a line item for Rumpke. When I come to you with the budget, you approve \$2,000,000; \$2,500,000 whatever it is, to pay Rumpke, but what we are really charging residents is \$15.59 because we are subsidizing that. Then in 2011, we would be charging \$16.14. We would be at 2012, \$16.69, 2013, \$17.24, in 2014 \$17.79 and at that point, we would have sort of broken even with the Auditor keeping about \$300,000 to pay, because we pay in advance for trash and then from there, whatever happened would be a straight pass-through to the residents and we wouldn't have anymore ability to subsidize them. So if these fees go up by more than what Dick and I sort of tried to move around in our mind, numbers for these various variables, then that

would have an impact. You would always know that impact because Safety/Service Director comes down and tells you your budget, so you always know what that would be because I would have to come in and say, this is the number and this is how we calculated that number. So if, for example, they were to get their \$3.00 in, we would have to add automatically \$.25 more on top of what we already calculated, if we didn't want to, if we didn't think about any other variables, such as maybe gasoline didn't fluctuate as much. So far, there's been no increase in state tax. We figured in that there might be one. We figured in that there would be this fluctuation in taxes, we figured in a change in cost for administrative fees. So that's just sort of in a general nutshell. So I'm going to let Dick speak if maybe he can further explain.

Auditor Harris: A couple things, especially for the new Council people who weren't here. Over the years we had built up a rather large excessive amount of money in the Solid Waste Fund and this was a way to reimburse the citizenry for that by subsidizing and at the end of that we would be about where we needed to be. In the projections we did, we did figure in increases for SWACO, we figured in increases in gas and other taxes. This would be above and beyond the dollar a year that we had projected having the two years at \$3.00 and it would impact it now. Would it impact it right away, no, because it's not going to happen until 2011 - 2012. So we would probably not see any increase in rates next year, but then we will continue to monitor these and we'll come in at some point in time and give you an update as to where we are. The fund has come down about \$25,000 - \$30,000 so far this year, which is about what we thought it would come down, so we are not certainly in any immediate danger of having to raise rates; but maybe in the last couple years of the contract, we may have to go up somewhat in order to do away with the subsidy beyond that. So that's kind of where we're at with it. I think this is more of Pam's way of letting everybody know that potential increases from SWACO are out there. We don't have any immediate plans on any type of rate increase to offset it, but there may be some in the future that may need to be taken to pass this cost on to the people who have to use it. So if you have any questions, we'll certainly be glad to answer as best we can.

Mr. Deskins: You have, Pam, I understand you had 41 voting members in the community that

Mrs. Boratyn: We have 41 members who are part of an advisory board that was created and that's various communities and which Reynoldsburg is one of those. So we have a vote and we can vote and then they take that vote to their Board of Trustees who can override it by the super majority. So.....

Mr. Deskins: That's what I was going to ask. How much weight does that 41 member vote have on SWACO either going ahead with their increase or.....

Mrs. Boratyn: Well, I think it has some sway on them just because of the fact that, you know the communities, especially if they banded together now, if the communities sort of split and you have a very, you know, if they're all speaking in one voice, it's going to have a lot of sway and that's what happened here. I think that we got notice of this at the end June and in the meantime, myself and other communities, we were trying to get information and then a few of these communities hired a law firm who sort of pulled a lot of information. We had a meeting on the 15th and put this forward and then I ultimately talked with our Director of, our Development Director, Lucas Haire

and had him forward a block of information out to all of our major industry, industrial users. They may have contacted their representative on the SWACO Board but whatever happened, it made them decide to push this back until October.

Mr. Deskins: Do I hear you saying that this \$.25 increase, if it would go through, would be passed on through our residents?

Mr. Harris: At some point in time, it will have to be passed on.

Mr. Deskins: Okay, okay. Are there any questions from anybody on committee, President Hills.

Mr. Hills: The only question and it's more for clarity. I know they were, SWACO was invited in for next week and obviously these 41 members and others have influenced SWACO enough to say, maybe we're not looking at this completely. I would, unless there's objection, I'd just as soon SWACO not come in next week, because I think it puts them in a bad position, because I think they don't know what they're coming in presenting. So I guess if you invited them, if you don't mind, uninviting them....

Mr. Deskins: That's what we were talking about over on the side, postponing it until September.

Mrs. Boratyn: I'd be happy to. I didn't want to do that unless you agreed.

Mr. Hills: I don't see where, I don't want them to be in an uncomfortable position of saying one thing to us and then two months from now have to say something else too. So, thank you Chairman.

Mr. Deskins: Are there any other questions from.....Councilman Long.

Mr. Long: Dick, I know that you haven't had a whole lot of time to look at this. I'm just curious, the report that Pam submitted showed what we were just referencing here, \$.25/mo increase or \$3.00 per year, per resident. Considering the number of items that have not come through that were budgeted for, how far down has that quarter come to, because if we're below budget now.....

Mr. Harris: It looks like right now, we're not going to have any increase in gas which we figured.....

Mr. Long: Right.

Mr. Harris:in as a quarter so it may be an offset but for this year, the \$3.00, you know, I don't know what oil prices are going to be next year. You don't know what oil prices are going to be next year.

Mr. Long: Right.

Mr. Harris: I mean, we're going to have to go with what that is. If gas goes back to \$4.00/gal, it's going to be an impact, because they're basing it on less than \$2.50/gal and for every quarter it

goes up, they raise it a nickel or something, I don't remember exactly what it is. So is there going to be? At this point, you know, like I said, I don't see anything, any reason to change next year.

Mr. Long: Right.

Mr. Harris: After that, we'll have to see where oil prices and any of the taxes that fall into where we're at but at this point, we're right about where we thought we would be.

Mr. Long: Okay.

Mrs. Boratyn: And I have no idea whether the State will put another tax on like they did last year.....

Mr. Long: Right.

Mrs. Boratyn:for \$1.25 right in the middle of the cycle, so...

Mr. Deskins: Are there any other questions from anyone? Pam and Dick, thank you very much. I would just recommend what President Hills is saying, do what you think would be best. Maybe you can bring them back in September.

Mrs. Boratyn: All right. I'll come back with whatever information has happened over the month of August. I'm sure there'll be more meetings. I'm sure we'll get more information. I'll update you on that, I'll pass along whatever we get. I'll get on SWACO's schedule to come in to talk to you.

Mr. Deskins: Thank you very much.

Item No. 4 - Discussion: Authorization of contract, and authorization of execution of promissory note, with Ohio Public Works Commission (OPWC) for funding of Summit Road Phase II Reconstruction Project. Mr. Miller.

Director of Engineering Miller: Thank you Councilman Deskins, members of Council. This is the contract with OPWC that we have already started progression on the Summit Road Reconstruction Project. This is the contract that actually reimburses us for 75% of the engineering dollars spent to prepare the plans and for 75% of the construction costs. This contract is the same as it was for Rosehill Road, the only exception being of course, that this is for Summit Road and the cost figures have been, you know, changed to reflect that.

Mr. Deskins: May I ask a question? If the utilities are included in this cost, AEP lines and all that?

Mr. Miller: No.

Mr. Deskins: That's totally different.

Mr. Miller: That's correct.

Mr. Deskins: Has that been resolved?

Mr. Miller: That conversation is taking place between the schools and AEP. I haven't seen anything officially, but I understand that the issue is resolved.

Mr. Deskins: Okay. Are there any questions from the Finance Committee? Are there any questions from Council? If not, I would like to send this to Council as legislation authorizing the Mayor to enter into a contract, and the City Auditor to execute a promissory note with the Ohio Public Works Commission for the funding of Summit Road, Phase II reconstruction project with recommendation for adoption as an emergency. Seconded by Mr. Joseph. Any comments or questions from Finance Committee, Council. **All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thanks Jim.**

Item No. 5 - Discussion: Transfer of funds from Rosehill Road Reconstruction Account to Rosehill Road Phase I contingency. Mr. Miller.

Mr. Miller: Yes, we're requesting that City Council authorize an appropriation transfer of monies that have already been appropriated for the Rosehill Road Reconstruction project to specifically the Rosehill Road Phase I Contingency so that we may get this project closed and off our books without having to come back and ask for an additional appropriation.

Mr. Deskins: You should have done that in the other phase, you know that don't you, thank you Jim. Are there any questions from the Finance Committee? Councilman Clemens.

Mr. Clemens: Does this mean that you need more money in your Contingency Fund?

Mr. Miller: For Phase I, yes.

Mr. Clemens: Gees, I'd have never done that.

Mr. Deskins: Are you done Councilman Clemens?

Mr. Clemens: Yeah, yeah, that's good. I'm glad to see he's spent it.
(Laughter)

Mr. Deskins: Are there any other questions from the Finance Committee? Any questions from Council? I'd like to send to Council legislation authorizing the appropriation, the appropriate transfer to transfer various funds within the Rosehill Road Reconstruction Account 450.001.5651 to the Rosehill Road Phase I Contingency Fund, amount requested to be transferred is \$56,392 from the Contingency Appropriations and \$58,395 from the Rosehill Road Phase II Contingency and \$2,000 from the Mannik and Smith Inspection Appropriations for a total of \$116,787 and this is with

recommendation for adoption as an emergency. I need a second please. Seconded by Mrs. Kelly. Any discussion from the Finance Committee? Any discussion from Council? **All in favor vote "Aye".** (All voted "Aye") **Opposed.** (No response) **Motion passes.** Thank you Mr. Miller.

Mr. Miller: Thank you.

Mr. Deskins: Item No. 6 - Discussion: Authorization of professional services contract - Civil & Environmental Consultants, Inc. (CEC). Mr. Luke Haire, Director of Development, Development Director.

Mr. Haire: Thank you Chairman Deskins, Council members. This is related back to the legislation from the Community Development Committee. The Selection Committee did select several environmental consultants to perform the actions of a certified professional for the brown field cleanup at the former Big Bear. That firm is not on the list of engineers that we do business with here in the city so we need to add them for the remainder of 2010. For this legislation we'll add them to that list and have them, give authorization to sign the professional services agreement between the City and CEC.

Mr. Deskins: Are there any questions from the Finance Committee? Any questions from Council? I would like to send this to Council, this legislation authorizing the Mayor to enter into a professional services contract for the remainder of the calendar year, 2010. This contract will be between the City of Reynoldsburg and Civil and Environmental Consultants, Inc. for the purpose of providing services in relation to the brown field cleanup at the former Big Bear Store location. This is being recommended for adoption as an emergency. Seconded by Mrs. Kelly. **Discussion from Finance Committee, Council?** **All in favor vote "Aye".** (All voted "Aye") **Opposed.** (No response) **Motion passes.**

Item No. 7 - Discussion: Authorization of deposit of grant monies for reimbursing costs associated with cleanup of Former Big Bear Store #256. Luke would you please explain and talk about the monies a little bit?

Mr. Haire: Sure, this is the last piece of legislation. Council authorized the grant agreement last month. This will allow the city to receive funds from the State of Ohio and deposit them into an account and then for the city to actually pay out bills. The grant works on a reimbursement basis. So disbursement requests are issued, the city signs off on them, sends them to the State, the State sends the money and then we pay the contractors or the consultants for the work that they've done. So this just explains how that money's going to be transferred in and out.

Mr. Deskins: Do you want to talk about the amount of money that's going to be spent?

Mr. Hairs: We're unsure at this point because we don't have the exact costs that are associated with that. Council authorized tonight for cost estimates to be prepared. In terms of the certified

professional costs for the consultants, those are estimated at \$56,000 to be not more than \$56,000. The entire grant agreement was \$415,000.

Mr. Deskins: Okay. Are there any questions from Finance Committee? Any questions from Council? I'd like to send to Council legislation authorizing the deposit as requested, and this is being recommended for adoption as an emergency. Seconded by Mr. Clemens. **Any discussion from the Finance Committee, Council?** All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thanks Luke. I'll close the Finance Committee meeting at 8:05 p.m.

Finance Committee

--Nancy C. Frazier, Clerk of Council

July 19, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)