

SAFETY COMMITTEE MEETING MINUTES

July 2, 2007

Members of Safety Committee present: Doug Joseph, Ron Stake, Antoinette Newman, Donna Shirey.

Other members of Council present: Preston Stearns, Brett Baxter, Mel Clemens. Council President William L. Hills was present as Acting Mayor.

Mr. Joseph: I=ll call the Safety Committee meeting to order at about 7:31.

The next item is approval of agenda. I have one change to the agenda. We are going to remove item number 4 (Discussion, Signs pertaining to yard signs), that=s going to be added to Service Committee. Is there a second on that motion? Second by Councilman Stake. All in favor, please say aye. (All voted AAYe@). Opposed? (No response). Okay. Any additional changes to the agenda tonight? (No response). If not, the agenda will stand as amended.

The next item is the approval of the minutes for the June 18, 2007 Safety Committee meeting. Are there any additions, changes, or deletions to the minutes? (No response). If not, they=ll stand as submitted.

The next item, item number 5 is Discussion, Liquor Permit Request - transfer - from Reynoldsburg Main ARC LLC dba Main Street Marathon, 6748 E. Main St., Reynoldsburg, Ohio 43068 to Iriba Coffee LLC dba Main St. Marathon, 6748 E. Main St., Reynoldsburg, Ohio 43068. We did receive in our packets, an e-mail from the Chief that they had done an investigation on this and saw no reason to appeal the transfer of this permit. So we will go ahead and return this to the Clerk with no action, unless there=s any questions at this time. Okay. We=ll return that to the Clerk.

Item number 6,AN ORDINANCE ENACTED BY THE CITY OF REYNOLDSBURG, FRANKLIN COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT. (Mill and fill - S.R. 256). Second reading was on June 25, 2007. And this will need to be amended prior to adoption. Do we have any additional questions from committee tonight on this item? (No response). From Council? Mrs. Newman.

Mrs. Newman: Yes. The only legislation I have here is marked APreliminary Legislation@. Is that the legislation that we=re going to adopt?

Mr. Joseph: Mr. DeBolt, could you address that?

Mrs. Newman: It wasn=t drafted by us. It was apparently drafted by somebody else. State of Ohio?

Mr. DeBolt: The legislation dated May 31? Is that what you're referring to?

Mrs. Newman: Yes.

Mr. DeBolt: Okay.

Mrs. Newman: Is that in its final form? Is that what we're going to do?

Mr. DeBolt: As I recall, this was to get us to participate in the project prior to the date that ODOT needed to know so we would participate in the project. But that would be October 13. Yeah.

Mrs. Newman: Okay. But that is the legislation that we'll be passing?

Mr. DeBolt: Yes. Yes.

Mrs. Newman: And it won't change much in form substantially?

Mr. DeBolt: No. Again, it's just our commitment to participate in the project. You're talking about the cost?

Mrs. Newman: No. I'm talking about the legislation itself. The ordinance.

Mr. DeBolt: No. It should not.

Mrs. Newman: Alright. Thanks.

Mr. Joseph: Additional questions?

Mr. Stake: Chairman Joseph. I think what Mrs. Newman is referring to is that we still have the yellow copy. And normally we have, I think we have a white copy. President Hills, Acting Mayor Hills, do you have anything other than that?

Mr. Hills: I think the copy noted "Preliminary Legislation", whether that wants to be reformatted in our own format or not, I think that is, and that was attached to the yellow to the best of my knowledge.

Mr. Stake: I have that.

Mr. Hills: Because it's just, if I understand this right, it's just an indication to the state, yes we are going to participate with your project. And that's what it was documenting here. Now why it's labeled "Preliminary", when we pass it, it's no longer preliminary. But maybe preliminary to that project. Before they start the project and the planning, then we're going to see who's

going to partner with them.

Mrs. Newman: Oh, I see. So it actually is a preliminary.

Mr. Stake: Okay. Well, I appreciate you pointing that out. I notice that that=s all I had too. I didn=t know if I was missing something.

Mr. DeBolt: Again, since we=re participating as far as financially and they=re basically doing the engineering, it=s a little different than other projects that we would undertake our self. But we do everything. So basically, they just need to know that we want to participate and participate with a financial amount so it=s more simplified. It=s similar to the county project.

Mr. Hills: Mr. DeBolt, why don=t you this week though, you touch base with them to be sure? Because if not, we=re sending forward that piece of legislation you=ve asked us to pass.

Mr. DeBolt: Usually they=re pretty specific. The state and the county has been and what they want. But we=ll double check.

Mr. Stake: If I can just recommend that we have the Clerk make sure that that preliminary legislation is in line with what we actually want to pass. Thank you.

Mr. Hills: With both of them checking, we should have what, speaking as Acting Mayor, I don=t like to see Council pass the same thing twice either.

Mr. Joseph: Okay. Other questions? (No response). Okay. If not, I=ll move that we pass this on to Council for the third reading with the amended language. Is there a second? Second by Councilman Stake. All in favor, please say aye. (All voted AAye@). Opposed? (No response). Motion carries.

And with no additional items on the agenda tonight, I=ll close the Safety Committee at 7:37.

Safety Committee

July 2, 2007

- - -Susie Lyday, Assistant Clerk of Council
(Transcribed - Susie Lyday)

SERVICE COMMITTEE MEETING MINUTES

July 2, 2007

Members of Service Committee present: Mel Clemens, Antoinette Newman, Brett Baxter, Donna Shirey.

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

Mr. Clemens: I=d like to call the Service Committee meeting to order at 7:38.

The first item on the agenda is approval of the agenda. I=d like to add as item number 5, Discussion, Signs pertaining to yard signs at the request of Mr. Stearns/Chairman Joseph. Are there any other additions or deletions? (No response). If not, I=d like to make a motion to add that as item number 5. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted AAYe@). Opposed? (No response). Thank you.

The next item, Approval of the minutes of the Service Committee meeting held June 18, 2007. Are there any corrections or additions to the minutes? (No response). If not, they=ll stand approved.

Item number 4, Discussion: Multi-occupancy of residences - listed at request of Chairman Clemens 4-23-07. Held 5-7-07. Held 5-21-07. Held 6-4-07. Held 6-18-07. We=re going to put it on again. I have had in this past week, discussions with our City Attorney Mr. Hood on some items that have evolved in the last week or so. And he is looking into these item with the Chief and so forth. And he will have some information later on that. We=re leaving this on here because of the situation that exists. And as, I think you received some items in your agenda on articles from other cities that I=ve had Susie apply for. And we=re going to try to get some more so we see how the other cities, as far as their ordinance, handles situations like this. And if it=s clear. Or if they do anything that pertains to what we could do to help our self. We=d like to get something moving before the first of the year. We may not be able to correct this situation, but we could correct the situation from happening again. So we=ll be moving on to that. Do we have anybody that would like to speak this evening? Yes.

Mr. Kenny: Yeah. I=d just like to know, if there is a zoning violation that you=ve found that has occurred, who is responsible for issuing a citation?

Mr. Clemens: We have a Zoning Officer. It would be Luke I believe. It would be the, our Zoning Officer would be the one who would do the citation.

Mr. Kenny: And what is the process if you find that there is a zoning violation and you issue a violation, how does that work? Just out of curiosity. You know, they issue the zoning violation, does that have to go in front of Mr. Hood?

Mr. Clemens: Yes. And then he would follow through on it. And it would be, see if it met the Zoning Code, or if not, then proper action would have to be taken by the city.

Mr. Kenny: Okay. Because in this situation, we had an incident a week ago Friday on the 22nd in our court where there was a lot of fighting, etc. with broken bottles and belts and that sort of thing. And there was Reynoldsburg Policeman, Officer Vincent there, and he was, I asked him to check a few things and he had let me know that when he came back that none of the people involved in those three boarding houses are related in any way, shape, or form. And I would like the gentleman that owns these houses that does not live in Reynoldsburg, to be issued violations, as many and as often as possible. Because the people there admitted that they weren't allowed to.

Mr. Clemens: Well, the situation on it, the situation pertains to this, and I had met with Mr. Hood on this item. First, in which he will be doing, he'll be talking to Officer Vincent. Secondly, it would have to be proven by the person that told him that. I mean, it would have to be witnessed. In other words, it just can't be somebody saying this and somebody saying that and so forth. So he would have to come in. He would have to state as a witness. And if he did live there, and you know, he'd have to be a witness to the fact on what he said. In other words, we can't take, the only thing we can take is, what he had told Officer Vincent. This is what Mr. Hood is checking into, and he will follow up on the information on this. But it would have to be correlated with what the gentleman told him and who the gentleman was. Do you know what I mean?

Mr. Kenny: Yeah.

Mr. Clemens: And he is looking into it.

Mr. Kenny: Okay.

Mr. Stake: Sir, could you please state your name and address for the record?

Mr. Kenny: Yeah. My name's Tim Kenny. I live at 6399 Retton Court, Reynoldsburg, Ohio.

Mr. Stake: Okay. Thank you. The Clerk needed that for the record. Thank you.

Mr. Clemens: Like I said, he is looking into the situation. We discussed it with him and I explained the situation that happened that he would explain to me. And he will get back with us on it. But I mean, I know that would have to be some of the follow up with it. It would have to be correlated on who the gentleman was that told him that. And he'd have to stand up and say it so we could confirm it. He'd have to be the witness that told us. In other words, you couldn't do anything without the backing of the gentleman that said that he lived in the house and everybody there was not related. I mean, we'd have to have all the proof. But it is being looked into.

Mr. Kenny: Okay. I'm still disappointed. They're still living, you know, still dealing with a boarding house. You know, I'm disappointed in the way, as far as the letter that we had sent to the landscaper by Mr. Hood and his department, I found it in business, in any business that you're in, that you would require some sort of time frame on a response. And as I understand it, the letter was sent to this gentleman that owns these three houses, that he has boarding houses in Reynoldsburg, and there was no time frame put on the response. Therefore, there is probably going to be no response. Because we're apparently not really doing, we're doing a little bit. You know, we're looking into it a little bit. It's a little slower than I'd like, but if he doesn't have to do anything or if he does not have to respond, I'm sure that he's not going to because I think he's not spoke the truth.

Mr. Clemens: I think the, and Mr. Hood can answer it better than I on this, but they did respond once and we asked for a response the second time. They haven't responded. And I think his feeling is, the gentleman's feeling is that owns the business is, I'm not going to respond. You prove I'm wrong. And I could be wrong on that. But I think that's the way it stands. But Jed, we're discussing the, what you and I had discussed. The statement by Officer Vincent, which I said you were looking into and so forth, and had to verify with the gentleman that told him that. And we'd have to have a witness that proved it and so forth.

Mr. Hood: Yeah. I was just made aware of that statement this afternoon when you told me about it, Councilman Clemens. Of course I'll check into that. I don't know what else I've done, or what I could do since this afternoon and this evening. But I'll shoot an e-mail off to Officer Vincent and ask him to come into the office and speak about what happened. And as far as the business owner's concerned, it's been relayed to our office that he doesn't want to pay a lawyer any more. Like I said before, because he doesn't believe that he can make, either the City Council or the city residents, comfortable with the situation. So he's been less than forthcoming in the information. And the burden is upon the city to prove that there is a violation. And he, if he chooses, he can remain silent and choose not to cooperate with us at all. So I would hope that it wouldn't come to that. It hasn't come to that yet. And I hope we can still come to an amicable resolution.

Mr. Kenny: Is it proof enough that the gentleman would admit to none of these parties in all the three houses being related in any way, shape, or form to a Police Officer? Is that proof enough? I don't know.

Mr. Hood: Well, I'm not a judge. I can't answer that question right off hand. But that's one lead and it may lead to other evidence. And that's why I was, when I was told about that this afternoon, I'm absolutely going to follow up with it. And it may lead to more credible evidence. More evidence of the same type of conduct, and we may have a case then. But as it is right now, we don't.

Mrs. Newman: Mr. Clemens, I'd just like to make a comment here. The city proving that there's a violation there Mr. Hood, would require us to prove a negative. That those people are

not related to one another. And under the laws of logic, it is impossible to prove a negative. So I don't know how that would be done.

Mr. Hood: Well I don't know that it's, with due respect Councilwoman Newman, I don't know that it would be impossible, but it would definitely be burdensome and I'll....

Mrs. Newman: Well, I'm not saying that that situation would be impossible but, that's exactly what it is. Proving negative.

Mr. Hood: It would be difficult, and that's the system we have. We have to prove beyond reasonable doubt that these folks are in violation of our ordinances. And right now, we don't have the evidence to do that, and that's why we haven't brought charges forward.

Mr. Clemens: Are there any other questions for Mr. Hood? Yes, Mr. Baxter.

Mr. Baxter: The only question I have, I think it goes to our Auditor is, we had spoke about a potential of having these folks come in and register with the city and pay taxes, and thereby having giving us their names and thereby the proof we need to determine if they're related or not in some manner. I'm not sure if that would get us where we want to be but I would kind of anticipate if we can get these people to register and pay taxes.

Mr. Harris: We have checked with the Regional Income Tax Agency, and since these people are not permanent residents to the city, they are not required to file income taxes with the city. It's not different if you send your son to college at Ohio State and he's living in Columbus, even though his voting residence is in Reynoldsburg, he is not a resident in Columbus even though he's living there. It's the same thing here. They have a permanent residence somewhere. It's not here. Which would seem to me to give some credibility to the legal opinion that these are not permanent residents. They are boarding residents. Not permanent residents.

Mrs. Newman: Transients.

Mr. Harris: What was that? I'm sorry Mrs. Newman, I didn't hear.

Mrs. Newman: Transients.

Mr. Harris: Yes. They're transients.

Mr. Kenny: (Inaudible. Speaking off mike).

Mr. Harris: Well, they're only going to be here 9 months. No different than going to school.

Mr. Kenny: (Inaudible. Speaking off mike).

Mr. Harris: Columbus I know, has gone through this same thing with all those places up on campus. And those are all considered boarding houses. You know, all those big old houses that they break up. But they limit it to two people a bedroom is what they do. But they're not residents in the City of Columbus. And the state law, which would take precedence here, that they are not permanent residents here.

Mr. Clemens: I think what Jed said, you can't take action without the proper information. Our ordinance is vague on this issue. And since it is, we can't push our ordinance because our ordinance doesn't hold water as far as this is concerned. So that puts us in the situation where you just can't up and file charges. You've got to know what you're filing charges for. It may seem like we're moving slow, but it has to be done, and it has to be done correctly if it's going to hold up in court. This is not something that that gentleman is going to walk away from. Just because we say we want these guys to move, that doesn't mean anything. We're going to have to prove why they have to get out of there, and we're going to have to probably prove it in court. So we've got to know what we're doing when we do it. It's just not throwing a lock and a key, say bam, we've locked the door, you can't live here anymore. There's got to be a reason and there's got to be proof on why we are doing it or it'll just be thrown out of court. And then we'll be up against a law suit.

Mr. Hood: Well, and to that Councilman Clemens, we spoke some weeks, maybe months ago at this point, that it's important not to have a knee jerk reaction to this specific issue. However, it is apparent I think, that all the Councilmen and the President of Council, today the Acting Mayor, that our Zoning Ordinances do need an overhaul. They do need to be brought back in to be more current to deal with complex issues that are current now. Not back when the code was originally adopted. I don't believe that this issue was thought about or debated when our Zoning Code was first adopted. It has happened now. In order to prevent this in the future, we do need to retrofit our code, and we are working to do that. And once this is done, hopefully it will prevent this future type of conduct from happening again. But as far as, I don't know how else to say it, we can't blur issues here. This is the federal government bringing these workers into our city. That is brass tacks. That's the very boiling down point it comes to. The federal government allows this to happen and they put the burden on the cities to provide homes, services, all that kind of stuff. And that's really the _____. And in order for me to take action, we have to be able to prove beyond reasonable doubt that they are in violation of our ordinance. And as you said eloquently before, our ordinance is so vague, it would be very, very difficult.

Mr. Clemens: Are there any other questions? Yes, Mr. Baxter.

Mr. Baxter: And I appreciate what our attorney has just said. And this city, I don't think we have a problem with inviting them to come here. We're just asking them to live in a standard living in which the rest of us see. One, maybe two members within a home so that their safety is kept up. One of the other questions I wanted to ask is, these homes are owned by a single gentleman, correct?

Mr. Hood: As far as I know, yes.

Mr. Baxter: And he has a rental agreement to allow six people to be in that home?

Mr. Hood: I don't know.

Mr. Baxter: And if he is the owner and they're not his relatives, then thereby, would it not imply that we already show that they're not related?

Mr. Hood: No. The owner does not occupy the premises.

Mr. Baxter: And therefore, nor are his relatives.

Mr. Hood: They do not need to be his relatives.

Mr. Baxter: So then are they not breach though of the Zoning Code?

Mr. Hood: No.

Mr. Baxter: Because they are not relatives of his?

Mr. Hood: No. In fact, just the opposite. Because the owner doesn't occupy the premises, they don't need to be related to him. If he were residing there, my definition, I think it would fit the definition of a boarding house and I think we could take enforcement action. He is not. Thereby, they are not related to him. And as I said, it's not a violation.

Mr. Baxter: But are they renting the place?

Mr. Hood: I don't know.

Mr. Baxter: That's what my understanding is.

Mr. Hood: I don't have evidence of that. Maybe so. I don't know.

Mrs. Newman: He said they were.

Mr. Baxter: That's what I thought. He had said they were. So I would expect to see a rental agreement.

Mr. Kenny: I think it was stated in The Columbus Dispatch that there's eight of them in one house, seven of them in another, and eight in another, and they're renting it for 37.50 each per week. And if you figure that out in a year, he's probably making about \$25,000 above the rent on these three places just on letting these relatives stay here at a very cheap price.

Mr. Clemens: But our ordinance doesn't say anything about whether it's a rental or not. It says if there's five, you can only have five unrelated people. Now these people claim to be related. So it doesn't say whether you can have six, ten or twelve.

Mr. Hood: Renting is not the issue. Making money off of rental property is not the issue.

Mr. Clemens: No.

Mr. Hood: Them being there for an entire year is an incorrect statement. They're going to be here for nine months in compliance with the federal program that they're here under. That's the fact of the matter. Whether or not this fellow's making money on the rental property, I'm sure as a business man he wouldn't be engaging in this program if it wasn't lucrative for him. So that's also not an issue.

Mr. Clemens: Are there any other questions for Mr. Hood or Mr. Kenny? (No response). Thanks, Jed. Give your name and address.

Mr. Wright: My name's Ken Wright. And I live on Roselawn Avenue in Reynoldsburg. And I'd just like to remind everybody that there is a simple way to determine whether or not they're related, there's DNA tests that we have now. So it's a simple way to do it. And so if the city could just say to them, whether if they were causing a disturbance and they were arrested, well they could do a mouth swab on them and get the DNA on each guy and then they could determine whether or not they're related. Or if they weren't under arrest, the city could say that they have to go in and, in order to solve this case, this situation, they have to go get a DNA sample, and it won't hurt them at all. It won't hurt them.....

Mr. Clemens: You're into legal issues I know nothing about, and Jed would probably know, I know everybody has a right. I don't think you can just walk in and ask for a DNA just because they live there in that house.

Mr. Hood: Don't try it in my house.

Mr. Clemens: If they would have to be arrested....

Mr. Wright: But I mean, it wouldn't have to be a result of arrest, it's just a result of if the city's going to, if the city's responsibility is to find out whether or not they're related in order to solve this issue, then they would have to, I mean, that's the easiest way to determine whether or not they're related.

Mr. Clemens: You'd have to tell it to the judge. You're not going to tell it to me because I can't tell you. People do have rights. I mean, you know.

Mr. Hood: Yes, they do.

Mr. Clemens: We have other people living in Reynoldsburg that aren't married, different couples and things like that. I mean, say there's six of them instead of five. What do we do? Go in and say every place in town they want a DNA? I mean, there has to be a reason. Jed would have to answer that. I can't.

Mr. Wright: Yeah, but most people are not faced with this situation so there wouldn't be any reason to go in and do a DNA test on them.

Mr. Clemens: I don't speak Spanish, but I'll go down and ask them if they'll give me their DNA and if you want to come down and scrape me up afterwards, that's fine. I mean, that's the only way I can see it being done. I can't see the city getting involved in it without going before a judge, and I can't see a judge that would even look at us or listen to us. Are there any other questions? We're going to keep this on here because we do want to come to an end on it. And it's not something that can be handled over night. Because like I say, our ordinance is so vague that we can't go to court on it. We have to have proof on what we're doing. But we intend to stay with it and do everything we can and correct the situation. And I'm sure that Jed's working on it and I know I am. Like I said, it's not going to be a knee jerk reaction because if we have to go to court, we have to prove what we're doing and we want to know what we're doing when we get there or we're wasting our time.

The next item on the agenda is Discussion, Signs pertaining to yard signs. This is the request of Mr. Stearns. Mr. Stearns, would you explain it to me what this is about please?

Mr. Stearns: Yes sir, Chairman Clemens. And I apologize for not coming to you in the first place but I was unaware of which committee this would go on. But at any rate, and this brings to mind, last month during the Spring Clean Up, we had people with signs placed out in their yards for their garage sales and other activities that was going on. And some of the signs were placed by civic organizations. And some civic organizations, we understood, we understand the ordinance is that the sign can only be placed in the location of a garage sale. And that's the way I got the explanation of it. And there was some of the signs that were there that were taken out and removed by the Code Enforcement Officers. And that kind of upset some of the residents. And I got involved with it and I tried to find out what was going on. And some of them were taken away and brought down to the office over here. And so I was directed, or been asked to get to the bottom in some way so that this issue does not come up again in the near future. I've talked with Mr. DeBolt concerning it and he said, well next year before the Spring Clean Up comes about, that we'll probably see some kind of a way we might can waiver that or something whereas people do have a sign. And because of the fact that the people were asking, the city is asking people to volunteer to come down and do certain things to clean up, and during the clean up time, we're going to go right around and have the Enforcement Officer, it kind of, to me it sounds like it was kind of harassing myself. But at any rate, that's over with and done. But what I'd like to do now is to have some discussion on the sign ordinance and see if what can be done so that issues like this doesn't happen again. And I can see that we do have a very

comprehensive sign ordinance here. And I see one of which, you all have a copy of this, and Mrs. Frazier was so kind to bring to our attention an ordinance, Ordinance No. 29-03 that was amended. And in doing that it says, well I'll read what it says. 1181.03 Sign Authorized Without Permits (c) or (b). Banners shall be permitted for businesses, churches, schools, and community organizations or other public or semi-public such as a Chamber of Commerce, civic club, registered non-profit organizations, banners for businesses, churches, schools, and community organizations shall be displayed under guidelines set forth in such an (a)1 through (a)6. The public and semi-public organizations are exempt from the guidelines in section (a). Public or semi-public organizations may, and it says may have the \$25 banner fee waived by the Zoning Administrator or designee. So my question is, or my suggestion on this is, if we're going to leave it up to the Zoning Officer to maybe waiver these fees, I would like to see some changes made, or amend this ordinance that says that the \$25 fee be waived for these certain organizations which are semi-public. And that's what I would like to do. And also, give them the opportunity to have the signs displayed. And maybe, like Mr. DeBolt has spoken to me about having that ease up during the time of the Spring Clean Up.

Mr. Clemens: I misunderstood or something. Are you talking about banners or signs?

Mr. Stearns: Well, banners, I guess this is what applies. Banners and signs would be the same thing. And maybe that's something else that needs to be clarified too. The banners and, this is the only thing I can relate to from this ordinance is that banners are removed, or not to be used at this time. So my thought is, this would clarify this is to read, Banners and signs, or yard signs designating events for such groups that were mentioned in this ordinance.

Mr. Clemens: I've always seen community signs out and we've always had them community yard sales. And I don't see they're any different than we have these soccer signs out and basketball signs all over the city in public right-of-ways and so forth. And my only thought is, it was probably a misunderstanding by the Code Compliance. I've never seen them take them down in years before, period. They've always been up, community yard signs. And I know that probably the ones you're speaking of used to be up along Rosehill Road and so forth and I've seen them in other areas. Maybe that's something we can look into. I think they should. They are proper to be, if it's community yard sign, it should be out where the community starts so people could see it any way. And I do know that we do allow, it seemed to me that we allow signs all over the place really when it comes to some different types of entertainment or things that pertain to the city or didn't even pertain to the city. They pertain to the schools. So it was probably, I think, we do have new Code Compliance Officers, it's probably something that they didn't realize that we've always allowed. But I think it's something we should look into that should be approved.

Mr. Stearns: I appreciate that. Some of the signs that may say, _____ signs are gone like a meeting or a picnic or something, those signs should not be bothered. Say it's only there for a weekend at a time at that.

Mr. Clemens: I think your community always has signs out that tell when the meetings are. Because I=ve seen them and I have no problem with that at all. Okay. I think that=s something, sorry I didn=t have the opportunity to look it over because I knew it was going to be in the Safety Committee.

Mr. Stearns: Well, I can understand that. I guess I can take the blame for that.

Mr. Clemens: Let me look it over and we=ll get together and see what we can come up with.

Mr. Stearns: That would be fine.

Mr. Clemens: Any other questions on this subject? Yes, Steve.

Mr. DeBolt: Thank you Councilman Clemens. I talked to Mr. Hopper, our Building Official, regarding this. And again, the overall of that was a very positive event for a community, everybody involved. So this is the one part of the event that maybe we do need a little work on. Maybe it wasn=t thought about prior. But I think the ordinance was enforced based on it being a sign rather than a banner. And specifically, according to the Sign Code, technically they are not allowed. You=re allowed one sign per resident according to that ordinance. And we did waive the fee, but made it clear that all other rules were in effect. Maybe we can make it a little more clear. The other rule was regarding not being able to put one on the street corner on the post for your neighborhoods, in front of your house and everybody else=s house even though they gave you permission. That=s what was going on. We=re taking them down based on that. Enforcing as they interpreted it the way they, I think they=ve done it in the past. And again, the situation you brought up, looking back on it, obviously it=s to promote what I consider a major community event. And under the Sign Ordinance of 1181.04, Signs Authorized Without Sign Permits, it does mention signs for the promotion of school, community service, or church activities for a maximum period of 30 days. So between Mr. Harris who I haven=t had a chance to talk to, him and I were both out last week, Mr. Hood, we can look at that if that can perhaps be interpreted as community service, we may have something already there to go on in the future. So we=ll look into that.

Mr. Clemens: I still don=t believe they should be on poles, don=t get me wrong.

Mr. DeBolt: No. We don=t.

Mr. Clemens: And I don=t like to see them, I don=t care whether they=re soccer signs or what signs they are, I don=t like to see them in our flower beds.

Mr. DeBolt: We do pick up more than our share. If you ever looked outside _____ office you see a nice stack of them.

Mr. Clemens: That shows disrespect and I don=t care who it is on that.

Mr. Stearns: Just one other thing. The signs that we have and that our organization uses, are medal framed signs and they are of good quality and they cost quite a bit of money. And we put out four and only three of them were returned. So that=s a concern right there you know. That=s all I have to say on that.

Mr. Clemens: I do know that your organization=s put them out for the last 15, 20 years for their meetings and their yard sale. Thank you Steve, and we=ll discuss it with you and see what we can work out.

If there=s no other questions pertaining to this, that ends the Service Committee meeting at 8:06.

Service Committee

July 2, 2007

- - -Susie Lyday, Assistant Clerk of Council

(Transcribed - Susie Lyday)
FINANCE COMMITTEE MEETING MINUTES
July 2, 2007

Members of Finance Committee present: Ron Stake, Mel Clemens, Doug Joseph, Preston Stearns.

Other members of Council present: Brett Baxter, Antoinette Newman, Donna Shirey, Council President William L. Hills was present as Acting Mayor.

Mr. Stake: I=ll call the Finance Committee to order at 8:07.

Item number 2 is approval of the agenda. Are there any changes to the agenda? (No response). None being heard, the agenda will stand.

Item number 3 is approval of the minutes of the Finance Committee meeting held June 18, 2007. Are there any changes to those minutes? (No response). None being heard, the Finance Committee meeting minutes will stand as submitted.

Item number 4 is Discussion, Supplemental Appropriation; Vehicle Maintenance Department. This was added at my request. I was notified last week that this should be added to the agenda so we could discuss it before our August break. And possibly provide the appropriation prior to August because they=re going to run out of money. Earlier today, I met with Mr. DeBolt. Larry Ward, the Street Superintendent was on vacation at this time. But we did get in touch with Mr. Ward because there was a discrepancy between the legislative request discussion form and the memo that=s attached to it. You=ll see two different numbers. Mr. Ward did indicate that the total amount would be \$30,000 from the General Fund, and 20,000 of that going for Maintenance Supplies, and 10,000 going for Motor Vehicle Maintenance. And I believe part of that is due to some significant repairs that came up kind of while he was doing the legislative request and the memo. Mr. DeBolt, do you have anything else you=d like to add?

Mr. DeBolt: Yes. I=d just like to mention Councilman Stake that, again, the last thing we want to do is come back to Council for additional appropriations in budget times. But again, I think every department was conscientious in cutting back the budget and I=m sure Mr. Ward did that in this area earlier on. If you look at the projections on his memo of how much we=ve spent over the last 4 year, it proportionately had gone up each year. And again, he provides the rationale there which I think is legitimate between the parts increases, the gasoline prices, and the basically keeping fleet vehicles longer rather than buying new ones again which is a budget issue. On the front end, you don=t have to pay for the higher expenditure. But on the back end, you do have to maintain them. So we=re experiencing that back end cost with the vehicles maintenance. So I think it=s something that is somewhat of a necessary evil. But again, we=re saving long term costs in buying new vehicles as long as we can. Again, some of these vehicles at some point, and I personally went out and looked at some of them, talked to both mechanics just to make sure if

we can get by with less, we'll get less. But I think this is a fair appropriation to get us through the year. Some of the vehicles are back in the early 90's and I think we will have to start putting some of them on a schedule to replace out eventually. But this will get us through this year.

Mr. Stake: Thank you, Mr. DeBolt. I just want to clarify with the City Auditor since his office had signed off on \$20,000, is 30,000 available?

Mr. Harris: There=s plenty of money in the General Fund to cover \$30,000.

Mr. Stake: Okay. I just wanted to make sure that you=re okay with that. Are there any questions from members of the Finance Committee? Mr. Clemens.

Mr. Clemens: Yes. And I understand the situation. We=ve had the situation before and it seems like we have it every year. And I know the increase in our problems, the increase in gas, and the increase in our automobiles and their age and so forth. The only thing I have a problem with, I had a problem with it last year, I=ve got a problem with it this year and I=ll probably have a problem with it next year, it=s always come in for us as an emergency. Now this is something they knew a month ago. They know what their budget is and they know when they=re getting low on money and they=re going to need money within a month or so. That=s how you operate your business. And I just wish that when these requests come through, that they don=t come through as an emergency. Because they have books and you keep records. This didn=t happen over night. I know we have cars and so forth but it didn=t happen over night. So I would just hope in the future that they would give us a little time rather than pass as an emergency.

Mr. DeBolt: We=ll make a note of that. As a matter of fact, last month we put out an e-mail to all the departments notifying them of the Council=s schedule with how many meetings we had left through your recess just for that fact that we didn=t want issues to have to be on an emergency and to notify us to get on the regular Council schedule. This unfortunately, came up after that e-mail. So maybe, because of the e-mail possibly. But you=re right. We can do a better job in keeping an eye on the costs.

Mr. Stake: Thank you Councilman Clemens. Mr. DeBolt and I agree with you Councilman Clemens. It=s good to look ahead and certainly the less emergency legislation we have, the better off we all are. Are there any other questions or comments from members of Council? Councilman Baxter.

Mr. Baxter: Chairman Stake. The questions I have, again, I agree with the emergency legislation but I think we all do on that. My concern here is the increases and the reasons behind it. I think we all know prices are going up. That=s everywhere. But we also know that we=re hanging onto equipment that we shouldn=t be hanging onto. We buy a new truck. An example of that is a nice truck. You know, with the salt truck to be able, we went through all that effort a year or so ago. And we were supposed to trade the old one in. We were under the impression when we bought it we were going to trade the old one in but that=s not what happened. We kept the old

one. Now we're saying we want to pay additional dollars to make it run when we as Council members were under the impression it was going away. And that's not the first time that's happened. We need to do a better job of when we say we're turning it in and we're going to get that dollar back from the trade in, we do it. But we don't do that. So that's my comment here. We didn't do that with that truck and that purchase and other trucks as well. With the lift truck, to the same story. So here now we're saying we need more money to pay this in. This is a small dollar amount so I don't think that's all around us. But I think that all falls under this type of situation and we need to be a little bit careful on that. This is what's going to happen when you hang onto those very old trucks. And if you remember what I was told, the bed was going to fall off on Main Street. So why did we keep the truck? Thank you.

Mr. Stake: Thank you Councilman Baxter. I don't know if these monies are for the salt truck or the lift truck.

Mr. DeBolt: They're for a vehicle that is necessary expenditures. If I could respond just briefly? Two things. One, we had an extensive down time for one vehicle being the street sweeper. And it had to do with parts, getting parts. And we decided that if it extended out any further, then it was already at a time frame when we perhaps didn't need it in the winter but if it extended too much farther in the summer when we did need it, that we would perhaps look at a contracting service to try to save some money if we could and maybe not do it as often. So we are looking at things like that. There's another vehicle out there with the animal control vehicle. We've talked about how can we reconfigure that vehicle to get some use out of it since some money was spent into it not that long ago. So I think we are trying to, and I think something was done recently with another vehicle that was brought on board from another entity at a lower cost. So I think we are looking at ways to do things. Maybe not in every, do we agree on every circumstance that occurred, but we try to look at the big picture. And there's some communities out there that are looking at alternative fuels. One community I noticed has 63% of their fleet in alternative fuels. It's a major community. I haven't seen too many smaller ones. But I think we're trying to look at ways to save money. Again, with the prices of gas and that, everything we can do we can and we'll continue to do that.

Mr. Baxter: And I believe that was also a priority of your being here as well. So that wasn't pointed at you, Mr. DeBolt.

Mr. DeBolt: I'm glad you pointed that out because my memory lapsed if that was while I was here.

Mr. Baxter: That was before you.

Mr. DeBolt: I'd be frank with you if I could tell you why that happened. But I just didn't recall it. Thank you for bringing that up.

Mr. Clemens: I will say, and Mr. Baxter's correct. And it is now since on what we were told,

the bunkers are going to fall off. It was disintegrating and so forth. I think we assumed that when they said they were going to trade it they would trade it rather than keep it repaired. And I think that was a discussion.

Mr. DeBolt: That=s one reason I took it upon myself....

Mr. Clemens: But you didn=t make the discussion, don=t get me wrong.

Mr. DeBolt: But I just took it upon myself to go out and check a few things. Because when I, I saw the memo today. I was out of town last week. I knew this was forthcoming but I didn=t see the detail. So I wanted to do my own investigation and I went out and I think it=s a legitimate request. So I would recommend that we can approve it if you would. Thank you.

Mr. Baxter: And I believe it=s a small amount and I would approve it as well. I would support it.

Mr. Stake: Okay. Councilman Joseph.

Mr. Joseph: Thank you, Chairman Stake. Mr. DeBolt, you=d indicated that this 30,000 will take care of getting us through the year. But you also said there may be vehicles that are going to need replaced next year. Could you elaborate a little bit more on what all is going to be involved with that? Both in terms of the specifics and the costs?

Mr. DeBolt: I think what I=m referring to is that we have to put vehicles on a schedule to consider when they=re going to be replaced. Again, you can have vehicles that can push 100,000 miles on them, but at the same time, once a vehicle hits a certain mileage, you may want to put it on the replacement schedule. And then if it looks like it=s still in good shape you can drag it out. But you need an indicator when you need to think about replacing a vehicle. So I=m just encouraging the Street Department to start to place vehicles now that we=re at this point where we=re spending more money on maintenance, that that=s okay. I think again, this amount of money to keep vehicles going rather than buying many new vehicles, I think it=s saving tax dollars. But if you get to a point where we=re basically not having vehicles in operation and then having to buy vehicles on short notice, that=s not fair to the tax payers or the Council. So I think we just need a plan to look forward to replacing them down the line and putting them on a schedule to do so.

Mr. Joseph: Has that been used in the past?

Mr. DeBolt: To my knowledge, no. But we haven=t replaced that many vehicles since I=ve been here. But it=s something I think it=s something we need to do.

Mr. Joseph: Okay. Thanks.

Mr. Stake: Okay. Are there any other questions or comments from members of Council? (No

response). Okay. None being heard, then I'll make a motion that we appropriate for the Mechanic Division in the amount of \$30,000. The funds would be appropriated from the General Fund to the Maintenance Supply Account 110.290.5213, \$20,000. And the Motor Vehicle Maintenance Account 110.290.5363, \$10,000 as an emergency. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes. This will be sent on to Council. Thank you.

Item number 5, Discussion: Proposed Charter amendments. We have here tonight, Mr. Nathan Burd who Chaired the Charter Review Commission to help us understand what all went on there. Everybody did have minutes and we have copies of the proposed amendments. And I believe we, well we can start off with the Ward Boundaries amendments, Section 3.02(b). And I believe we have two of those. Mr. Burd, do you want to just kind of fill us in on the process and anything else that might be appropriate?

Mr. Burd: Acting Mayor Hills, Council President Hills, Chairman Stake, members of the Council. First I just want to thank you on behalf of the five of us who were able to serve on this commission. It was myself, Norm Brusk, who's here tonight, Leslie Kelly, Don Hallows, and Thomas Drabick. There was a lot of debate about the makeup of this commission, but we work very well together and we got some good work done. And I was looking at my Charter today and it's hanging on for dear life. So as you can see, we went through it pretty well. And do you want me to go amendment by amendment, Chairman Stake?

Mr. Stake: Well, first let me say that I appreciate it, I'm sure everybody here appreciates the work that you folks did. Thank you for Chairing that commission. Thank you for everybody who served. Yeah. If you'd just kind of go through each one.

Mr. Burd: I don't have a copy of the agenda, so I don't know what order you have. If you want to start with the Ward Boundaries, we can do that. The commission unanimously passed two amendments to Section 3.02(b) which deals with the Ward Boundaries Commission. The current language regarding the partisan makeup (Tape Change) frankly, is very complicated. And it's potentially problematic. So we passed an amendment that simplified that language and brought it in line with other commissions that the city appoints. Basically, all the language would say under our amendment is that no more than two members shall be adherents of the same political party. The second amendment includes that language, but we also discovered that Ward Boundary Commission members under the current Charter, weren't required to be electors of the city. We felt like that was a pretty important commission and they should be electors of the city. And in fact, most other commissions in the Charter require them to be electors of the city. So the second amendment, after further consideration, we added that language in as well. So that's what we did on Section 3.02 for the Ward Boundaries.

Mr. Stake: Okay. Let's stop there with Ward Boundaries. Is everybody clear on which amendments we have here? The one I guess that they want to go away from is amendment

number 0-2-07. And they want to use a suggested amendment number 0-6-07. So we're all clear on which Ward Boundaries amendment. And that would be, I'll make that one (a). So amendment (a) is 0-6-07. Are there any questions for Mr. Burd in regards to that amendment? I think that makes perfect sense that electors of the city be considered and not people outside the city. Any questions or comments? Councilman Stearns.

Mr. Stearns: Yes. Chairman Stake, I also would like to thank the committee for the wonderful job that they did. I did sit before with an issue and I think everything was done very well. And I am also in agreement with that too. I don't see any problem with moving on with that. They must be electors of the City of Reynoldsburg if they're serving on these commissions.

Mr. Stake: Okay. We'll deal with these one by one I guess. I guess we're okay then sending this on for Council for first reading. Then I will recommend that we send the Section 3.02(b) titled Ward Boundaries, suggested amendment number 0-6-07 on for its first reading. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

The next one would be Section 3.02(b) Ward Boundaries which is the one numbered 0-2-07. And I think we just voted to send the other one on so I don't see any support. President Hills. Mayor Hills.

Mr. Hills: You may have to send them, for first reading, I think you may have to send them on.

Mr. Stake: Send them all on?

Mr. Hills: Because it may end up as there's a vote taken, you will see that possibly all of 0-2-07 is included in 0-6-07. So they're sort of, both came out with recommendations. Is that correct?

Mr. Burd: Correct.

Mr. Hills: So as it's voted on, you may be only taking one to the ballot if you vote to go to the ballot because you certainly don't want to confuse the voter with two similar type things out there.

Mr. Stake: I agree. I was thinking we cut it off here though.

Mr. Hills: You may end up having to vote down the one that is not fully inclusive.

Mr. Stake: Okay. We can do that. Any problems with that from anybody on the Finance Committee or members of Council? (No response).

Mr. Hills: I think you need to send them all forward to think about it and sort them out as to first reading.

Mr. Stake: Then I'll make a motion that we send on for its first reading, Section 3.02(b) Ward Boundaries. And that one is 0-2-07. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And then we have 5c, Section 6.01(b) City Attorney.

Mr. Burd: Yes, Chairman Stake. This amendment deals with duties of the City Attorney. And the specific Section 6.01(b) discusses additional employment that the City Attorney can have outside of their job as City Attorney. And if you read Section 6.01(b) and Section 6.01(h), they're actually in conflict with each other right now. Section 6.01(b) says that the City Attorney shall hold no public employment outside of their job as City Attorney, period. But then Section (h) said they can as long as it doesn't interfere with their job as City Attorney. So we've got language in these sections that conflict with each other. We amended Section 6.01(b) so that Section 6.01(h) would be the one that addresses this specific issue.

Mr. Stake: Okay. Any questions or comments from Mr. Burd or anybody else from the Finance Committee? (No response). Members of Council? (No response). Then I'll make a motion that we send item 5a, Section 6.01(b) City Attorney on for its first reading. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And we have item 5d, Section 3.05 President Pro Tempore of Council. Mr. Burd.

Mr. Burd: Yes. This one was actually brought forward by Councilman Joseph. And what this amendment would do, would allow the President Pro Tempore to sign or veto emergency ordinances when they're in the position of Acting Mayor. Under current Charter language, they're not able to act on any legislation. This amendment would only address a very, very rare circumstance of an untimely or extended absence of both the Council President and the Mayor. But the commission felt that if that were to happen, there should be a way to pass emergency legislation if indeed something urgent was in front of members of Council. So we amended Section 3.05(c) to allow the Acting Mayor to sign only, or veto only emergency ordinances if they were serving as Acting Mayor.

Mr. Stake: Okay. Thank you, Mr. Burd. Any questions or comments for Mr. Burd from members of Finance Committee? (No response). Members of Council? (No response). Then I'll make a motion that we send item 5d, Section 3.05(c) President Pro-Tempore of Council on for its first reading. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And next is item 5e, Section 9.01 Nominations.

Mr. Burd: Yes. Again, this was a section that we actually passed two amendments on that you have for your consideration. It was widely expected that we would take up the issue of non-partisan elections in the city and indeed we did. The first amendment to Section 9.01 allows for non-partisan primary elections. This would be obviously a substantial change. Some of our other amendments could be considered maybe technical in nature. This is a significant change in the way that we do our elections here in Reynoldsburg. So one amendment just provides that language for non-partisan elections. The second amendment we passed includes that new language for non-partisan elections, but also provides a mechanism for the city to bypass the primary election in the rare circumstance that there were no candidates or there were no contested races. You may remember that Hilliard dealt with this just a few weeks ago during the March primary. They had a situation where they had nothing to vote on. But they still had to pay, or the county still had to pay to hold the election because Hilliard's Charter as I understand, didn't allow them just to move on to the general election. So the second part of the section amendment on this section would allow the city to bypass the primary election if there were nothing to vote on. It's basically a way that the county would save money from having to pay for poll workers and then the locations. So those are the two amendments that we passed on. One simply changes the partisan issue, the other adds a new provision into it.

Mr. Stake: Okay. And amendment number 0-7-07 is the one with the no primary in the event there's no contested race?

Mr. Burd: Yes. You're correct.

Mr. Stake: And then 0-8-07 is the one without that, correct?

Mr. Burd: I believe so.

Mr. Hills: I believe 0-8-07 is the bypassing the election. 0-1-07 I believe is the non-partisan. I think I'm right.

Mr. Stake: Well, I think 0-7-07 is non-partisan and then bypasses the primary if there's no contested race.

Mr. Burd: 0-8-07 just changes the issue of partisanship. 0-7-07 includes the second provision which would allow us to bypass an election if those circumstances were to arise.

Mr. Stake: Okay. Are there any questions or comments? (No response). I guess first, we'll discuss 0-7-07 since that was prior to 0-8-07 under section 5e. Are there any questions or comments in regards to that proposed amendment? (No response). Well hearing none, then I'll make a motion that we send this item on for its first reading. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response).

And item 5f, Section 9.01 Nominations, that=s the 0-8-07 without the bypassing the primary and uncontested races. Are there any questions or comments in regards to that proposed amendment? Councilman Stearns.

Mr. Stearns: Yes, Chairman Stake. When you say we have to send these on to Council for the first reading, it=s decided there, right? Everything that=s here has to go to Council for the first reading?

Mr. Hills: Well, it=s going for first reading and will be returned to committee. Nobody=s asked for adoption or anything. Normally it will go to committee and then be voted on at the last Council meeting in July.

Mr. Stearns: In other word, the ones that are weeded out, the ones that we don=t want will be weeded out at that time?

Mr. Hills: By vote.

Mr. Stake: In a full Council vote.

Mr. Hills: Full Council vote. And this is just sort of trying to get our hands around what it is they=re saying. And then it will go for first reading and then come back to committee for further discussion. And then that=s when it=s determined whether it=s being sent forward for a vote and whether it=s going to be voted up or down is determined by full vote of Council.

Mr. Stake: Are there any other questions or comments? Councilman Clemens.

Mr. Clemens: Yes. This will have to be passed the last meeting of the month, won=t it Bill?

Mr. Hills: Yes.

Mr. Clemens: And it will have to be as an emergency?

Mr. Hills: It will have to be as emergency the last meeting of the month. Historically, it=s been that way. And also I believe it has an August deadline to be down to the Board of Elections.

Mr. Clemens: It really would be the second meeting. It won=t have the third reading. It will have the second reading.

Mr. Hills: It=ll have two readings.

Mr. Stake: We=ll be taking up or down votes on the second reading.

Mr. Hills: There is a fifth Monday in this month if for some reason it was needed. But historically, it's gone through two readings and then passed as an emergency. It's got to go as an emergency whichever night it passed because of the deadline to be downtown in August.

Mr. Stake: Well, any of these would need five affirmative votes any way to pass, correct?

Mr. Hills: Passage, once voted by full Council, will take five votes, 2/3. So that's five affirmative votes to send it to the ballot. But we have, it's a little bit unusual this year. And I think the committee and City Attorney has an outline that could be of assistance. And I think we need to all break out and get the specific numbers to read them. But it appears this year, there's two subject matters that are sort of blended together. And you may not want to send both to the ballot if you're going to send either to the ballot simply so it doesn't create confusion. You could send both and have one go yes and one go no and then the one was the addition to the first one and all of a sudden you've got a non-workable solution. So that's the purpose of discussing these and talking about it. Some are inclusive and just added. The ones on the Ward Boundaries and the Nominations somewhat are a staggered two recommendation coming out on a similar subject matter. But you may have to look at it and see.

Mr. Burd: And the commission, when we discussed, obviously when we passed amendments of the same section, we were figuring that Council wouldn't send them all through. That you would send through ones that, sort of the finalized version or the more complete version. So that was in our mind set as we were doing that. We didn't think that you would opt to send both on Ward Boundaries Commission. It would be repetitive and then there would be no reason to do so. But we did need to pass the second amendment to add the new language in. So that's why we did that.

Mr. Stake: I think it's probably going to be whatever ends up on the ballot might be confusing enough, never mind have conflicting amendments.

Mr. Hills: If at all possible, it's best to minimize the confusion that's on the ballot.

Mr. Clemens: Some times to make it simple is to put nothing on there and it's simple for everybody. You don't have to worry about it.

Mr. Hills: Put what up?

Mr. Clemens: Nothing on there. Then it's very simple for everyone.

Mr. Hills: That's very simple.

Mr. Clemens: You don't have to explain everything. Nobody gets nervous or excited or anything like that.

Mr. Hills: And that has happened. Well, I think that probably has happened.

Mr. Clemens: It=s happened before.

Mr. Stake: Okay. Are there any other questions or comments in regards to item 5f? (No response). Then I=ll make a motion that we send item 5f, Section 9.01 Nominations, the suggested amendment number 0-8-07 on for its first reading. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Thank you.

Mr. Burd: Chairman Stake, if I could, I just want to clarify that I=ll be available for questions as you continue this process, and I=m sure that the other four members of the commission will also be apt to answer any questions you have. And I would just like to publicly thank Mrs. Lyday. She was our secretary and she answered a lot of procedural questions that we didn=t have the answer to. And Mrs. Frazier helped out on that as well. And I also want to thank the City Attorney for reviewing these before they got to your hands.

Mr. Stake: Okay. And thank you again Mr. Burd, and thank you to your commission members.

Okay. Item number 6, A RESOLUTION INDICATING THAT THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO INTENDS TO MAKE FUNDS AVAILABLE TO MATCH FUNDS THAT MAY BE GRANTED BY THE FRANKLIN COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PROGRAM AND AUTHORIZING THE MAYOR TO FILE APPLICATIONS WITH THE ABOVE MENTIONED AGENCY; AND REPEALING MOTION PASSED BY REYNOLDSBURG CITY COUNCIL ON MAY 14, 2007. This had its first reading on 6-25-07. And this legislation is sponsored by Mr. Stearns. Councilman Stearns.

Mr. Stearns: Yes. This is some changes I believe, to the, I think I=ll need some help from Mr. DeBolt on this. Mr. DeBolt, would you help me out on this, would you please?

Mr. DeBolt: Basically, we=re trying to move forward with the OPWC and CDBG Grant that requests for the reconstruction of Rosehill Road. And we=ve got a Public Hearing scheduled for next Tuesday the 10th, I believe. The grant application deadline is on the September, beginning of September, perhaps the 10th as well. September 10. And we expect a decision to be made late in this year or early next year. And hopefully getting approval for the grants that we can move forward construction next year on the project. Again, the scope of the project is still up for discussion. But at the same time, it=s a project that as you know, that we have discussed in past years. It just hasn=t come to the table in terms of getting financed. And this grant was looked at upon as a way to accomplish that. So we want to move forward in order to try to get it done this year.

Mr. Stearns: Thank you. That=s all I have then as far as that=s concerned. And I=d just like to

move it on to Council for the second reading then, right?

Mr. Stake: You're making a motion to send it to Council for a second reading?

Mr. Stearns: I make a motion to do so.

Mr. Stake: Is there a second on that?

Mr. Clemens: No. I want some discussion.

Mr. Stake: We can have some discussion if somebody wants to second that motion, we can have discussion.

Mr. Clemens: I'll second on it.

Mr. Stake: Okay. Then, Councilman Clemens. Any further discussion?

Mr. Clemens: Yes. There's some things I'd like to talk about on this first. Section 1, it says if the county awards us this grant, that we have to make money, appropriate otherwise, available for the funds necessary to meet the local match requirement for the approved projects. Now, I don't know what we're going to be asking for, but if we're asking for 4 million, 5 million, and I hope we're going to discuss the project because the way the project was explained to me, it didn't make a lot of sense to be honest with you. Because there were things added that we hadn't talked about and discussed and things like that. And I got the information, I think it was around 7 2 million if I'm not mistaken that we were discussing. A 7 2 million project when it's a project we're only talking about a 3 2 million when we first discussed it, I'm certainly the first one and always will be, wanting Rosehill Road widened. But I'm not sure that I want it at 7 2 million dollars. I don't want the people to think we're completely crazy because we haven't done our interior streets. We have so many problems. But what bothers me on this, say we do come up with our amount and the county's amounts, say _____ 50,000 and _____ were going to come up with a million and a half or something like that, and we're asking for 5 million say, 6 million, and they say okay fine, we're going to give you 3 million. Now you're going to match that other 3 million. How are we going to come up with 3 million? We can't go out and borrow 3 million dollars. We're in debt up to our ears right now. We can't afford to do things like that. Does this hold us to that by saying that we'll make the money available to match their amount? I don't know what we're going to go in asking for. Is this going to come before Council? Are we going to approve what you're going to go ask for? Or is this what we pass these two things within the next couple of weeks? I mean, that's a dead horse. I know what the other one says. The other one says we're giving the Mayor the authority to go through all this once we pass these two things. I want to know what we're asking for. I want to know what the grant's going to be and what we're turning in and what the project's going to be and what the estimated cost of the project is. And if we still have a running lane down the middle of those peoples front yards and things like that and what the cost is going to be. And I'm not criticizing

you or anything like that because I wasn't here on it. But if I'm going to vote for these two things here, I don't want it tied up that, man I've passed these now so whatever we come up with, the Mayor has the authority to do it without us having another chance to say hey, that's too much money and we don't want to go through with a project like this. We want to scale it down. I know it's on the point system. But I don't believe in the point system on how we're going to gain by adding different things to it. I've been against the section south of Main Street. I've been against it there since it's been brought up. That Rosehill Road there, those people don't want a thoroughfare. They'd like to have another stop sign there at Bartlett and Rosehill to slow cars down and things like that. That's what really, we want. And so when I started this 12, 13 years ago to widen Rosehill Road, it was narrow to the extent that it was going to be a 7 2 million dollar project and put the city in a position where we can't afford to do it or tie us up again where we can't afford to do our interior streets that we're so badly hurting on. So I would like to have a little say in what we're going to apply for. I mean, is that going to come to us before we finalize this for our third reading? I mean, are we going to have a chance to go over all of this?

Mr. Stake: Mr. DeBolt, before you start, Mr. Clemens makes a lot of good points here. I mean, you know, we can't pass a pig in a poke. We need to know what we're doing.

Mr. Clemens: I don't expect you to do it tonight because I want to see it in writing. I want to see a lay out. I know the plans are done. We've already put, the plans and specifications have already been paid for years ago. The county's approved it. I know there has to be adjustments to it. I know the property's available. And I hear there's some money in this for like \$80,000 to buy some easements to run some sewer lines down through some peoples yards. Is that included? I want to know if these things are included in it, why they're included in it, what kind of project this is going to be because I think it's important to all of us on Council. I know it's important to me because I, along with Preston, have been pushing for this program, and Toni, to get this program done. But not to an expense where people's going to look at us and say that you know, well you haven't done our interior streets and you're doing something like this? And so, I would like, before this comes up for final passage, I would like it in black and white before us, and possibly Mr. Miller yourself, standing up there explain exactly what we're going to do so I can rip it apart.

Mr. Stake: Well I would imagine at the Public Hearing, you'll have that information for the public?

Mr. DeBolt: Councilman Clemens, members of Council, yes to your question. You bring up good points. Mr. Miller and I anticipated that, so we've had extensive discussions. We've talked to Auditor Harris regarding the financial end. So yes, we want to provide you that information. We discussed the pros and cons of different ways to put the package together. As a matter of fact, one reason I called those of you that were available, I think a week ago Friday is when we got the actual cost estimates from EMH&T. And again, it was higher than perhaps we anticipated. I wanted to make you aware of that. And as we move through the process of the

readings, we want to have that discussion with each of those points that I basically, Mr. Miller and I have discussed in depth, and get Councils approval. Because if we don't have your approval, we don't want to waste any more time or money in preparing the project. So we're on the same page in that regard. But yes, we have different scenarios that we think is appropriate to bring it forth. And when we go to the Public Hearing next week, I think Mr. Miller and I have a strategy to present it not only to the public, but to Council. And soon after that, you'll be getting the information as such. But we're more than happy even tonight, to address any specific questions.

Mr. Clemens: I just want to make sure that everything's going to be shown to us. I want the cost figures and so forth. And I'm strictly for the project. I always have been, I always will be. It's just on what the project's going to be as we turn it in on what it's going to look like and how much we're going to ask for. I've got my different opinion on what you ask for and what you get and what you don't. And I'm willing to wait. But like I said, I just want to make sure that this is all going to be explained to us. And I'm sorry, I was out of town on vacation when you had called and Mr. Miller was kind enough to come up and almost made me faint when he told me this the other night. But I pulled myself together and thought about you.

Mr. DeBolt: It's a good thing I was out of town too. I wasn't here for you to get your hands on me.

Mr. Clemens: But any how, and I appreciate it. But I would like, and I know Council would, we'd like to have all the information so we know what the cost is going to be and what's lined out.

Mr. Stake: Mr. Hills.

Mr. Hills: Mr. DeBolt if I could ask, you're saying there is a Public Hearing scheduled and it was listed in our projected schedule for July 10.

Mr. DeBolt: Correct.

Mr. Hills: What notice has been given to the public and whom has received any notice of that Public Hearing as to where it will be and when? It's 8 days from now.

Mr. DeBolt: It's been sent out through our office. And I checked on that today as a matter of fact and I don't have specific....

Mr. Hills: I haven't seen it.

Mr. DeBolt: Okay.

Mr. Hills: So I guess, has the public, I mean, my concern is, you've got a Public Hearing in 8

days. And there=s some issues that Council has raised as to some things being in the plan that they haven=t seen but certainly have heard. And you have talked to me about some of them and I said, why? And I guess the resolution to that may come at the Public Hearing. I see the Auditor jumping up because you referred earlier to the Auditor. And you know, everybody can say they talked to the Auditor but it depends on what question you ask the Auditor as to what answer you get. And that depends on how you interpret the answer you just received. Is there money to go do a 7 million dollar project? The answer to that is blatantly, no. Now if the grants and everything else comes in and it makes it a 1, 2 million dollar project, that=s a different story. But Mr. Stake rightfully brought up pig in the poke. You=re just not going to just go boom for this. And I take it the opportunity since we=re not hearing it now, and you say we=re going to assess it one more time, that=s two weeks from now. The thing that occurs between that time is that Public Hearing. So I take it if we want to really see it and hear about it, we need to go to that Public Hearing but we don=t know about it yet. So that=s why I=m curious. If you haven=t had the notice out and you certainly want to get notice to those people who could be affected by this, when are we going to do that?

Mr. DeBolt: Actually, when I talked to you on the phone today, that letter was part of that notice. And in talking to staff, it was of importance that that get out right away. So I did contact the Mayor and we did send that letter out in terms of under his signature with me signing it to the public in that affected area. So that was important....

Mr. Hills: Mr. DeBolt, let=s clear this real quickly, because what you asked me about was a letter asking the residents to endorse this project. There=s no reference, in your comments with me today on the phone, none whatsoever about notice of a Public Hearing, was there?

Mr. DeBolt: I did not share that with you but that was part of the letter.

Mr. Hills: If you=re going to get my signature or something, especially as Acting Mayor, I=d certainly suggest I know all of what it is you=re anticipating that I=m going to sign. When the Mayor sends out a blanket of letters to certain businesses and now I=m going to say it was something similar to the residents and you=re going to ask me to sign it for the Mayor, no. I wouldn=t. I=d sign my name. But I think you don=t want to confuse the public by saying the Mayor on one request which is the same or similar to another one. And that=s why I=m sure that it sounds like to me that you=ve used his stamp or used his signature, and that=s fine. But there was no reference to me today when we were talking that that was a notice of Public Hearing. That=s why I=m sitting here asking you tonight, what have we sent out on the notice of Public Hearing?

Mr. DeBolt: The standard publication, notices to the publications, and press release, hopefully to go out in the publications that attend the meetings.

Mr. Hills: You=ll get something to the Clerk of Council so we can see it? Preferably before the Public Hearing?

Mr. DeBolt: Yes. And again, with the information we talked about earlier today, that=s something I was going to have in front of you to show you tonight if you chose to sign it. So you would have saw it word for word. I was just paraphrasing it.

Mr. Hills: Well, it=s been signed. It=s been signed. But you=re not passing it out tonight? The Administration of this city has signed it. You just told me that.

Mr. DeBolt: Yes.

Mr. Hills: So it=s been signed. The document has been signed.

Mr. DeBolt: Yes.

Mr. Hills: But it=s not being passed out tonight? But we=ll see it when we see the public notice?

Mr. DeBolt: Well, that was a letter just to residents in the affected areas. It=s gone out to individuals along Rosehill.

Mr. Hills: I just missed something. You just said that that letter was going to be given to us tonight and we haven=t seen it.

Mr. DeBolt: No.

Mr. Hills: The _____ was because I didn=t sign it. Well you and I talked about why it would be signed by the Mayor. Because the Mayor signed the business letter, he ought to be signing the residents letter.

Mr. DeBolt: Right.

Mr. Hills: I mean, especially if you=re talking about the same letter, which in your discussion with me, this was a letter to businesses and to individuals asking for their support in letters to these committees and commissions as strengthening the point total in the granting process.

Mr. DeBolt: Correct. It mentioned in the letter regarding the Public Hearing that is taking place.

Mr. Hills: And I=m glad you informed me of that tonight.

Mr. DeBolt: Okay.

Mr. Stake: Okay. I see the City Auditor back there. He must have something to say.

Mr. Harris: Yeah. Thank you, Mr. Stake. Mr. DeBolt and Mr. Miller and I had a discussion a

week ago Friday for about an hour on this, the funding of this project. There is monies available through the Permissive Tax that is being held in Franklin County which is about 800, which will be about \$800,000 by the time it=s time to pay for this project. They are working on I understand, money from Dean Ringle=s people down at the Engineer=s Office. There=s money for part of the storm water that will be spent there. Mr. Kipp also has water and waste water lines he wants to replace under the ground. But I said to them, and I want to make sure everybody understands, I would be diametrically opposed to taking on any more debt at this time for this project. We have to transfer about \$250,000 from other funds into General Debt Retirement in order to pay the debt that we have now. And with that in mind, I don=t see why we would ever consider taking on additional debt at this time. And we don=t put enough money in there to pay for the debt we have. So there is monies available for this project through the Permissive Tax Fund. Maybe some money from the Street Fund and other places. But we should not be considering taking on additional debt to pay for this project.

Mr. Stake: Councilman Clemens.

Mr. Clemens: Dick, as I figured up, 800, maybe 3, 11, maybe 2 from the Storm Water, 1300, maybe some other from the Street, maybe another 3,000, maybe 1500, then maybe we can get it, scrape 800 out of the county? That=s 2300. I mean 2 million, 3.

Mr. Harris: Yep.

Mr. Clemens: That=s what I=m saying. Okay. Say that=s 2 million 3, we=re going to ask for 7.5 and they give us 2 and they say you=re coming up with the rest and we=ll sit and say, are we going to come up with 4 million dollars? I mean, it says right in here that we=re going to. That you=re agreeing to come up with your matching funds so they match 3 million say, well you=ve got to come up with another 3 million.

Mr. Harris: A low interest loan, or no interest loan which OPWC has done on a number of these types of projects before including the Main Street would be 20 years, it would be 50,000 per year per million. So if they=re looking at 2 million dollars for us to kick in on top of that 2 million 3, you=re talking about \$100,000 a year for the next 20 years.

Mr. Clemens: That=s why I=m saying I would like to see the breakdown on all the information we=re asking. I appreciate your answer. What time is that Public Hearing?

Mr. DeBolt: 7 p.m.

Mr. Clemens: 7 p.m., here?

Mr. DeBolt: Yes.

Mr. Stake: Okay. I do know that this is a project that I think a lot of us here have been trying to

get done for a few years. And I think if we can put it in perspective, maybe we can get something done here. And I think that=s Mr. Clemens, I don=t want to put words in his mouth, but I think that=s what he=s saying. We need to have things in perspective. We need to make sure that we have the funds available in order to do our part. I don=t want to commit to something when our Auditor=s telling us that we don=t have the money to do it. So if you could get that information to us, we=d greatly appreciate it. Are there any other questions or comments from members of the Finance Committee on this item? (No response). Members of Council? Councilman Stearns.

Mr. Stearns: Yes, Chairman Stake. I=m in agreement with Mr. Clemens too. I think what we really do, we need to get the actual figures down before we go ahead, go any further. So the process we=re in right now, I do have, there=s a motion, right?

Mr. Stake: There=s a motion and second on the floor.

Mr. Stearns: We=ll go and we=ll move it on to Council and then it would be taken up from there. Well, go through all the four readings to get ____ necessary.

Mr. Stake: Three readings, yes.

Mr. Stearns: So that=s where we stand.

Mr. Stake: Yeah. Okay. So there=s a motion and a second on the floor to send this to Council for its second reading. All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes. Thank you.

The next item is item number 7, RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE OPWC FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS; AND REPEALING MOTION PASSED BY REYNOLDSBURG CITY COUNCIL ON MAY 14, 2007. It had its first reading on June 25, 2007. And again, this is yours Mr. Stearns.

Mr. Stearns: Yes. Thank you, Chairman Stake. Again, this is simply the authorization by the Mayor to move forward with this whatever we do decide to come out with. So this is basically the authorization that we=re giving the Mayor to move forward.

Mr. Stake: Okay. Are you making a motion to send this on for second reading?

Mr. Stearns: Yes. I make the motion. Is there any other discussion? (No response).

Mr. Stake: Send it on for its second reading.

Mr. Stearns: I make a motion to move it on to second reading.

Mr. Stake: Okay. Is there a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 8 is AN ORDINANCE APPROVING THE REVISED LIST OF FINAL SPECIAL ASSESSMENTS TO BE LEVIED AND COLLECTED FOR THE REPLACEMENT OF SIDEWALKS AND DRIVEWAY APPROACHES IN THE PHASE IV AREA OF THE CITY OF REYNOLDSBURG, OHIO. It also had its first reading on 6-25-07. Councilman Stearns, I believe this is yours also.

Mr. Stearns: Yes again, thank you Chairman Stake. This is the street sidewalk assessment amount to be charged in the amount of \$210,446.37. And I make a motion that we do move this on to Council for the second reading.

Mr. Stake: Councilman Stearns has a motion to move it on for its second reading. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 9 is AN ORDINANCE APPROVING THE REVISED LIST OF FINAL SPECIAL ASSESSMENTS TO BE LEVIED AND COLLECTED FOR THE REPLACEMENT OF SIDEWALKS AND DRIVEWAY APPROACHES IN THE PHASE V AREA OF THE CITY OF REYNOLDSBURG, OHIO. It had its first reading on June 25, 2007. And Mr. Stearns, this is also yours.

Mr. Stearns: Yes, Chairman Stake. This is Phase V of the sidewalk assessment amount to be charged and it's \$103,485.50. And I make a motion that we do move this on to Council for its second reading.

Mr. Stake: Okay. There's a motion to move it on for its second reading by Councilman Stearns. Is there a second? Second by Councilman Joseph. Any further discussion? (No response). Councilman Baxter.

Mr. Baxter: Thank you, Chairman Stake. And the discussion is around a discussion I had with Mr. DeBolt earlier. And I just want it put on the record. And that's a discussion based around what it takes to put you on that assessment. The size of the crack? I know EHMT have been looking at that. And I know, I had some concerns around if it's a tiny little crack, if we're replacing sidewalks, it doesn't need to be replaced right away. I mean placed on this. I know you're going to look forward to the future having that assessment a little bit different if I'm correct.

Mr. DeBolt: Yes. Our goal is to look at it as a property maintenance issue and have the Property Maintenance Inspectors cite the individual property owners and allow them the opportunity to contract with an individual to take care of it rather than us collectively handling it through

the city. And again, after we go through the next phase, that=s the goal and the intent.

Mr. Baxter: Very good. Okay. Thank you. I just wanted to make sure that that was happening.

Mr. Stake: Okay. Well, thank you Councilman Baxter. Any other questions or comments? (No response). Did we make a motion to send this forward? We have a second. All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

Item number 10 is a RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF REYNOLDSBURG OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2008 AND DECLARING AN EMERGENCY. It had its second reading on 6-25-07. Mr. Harris.

Mr. Harris: Thank you Mr. Stake. This is here for its final reading for the Tax Budget for the year 2008. This has been here for a couple of readings. We have to have it to all three counties and effective by July 20. So we would certainly appreciate this being sent forward for its final reading as an emergency. And I=ll be glad to answer any questions if anybody has any.

Mr. Stake: Okay. I just have one question. You want to stick with the numbers you have on here then?

Mr. Harris: Yes.

Mr. Stake: Okay. Are there any other questions from members of the Finance Committee for Mr. Harris or anybody else? (No response). Members of Council? (No response). Okay then I=ll make a motion that we send this forward for its third reading as an emergency with recommendation for adoption. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes. Thank you.

Item number 11 is ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY GRASS AND WEED CUTTING COSTS FOR COLLECTION BY THE FRANKLIN COUNTY AUDITOR. It had its second reading on June 25, 2007. Are there any questions or comments in regards to this ordinance, by members of Finance Committee? (No response). Members of Council? (No response). Okay. None being heard, I=ll make a motion that we send this on for its third reading with a recommendation for adoption. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAYe@). Opposed? (No response). Motion passes.

And item number 12 is an ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY GRASS AND WEED CUTTING COSTS FOR COLLECTION BY THE LICKING COUNTY AUDITOR. It had its second reading on 6-25B07. Are there any questions or comments from members of the Finance Committee in regards to this item, members of Council? (No response). None being heard, then I=ll make a

motion that we send this on for its third reading with a recommendation for adoption. Do I have a second? Second by Councilman Joseph. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 8:58.

Finance Committee

July 2, 2007

- - -Susie Lyday, Assistant Clerk of Council

(Transcribed - Susie Lyday)