

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES
JUNE 20, 2005

Members of Community Development Committee present: Lane J. Beougher, Antoinette Newman, Preston Stearns.

Other members of Council present: Brett Baxter, Eric Gilbert, Mel Clemens, Ron Stake, Council President William L. Hills.

The meeting was called to order at 7:30 p.m.

Mr. Beougher: Item number 2 is the approval of the minutes of the June 6, 2005 Community Development Committee meeting. Are there any corrections to the minutes of the June 6 meeting? (No response). Hearing and seeing none, they will stand as submitted.

The next item is the approval of the agenda. Are there any additions or deletions to tonight's agenda? (No response). Hearing and seeing none, it will stand approved.

Item number 4, Discussion, Reynoldsburg Community Improvement Corporation. And this involves a statement of continuing existence which needs to be filed with the Secretary of State's Office by July, no August 7, I believe. And Mr. Underwood, I think this started with you, if he's here. Did we lose him? Mr. Underwood, we're discussing the Reynoldsburg Community Improvement Corporation statement of continued existence. And I believe this initiated from a memo from you, asking if we wanted to renew this corporate status for another 5 years. And I thought it might help if we had a discussion of RCIC and REDI, and exactly what each one encompasses and what they are doing, or supposed to do. And trying to achieve consensus among Council as to whether we need two organizations such as this, or whether we can do with one. And I know they have some area issues. I looked at the articles on the corporation, printed them out on my computer today, and left them on my dining room table. So, but I believe that REDI encompasses Franklin and Licking Counties if I'm not mistaken. And that RCIC was formed to do development in Licking and Fairfield Counties. Does that sound correct to you?

Mr. Underwood: Basically, REDI was Franklin County.

Mr. Beougher: Okay.

Mr. Underwood: And was formed with 15 people on the board. And I don't remember who had the idea but, there was an idea that 15 was too much to accomplish anything. And there were some thoughts of more vacant land in Licking County and some in Fairfield County, and maybe a group of 5 people could move and be a lot more efficient than a group of 15. And it was thought that 5 business types and people that could understand a little better could be more efficient. And then that was formed and it really never got off the ground. Because after it was formed, the state, there are many more tools developed for doing things like TIF's and that, that were not state law at that time. And people started to develop and do things were using these other tools that seemed to be much more efficient, easier, and made a lot more sense to use than these old community improvement corporations. The only thing that REDI ever did that I knew of, was to sign the

papers for the development Gary James did up here, and they had nothing to do with it except to sign the papers. Gary and his people did all the work. I reviewed the papers and then they got together and just signed them. So there was really nothing they did other than sign the papers. They didn't really understand anything that had been done. Not to say that that's bad. I mean, that there was an inefficient mechanism I thought. And the CIC was equally, not inefficient, they just, the other tools were developed and they just really never had a need to get off the ground and do anything.

Mr. Beougher: Okay. So, and looking at the article of incorporation, REDI dates back to 1966, and RCIC was formed in 1995. So it's about 10 years old. The other is quite, it dates back quite a bit longer. Does it make, and Mr. Brandt, maybe this is something you could also chime in on if you feel inclined. And I thought I saw him come in. Is there a need for two organizations such as this, or could we maybe consolidate and change the articles for REDI to encompass all three counties or something like that? Is there a need to have one for each county or for various counties?

Mr. Underwood: I'm not sure there's a need to have any of them.

Mr. Beougher: Okay.

Mr. Underwood: But I'll leave that to others and their opinions.

Mr. Beougher: And in looking at the minutes of the REDI meeting from January 22, Paul Walsh asked the question, what does the board do? And it was answered that we assist the Development Director. Or that's one of the things they could do. And they even discussed the Big Bear location and vacant store fronts. And I guess what my, the core of my question is, is there something that a volunteer committee or board can do to assist the Development Department since it is a one man outfit, in attracting business and economic development to Reynoldsburg? And do members of the committee have any questions for, Mr. Stearns?

Mr. Stearns: Yes, Chairman Beougher. My question is, how does the Development Director feel about it? Does he feel like there's a need for the committees? Is it necessary to have that ongoing?

Mr. Brandt: Thank you, Mr. Stearns. When I came in, Mr. Underwood was giving you an overview of the genesis of all this. The Licking County version if you will, I was here several years before I even knew it existed. Because no one had told me. But at the time, I was told that there was two, which there were, and he's already described that. One was set up in quote, Licking County with certain members designed on doing, or to do business so to speak. The other one was more set up as a social organization. And people got together and talked probably great thoughts, and pontificated great ideas. And there was very little ever came to _____ out of it. It has stayed in existence because on some occasions, it has been used as far as a mechanism to fund certain projects that, particularly the breakfast that we hold in the spring. Things of that nature. Because then the funding isn't generated by the city, or from the city, or from the public trust. It's all private funds donated to REDI, and REDI in turn pays the bills. And as far as doing

anything, I've talked to people in some other cities. They have found somewhat to what Mr. Underwood alluded to as far as signing documents on occasions. And lately with his litigious societies we've had, one city that's within the beltway up here told me that they had a project they were working on, and called the meeting to order, and everybody was going to sign whatever the documents were available. And the first three in a row said, 'I'm not signing these'. So it is probably, as Mr. Underwood's already outlined, lost some of it's value. Could it serve a purpose as far as a volunteer organization with people that were interested and wanted to do something? I'm sure. It's like anything else. A lot of private and public agencies survived these days with volunteer help. In our particular case, we've got about as many committees and meetings organized as one person can humanly handle in an efficient manner. So it would be if it's the Council's choice, to consolidate, maintain, retain one, or change the scope of, I'm sure that's within the purview. Although, the actual makeup of one county versus the other would be an issue that you'd have to seek legal counsel on that part of it.

Mr. Stearns: Okay. Thank you.

Mr. Beougher: Thank you, Mr. Stearns. Mr. Brandt, certainly we could amend the article of incorporation to include Fairfield County on the REDI corporate articles. Could we not? I think it already states Franklin and Licking.

Mr. Brandt: From what the map indicates to me today, I don't know why you would. Because most of what's already in Fairfield County is already developed.

Mr. Beougher: Okay. There might be an opportunity to re-develop it at some point. But, and Mayor, you and I had a call, or I had a call from you, and you indicated that REDI had some inspections that they do. Or is that the Community Housing Council?

Mayor McPherson: That's the Community Housing Council. Does the inspections.

Mr. Beougher: Okay. So REDI doesn't do any inspections. They just basically fund the development activities that are outside the governmental scope of the Development Department.

Mayor McPherson: That's correct.

Mr. Beougher: Okay. And Mr. Brandt, I would take it from your comments that your recommendation is to let the articles be cancelled by the Secretary of State and let it die a peaceful death.

Mr. Brandt: I would think, for at least, with the requirements to continue in maintaining documents, holding meetings, which in many cases serve as a coffee and donut clutch, and if there was a case that came down the road that under the statutes of today or tomorrow, indicated that there was a viable reason, I wouldn't see any reason why one could not be reformed with a specific mission in mind.

Mr. Beougher: Does RCIC have any funds in it's treasury?

Mr. Brandt: None that I'm aware of.

Mr. Beougher: Does it have any active members?

Mr. Brandt: I believe the last list I saw, Mr. Hills' name was on there, and Mr. James' name was on there. And there was a gentleman at The Limited or one of their organizations. And I don't even know if he's around any more.

Mr. Beougher: Well I guess my concern at this point is, there are certain requirements in the articles that say what happens to those funds if there are any when the corporation is dissolved.

Mr. Brandt: There was none that I've ever seen. Never seen a check book or anything else relative to that particular entity.

Mr. Beougher: And a question about REDI, the last meeting according to these minutes is January 22, 2004. Do they have a requirement to meet on an annual basis?

Mr. Brandt: I believe it's once a year.

Mr. Beougher: Once a year?

Mr. Brandt: Yeah.

Mr. Beougher: Okay. Do you know if that meeting has been set?

Mr. Brandt: For this year? No. And I haven't talked to the president recently to find out.

Mr. Beougher: Okay. And are all the positions on that board filled _____?

Mr. Brandt: I believe they are. Yes.

Mr. Beougher: Okay. Any other questions? Mrs. Newman.

Mrs. Newman: Yes. Mr. Brandt, thank you. I have a question for you. So essentially what, are you saying that REDI isn't very effective except for raising funds for the Builders and Developers Breakfast in the spring?

Mr. Brandt: Well in reality, I raise the funds. We just deposit it through them. The checks are made out payable to REDI. Which has been already looked at by the State Auditor, and they have no problem with it.

Mrs. Newman: Well, if their purpose in life other than that, is to serve as a redevelopment agency if you will, and they expressed all these concerns about Brice Road, and Livingston Avenue area, and Main Street, how effective are they in doing anything to get those properties re-rented, re-occupied, helping to turn them into viable locations. Do you think it had been affective at all?

Mr. Brandt: I'd have to say at this point, nil.

Mrs. Newman: Alright. Thank you.

Mr. Beougher: Mr. Brandt, other communities such as Columbus have development corporations that actually have staff and do projects like Columbus Urban Growth.

Mr. Brandt: That's correct. And they're also funded by the city extensively.

Mr. Beougher: And funded by the city. Exactly. Which means you have to have some money, and you have to have staff paid by the city or paid by the treasurer of the organization. And at this point, it doesn't look like we have the opportunity to move in that direction.

Mr. Brandt: That would be within your purview if you want to fund something of that nature.

Mr. Beougher: We'd have to have funds available to do that. So, okay. Any other questions from Council for Mr. Brandt or Mr. Underwood? Mr. Baxter.

Mr. Baxter: Chairman Beougher, thank you. I've got a couple of questions here. We'll start off with the first. We know there are a few areas in the City of Reynoldsburg that could use the focus of a group like this. A focus of a team of people that I think should be put together with skill sets and capabilities to bring improvements to some of the areas that have fallen down and could use some attention. It seems a shame to me that we have two organizations like this that are ineffective. I would be all for putting something together. A committee or funding activity such as this. We've been speaking about it for weeks here. About areas on Brice Road. On Livingston, that could use community involvement. It could use a way to improve those areas. And these are two organizations I think properly manned with the right type of skill sets, that could do just that. I think maybe that's where we ought to be focusing on. Bringing the right people into those teams and making these groups functional rather than the breakfast club. I would all support _____ of those things.

Mr. Beougher: Okay. Thank you, Mr. Baxter. Any other members of Council have any comments? Yes, Mr. Hills.

Mr. Hills: If I could, and I just want to try to clarify, and I may ask the Mayor because I think he and I are the only two that have the most white hair that remember back then but, you've referred a couple of times to REDI being Franklin and Licking. The RCCI was formed because of REDI being Franklin County only. And our development and growth back in the late 80's and early 90's was into the Licking County area. And I know one reason it was formed is, I think Mr. Brandt made a good point. Fifteen members on a board are awfully hard to work with. And so there was a discussion as to form a, in essence non-Franklin or, a Licking/Fairfield Committee was made up of a lesser number. And if I remember properly, one of the purposes for that Bob was, the potential for an Enterprise Zone discussion.

Mayor McPherson: Correct.

Mr. Hills: And I think that we found that geographically, this zone would have been too close to some other zones and I believe that that's why some of that. I mean, I'm not saying that all of these things wouldn't have happened but, these, RCIC was formed with some purposes. And it was formed separately to try to have more of a working board. Now I do think that most of the members on that board now are no longer located in the Reynoldsburg area. I know Joan Garrison was on it, the head of marketing for one of The Limited Divisions was on it, and myself, and I don't remember who else was. But Bob, am I correct on that?

Mayor McPherson: That's correct. I think as far as REDI goes, about the only accomplishment that you can point to, they created the logo of Crossroads To The Future. Tried to promote the City of Reynoldsburg development through REDI. But the biggest stumbling block to REDI doing anything was funding. It was never funded. Never had any money to do anything. Relied on donations from businesses. And as we all know, it's very difficult to run a volunteer organization when you have no money. And so REDI just kind of ended up being the arm if you will, of the Development Breakfast. Developer Builder's Breakfast became the funding arm for that. And short of that, really serves no purpose any more. And again, but it's strictly funding issues. If we were the City of Columbus and we had a commission like this that you know, we funded 100, \$200,000 a year to help market the city, then it could be a very viable organization. But as you indicated Mr. Beougher, I don't think at this point, we're financially able to fund an organization to help with this redevelopment and marketing area. But Mr. Hills is correct. That was why the RCIC was created. And I would have to look, but I doubt that the members are even here any more. Especially The Limited members that were on it.

Mr. Beougher: Well, it occurs to me that maybe the best thing to do is to allow RCIC to expire. And if there's a need in the future, we can always reinstate the articles of incorporation. But I would like to use this opportunity to suggest that maybe we need to look at REDI and see if we can jump start that and get it to be a more active and involved and useful organization to the city and to the Development Department. And if that takes funding, then I think we need to throw some money at it. I don't know where that money's going to come from but we have to make an investment to get return. So, and I don't think this item's going to take any action if we're not going to have the City Attorney re-file the Statement of Continuing Existence. So I guess I'm going to make a motion to, Mr. Baxter, do you have a question?

Mr. Baxter: Yes, Mr. Beougher. Is there a cost to re-file for this versus a cost to renew it?

Mr. Beougher: I believe the cost is about \$25 either way.

Mr. Baxter: So there's no additional cost if we're not doing any action.

Mr. Beougher: I don't think so. No. I don't think so. It's within \$20. I mean, it might be...

Mr. Baxter: Small. Okay.

Mr. Beougher: Minimal.

Mr. Baxter: It won't break us.

Mr. Beougher: It won't break us. No. But I'm going to make a motion to postpone this item indefinitely. Is there a second? Mrs. Newman with the second. Any further discussion on this item? (No response). All in favor of postponing indefinitely, please signify by saying aye. (All voted "Aye"). All opposed? (No response). Motion carries.

And I will adjourn Community Development at 7:15.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
June 20, 2005

(Transcribed - Susie Smith)

SAFETY COMMITTEE MEETING MINUTES
JUNE 20, 2005

Members of Safety Committee present: Mel Clemens, Brett Baxter, Ron Stake, Preston Stearns.
Other members of Council present: Eric Gilbert, Antoinette Newman, Lane J. Beougher, Council President William L. Hills.

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:52.

The first item on the agenda is the approval of the minutes of June 6, 2005 Safety Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

Item number 4, Request authorization for the Building Department to hire a 3/4 time Code

Compliance Officer to work 30 hours per week to assist the current part-time Code Compliance Officer. Classification position, pay grade 6. No benefits. The money will come from the unappropriated General Fund in account 110.479.5102. \$6,329 will come from the account 110.479.5102. And \$6,329 will come from the unappropriated General Fund for the period of July thru December, 2005. Mayor McPherson.

Mayor McPherson: Thank you, Chairman Clemens. This is a request. When we sent it down, it was a request to be an addition to the part-time Code Compliance Officer we have. At this point, it's the Code Compliance Officer that we had. We have a vacancy there as of last Friday. We have started interviewing. We've gone through the process of advertising. We presently have interviewed 5 people today. We have one more to go tomorrow. I believe we had 12 applicants. We are looking for a Code Compliance Officer that has some enforcement background. They need to be somewhat computer literate because we all know, a lot of the things in the Building Department now are computerized. And we want them to be able to utilize that. They also have to have the demeanor to go out and meet with residents in unpleasant situations. And we feel that out of the 5 that we interviewed today, and Mr. Hopper and myself, Chet Hopper the Chief Building Official and I, are interviewing. We feel that of the 5 we interviewed today, there are 3 that meet those qualifications. And we have one more to interview tomorrow which, if he's as good in real life as he is on paper, we'll have 4 very good candidates to choose from. So we'll be, we are interviewing for that vacancy position. And then I think, I've asked Mr. Clemens to talk to you about moving this forward so we can perhaps hire two at the same time, get them into training at the same time, get them out on the streets and eliminate the back log that we're starting to generate already from not having a Code Compliance Officer. This will also give us the ability to work evenings, weekends, both Saturday's and Sunday's, which we've all talked about the need to do. So if we can get two on, get them on right away, I'd say within 3, 4 weeks, we'll have them up to speed where they can actually be a benefit here to the city 7 days a week.

Mr. Clemens: Thank you. Thank you, Mayor. I think we all know this is an important situation that we've had a lot of problems with, and we've had a lot of discussion through Council about items that have come up. I think the Mayor's working in the right direction. I think too, it's what we need. We need to have the weekends covered. That's what one of our biggest problems are. And I think the Mayor's guaranteed that's what will happen. And also in the evening, between 6 and 7:00 is a good time to find people home. During the day time you have a hard time finding people home. So I know that's been an important situation in my district and I think it has been in all of our districts. And I would recommend that we would move this forward as an emergency. Are there any other comments from members of the Committee? Mr. Baxter.

Mr. Baxter: Well thank you. Yeah. I have one more comment here. It's clear that Mayor, that I've supported the Commercial Corridor. And I definitely support the Code Compliance. Because as a three star here, we have a three point star at least. We have three areas. Community Development, control of that development with our code enforcement. And then the dollars we're already spending to improve our city as it is. So we absolutely need to be moving forward to make sure it stays that way and we keep it clean and moving forward.

Mr. Clemens: Any other comments from members of the committee? Mr. Stearns. Mr. Stearns

first and then Mr. Stake.

Mr. Stearns: Okay. Thank you, Chairman Clemens. My question is, what is the comparison with a full time person compared to three quarter time? One of the incentives for keeping a person on would be benefits and well, retirement, those benefits there that would attract a person. I mean, would that be some kind of an incentive to try to get somebody in a position of that nature so that you have them for a long time? I know you're saying they're only going to pick up 30 hours _____ full time person. But don't you think in the long run, that would give us some kind of an advantage of keeping a person around?

Mayor McPherson: Mr. Clemens.

Mr. Clemens: Well, yes. We discussed this before. The difference is, you pick up 40 hours with a full time person plus \$15,000 in benefits. And I think we discussed this before. It was around forty some thousand dollars. I believe what it came to. \$43,000 for one full time person plus all their benefits which is around \$15,000. So it comes to \$43,000. And if you have two part times, you're picking up an additional 20 hours with two people, with no benefits, and it's only costing you around \$36,000. So the difference is of about \$7,000 with two people, and you're picking up an additional 20 hours. Now, I can understand having a full time person and trying to train them and so forth. Then you get into a situation, it falls under Civil Service. If you have problems and so forth, it's harder for removal. And we're only talking about 40 hours of work. This way we can cover the weekends. One person can't cover the weekends and evenings. So I think it's beneficial to start out this way. And I've said this before, if we have somebody that shows they can handle the job, and I don't think we've had anybody in the past that I thought could handle the job as a full time person, then that would be something to look at. To move somebody into a full time position once we found out that we have somebody that's capable of doing it. But to tie somebody up immediately and put them in that position, you're in a position if the job isn't done, it makes it awful difficult to replace somebody in Civil Service. Even though you have a year period, it's still very difficult. Then you have to start all over again. I think by having two, you have the opportunity to train two people, and possibly one of them will benefit us enough that we can put them on as a full time person after they show us the job that can be done. And I think it's important. It's an important job. It's one of the most important positions in the city that I think needs filled. That's the reason that I go for two part time. That's my explanation on it, Mr. Stearns.

Mr. Stearns: I agree with you on that. But if the intentions are to later on, look at going full time with the person with the two, I could support that. I really could. Because I think that you get somebody in there, they're going to be dedicated to the job, and they're going to really put a lot into it, and a person like that will stay around for quite a while.

Mr. Clemens: Mr. Stake.

Mr. Stake: Thank you, Chairman Clemens. Mayor, on hiring these people in, you're looking at a pay grade 6. Correct?

Mayor McPherson: Yeah.

Mr. Stake: And hiring them in at the minimum?

Mayor McPherson: I believe it's \$12.17 an hour which is the minimum.

Mr. Stake: Okay. And Mr. Clemens, in the past, I have not been supportive of a full time Code Enforcement Officer because I have not seen with the Code Enforcement Officer's that we've had, we should promote them to full time. I would be supportive of two part time Code Enforcement Officers. Especially since they'll be working weekends and evenings. And I think if one happens to be sick or something happens, we always have that other one to fall back on. Whereas if we had the one full time, we wouldn't have that. So I would be supportive of this.

Mr. Clemens: Thank you, Mr. Stake. Other members of Council? Mrs. Newman.

Mrs. Newman: Yes. Thank you, Mr. Clemens. I just have some thoughts on this that, and I would, you know be supportive of what you want to do. And the reason is, I think this is a very stress, high stress inducing job. And I think it would be a good idea to give two people at least on a part time basis, an opportunity to see if they're going to be able to cope with the stresses of the job and deal with the public in a polite, considerate way. And enforce the codes at the same time. That is a very difficult thing to do. So I would support you on that.

Mr. Clemens: Thank you. Other members of Council? (No response). Members of the committee? Mr. Baxter.

Mr. Baxter: Just a follow up comment. And I wanted to touch base on this. Councilman Stearns and myself have always been pretty aligned on this argument of full time versus part time. And after talking with the Mayor this evening, he helped me to come a little bit further in that concept. Not realizing that there are people who are destined to these kinds of positions. Retiring people, people who aren't looking to take a full time position who already have benefits. And this would be a great part time job for them that fits into their type of business. You know, ex-police officers, people who have been in that type of business who would be strong for the position. So I thank you for bringing me up and helping me get over that issue I had with the part time versus full time. Because I do believe, give a person a fair days wage and pay and benefits, and they'll stay a long time. But you're right. There are people that do fit in these other types of categories. And I would support that.

Mr. Clemens: Thank you. Any other discussion from any other members of the committee? (No response). Members of Council? (No response). If not, I would like to send this to Council for a first reading as an emergency. And also send it to the Finance Committee. Second by Mr. Baxter. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item on the agenda is a Discussion, Liquor Permit Request, transfer, from Free Enterprises, Inc. dba Livingston & Brice Sunoco, 6201 E. Livingston Ave., Reynoldsburg, Ohio 43068 to 6201 E. Livingston Ave., Inc. dba Livingston & Brice Sunoco, 6201 E. Livingston Ave.,

Reynoldsburg, Ohio 43068. Chief Miller.

Chief Miller: Thank you, Mr. Clemens. We've conducted an investigation into this transfer. The company that is interested in, or is going to lease the Sunoco at Brice and Livingston, currently owns four other permits across the state. We've investigated those permits and we have uncovered, we have not uncovered anything that would make us recommend that you appeal this. In addition, we've talked to the Vice President of Free Enterprises. They plan on leasing it, the business. They don't plan on changing the operation in any way. As you know, the business is located at Brice and Livingston. There are currently no day care businesses, no schools, no churches, in that area that would impact. No libraries, no play grounds. We would recommend that you send this forward and that there be no appeal.

Mr. Clemens: Thank you, Chief. Are there any questions for Chief Miller from the committee? (No response). Members of Council? (No response). If not, then we'll take no action on this.

Chief Miller: Thank you.

Mr. Clemens: Thank you, Chief. The next item on the agenda, Discussion, Authorization to purchase 6400 Power Sweeper, tilt trailer, and appropriation of funds. And, I don't know who's going to speak on it. Paul, go ahead. This is for the amount of, total amount of, you could explain it to us if you would.

Mr. Walsh: Okay. This item is coming to you both from the Parks and Recreation Department, and from the Service Department. Mrs. Reichard wasn't able to attend this evening due to a family situation that came up, so she asked for me to speak to this issue to you this evening. This issue was generated in part by the Phase I Project out on Main Street, as well as other programs in Parks and Recreation, and programs that are ongoing, and new programs in the Service Department. These programs involve the beautification of the community. You're aware that Sharon Reichard and the Service Department and Parks and Recreation, the city as a whole has embarked on a campaign with SWACO to identify and clean up litter areas in the community, improve recycling, operate the 'Nail A Dumper' program, and revitalize the 'Adopt A Highway' program, or 'Adopt A Roadway' program in the city. These are all beautification issues. We've also started focusing some additional attention on Blacklick Creek with the Friends of Blacklick Creek and helping to get that, and get that more cleaned up. We've made a significant investment in Phase I on Main Street. And we'll be adding Phase II shortly. We want to be able to keep that clean and presentable as we discussed in the past. Keeping it clean regularly with a sweeper will help us to reduce the occurrence of noxious weeds, and debris, and litter in the area. Keeping dirt out of the cracks of the sidewalks and all those pavers will help keep those weeds down. The Service Department is also working to fill requirements of the Clean Water Act which I think you've heard about in the past as well. The NPDES, National Pollutant Discharge Elimination System, to keep our waterways cleaner. A sweeper of this sort will help us to clean some of these areas that we aren't getting right now to keep things out of our waterways. You can look at some of these areas on Main Street. In Phase I, you can see areas at the intersections especially, but along the sidewalks, along the street and right-of-way areas, there's some areas down there, Waggoner Road that Director Reichard pointed out to me today that our situation that we could

address. We also have areas in all the parks. Especially, I'm talking about hard surface areas. Parking lots, sidewalk areas that could utilize this operation. And this way we can pick this stuff up, you know, parking lot runoff that attracts, that the dirt that attracts the parking lot runoff that holds those, the things that come off of parking lots. We can sweep that stuff up and get it tossed away appropriately. Civic Park, Kennedy Park, Huber, the police department parking lots, all the parking lots around the municipal complex here, the Senior Center, we have quite a few areas that we maintain. And those aren't all of them. This unit would add an additional dimension to our street sweeping. We obviously do have the big street sweeper that runs the big areas. And to use Sharon Reichard's terms, the sweeper would be another tool in our tool kit to keep our community neat and clean. We're asking that the funding for this unit come from the Solid Waste account. That is not a General Fund account. And during investigations of that, we found that the State Auditor's Office does approve this type of purchase from this account as well as the City Auditor. The unit is available on state contract so it doesn't have to be bid. And it would be listed on the Street Department's Fixed Asset account. They would be storing it and maintaining it out there and it would be operated by operators from both departments. So we recommend to improve our services, that we be permitted to purchase this unit and the trailer. And I will take any questions at this time.

Mr. Clemens: Paul, when this was presented, it was called to be put on the agenda, and I okayed it to be put on the agenda. And I said at that time, it's fine to put it on the agenda, but I opposed it like I've opposed it in the past. I discussed it with you before. \$24,000 out of public funds to me to buy a sweeper to sweep the sidewalks, to me it doesn't get it. Now, as far as Phase I, and I've walked Phase I, as far as Phase I, there's nothing that can't be done with \$100 blower, a couple of push brooms, and a trash can _____ really. The main part of these sidewalks are commercial to start with. You know, people are supposed to take care of their own sidewalks. We have residents you know that pay for their sidewalks and we don't sweep their sidewalks. And I just have some type of a hard thing spending \$24,000 and putting somebody on that we're paying probably 12 to \$15,000, I mean \$15 an hour to handle this day in day out. We do have a street sweeper from the city. And this people going out and cleaning the streets by hand, the sidewalks by hand, and intersections by hand, really is no problem. Because you do have your summer time help and so forth. And it's not hard to walk with a blower and blow off your path as far as your bicycle path and so forth. I just, personally when it was first brought up, I spoke to you about it and I was opposed then and I'm opposed now to it. But that's just my opinion. And I don't really like dipping into the Solid Waste Fund. Now that we found out we can do it, I'm going to kind of keep a little eye on it because it's not there to be spent on tools for our tool kit or whatever you want to call it. That, \$24,000 is a little heavy tool for that tool kit. So, my opinion is, and I'm just speaking for myself, basically I'm opposed to it, but I want the other members to speak for their self. Members of the committee? Anybody from the committee? Mr. Baxter.

Mr. Baxter: Councilman Clemens, I appreciate your opinion on that. And you and I have talked about this before. But unlike you, I am for the tool kit and the tool. I see the need for us to take the time to continue the great look that we've begun with our city. And \$24,000 to be spent when we just spent 4, 6, 8 million dollars and we'll spend again that much on our city, to me is, as I just heard a little bit, we can afford it. It's \$20 out of 8 million. Same type of relationship. And that's why I see, not just for Streetscape, but for our parks, and for the different road services you

spoke about. This is small change. I know \$24,000 is a lot of money to me and a lot of other people. But on the other side of it, we do need to work on our city and beautify it. We need to take the time to continue to show the investment in our city so that our corporate community can also see that we respect our city and we want to bring them here. So I would support it.

Mr. Clemens: Thank you, Mr. Baxter. And I understand your position. And I brought this up before. I'd like to see some of the corporate put something back into the city to help us as far as our Streetscape is concerned and I brought that up last week. Are there any other discussions of the committee? Mr. Stearns.

Mr. Stearns: Thank you, Mr. Clemens. I go along with Mr. Baxter. I think that we've got Streetscape there and it's not just going to be just Streetscape. It's going to be used all over the city. So I can support this if it's going to help the city and keep it beautiful. I'm _____ with it.

Mr. Clemens: Thank you. Other members of Council? Mr. Gilbert.

Mr. Gilbert: Thank you, Mr. Clemens. I guess my thinking on this is, we should have considered this when we replaced the sod with the mulch to bring the first phase into line in terms of some costs. Because when it rains, mulch runs right down on the sidewalk and the pictures I saw when we reviewed the early phases, Streetscape was a lot more green going up and down the brick walls than the brown that we have to replace probably annually, or possibly bi-annually in this case. And I would just say, I know, I'm curious when you got the ruling in regards to utilizing the Refuse Fund for this money.

Mr. Walsh: I don't have an exact date but, the Auditor's were here, had been here for a few months. Then the Auditor's Office discussed it with them, as did Mrs. Reichard. I was not involved in the discussions.

Mr. Gilbert: Right. And Paul, this doesn't go to you but I just want it on the record, I think that would be prudent for the Safety/Service Director to notify Council when they're going to utilize funds from the Refuse Fund for other purposes. I know I'm aware of two purchases. One for a palm pilot and one for a computer software system for our Code Enforcement Department where this refuse money's already been utilized. I would like an accounting for that before I would offer any consideration on this because when Mr. Clemens and I worked on the rebate for some of the Refuse Funds due to an overage that we had in that account, we had talked about another rebate to the residents this August or September. And then a correction to the fee when the contract is brought forward again. I believe it's due this July, or September. Mr. Clemens, correct me if I'm wrong. So those are just the point I would make. And I wouldn't be too supportive of the sweeper at this point.

Mr. Clemens: Thank you, Mr. Gilbert. One thing I would like to have, I'd like to have that in writing from the State Auditor. It always helps if you have something in writing. Because that way you know, sometimes those guys forget. They told you what to do and then we're in a little bit of trouble. So if you could get that in writing and have it for us at our next committee meeting,

it would be fine if you could please. Any other members of Council? Mrs. Newman.

Mrs. Newman: I would just like to say that I've always found Mr. Walsh to be the consummate professional and a person who absolutely does a wonderful job. And I would find it difficult to believe that he would ask for a sweeper, or if he didn't really need the sweeper.

Mr. Clemens: Mr. Walsh didn't ask for it but I want to thank you any way for your opinion.

Mrs. Newman: Well his name is at the top of this...

Mr. Clemens: And I think he's a professional man. But when I come to spending money, I think I'm a professional man. But my wife checks every nickel I spend. So that's what we're here for. So I would like to have that in writing if you would.

Mr. Walsh: I'll pass it on to Howard.

Mr. Clemens: If you would. Are there any other comments from members of Council? Mr. Beougher.

Mr. Beougher: Thank you, Chairman Clemens. Mr. Walsh, shortly after Streetscape Phase I was completed, and after the paving was done, it looked like some of the residue from the paving project were the loose stones washed up on the sidewalk, didn't really get addressed. And it occurs to me that that just looked bad. And one of the reasons I asked for what promises were made to the businesses and what we had agreed to do, what they were responsible for, and my understanding is they're going to mow the grass and we're going to do just about everything else. And when you're sweeping two, three, four, five, six miles of road or sidewalk, you need a machine. But if you're sweeping in front of your business on your frontage, I think that's a whole different issue. And I guess before we spend the money, I think we need to maybe revisit that and make sure that we're, that's our responsibility. Because as far as re-mulching and taking care of the flowers, I can understand that. We weren't totally consistent in going out and sweeping. It is an issue. And the other question I had was on the trailer. Where are we trailering it to and from? I mean, we're starting out from the Street Department I assume and bringing it down to probably, somewhere here on this campus, and then going up one side of the street and maybe back the other. Would it make sense to find a location to store it here? And I don't know if there's any room in your Rutherford Building to do that.

Mr. Walsh: We looked at that and we really don't have the space for that. It would be best at the Street Department.

Mr. Beougher: Okay. And that's the reason for the trailer? To bring it to and from the Street Department?

Mr. Walsh: It doesn't have a very high road speed. So it's not appropriate to be putting that on the road. It has to come on a trailer to where we're taking it.

Mr. Beougher: Okay. Thank you. Thank you, Mr. Clemens.

Mr. Clemens: Thank you, Mr. Beougher. And I understand we have the intersections to do. I mean, those are ours. And that's where you use a blower and a broom. I mean, that's as far as I'm concerned. And I agree with Mr. Beougher, we ought to check into the other. Mr. Hills.

Mr. Hills: If I could just follow up on something Mr. Beougher said, I question as we first started into the maintenance agreement through landscaping and everything else, and certainly I had a discussion with Mr. Underwood, and in the landscaping easements on page 1, in consideration for those, there was an indication that in essence if we put the flowers, we're going to take care of your flowers. If we put the mulch, I guess we're taking care of the mulch because the mulch is around the flowers. But as we discussed on some ice conditions, are we going in and taking care of the sidewalks? The sidewalks have always been the responsibility of the property owner. And I can see the idea of having a power sweeper, but I want to be sure that should Council decide we need this power sweeper, please rest assured, it's not because of Phase I Streetscape or Revitalization. It isn't because of Phase II. Because if you're going to get that piece of equipment, that piece of equipment needs to be used city wide. A prime example of that is our street sweeper. We bought it for a substantial amount of money what, 7 or 8 years ago? And I'm not sure it's out as often as what we would like. And in fact while you're looking at cleaning sidewalks, let's look and see how long the street sweeper's been out and the hours of operation for the last few years to see what benefit we've derived from those. It does go out occasionally (Tape Change). I do, and I appreciate the commercial businesses in this city. I appreciate the residents that live here. But I'm not sure that we could ever go clean sidewalks for a certain select group of these people. They are responsible of keeping their own sidewalks maintained. We have the assessment program that when the sidewalks are deteriorating, the landowner has to take care of them. If not, we do it and we assess the property. So I appreciate SWACO and I appreciate a lot tonight I guess when I stop and think about it. But I think we need to be cautious in how we do what we do and how we label what it is we're doing. And if there's a need for a sweeper that can be justified, I'm sure Council will figure out if that may be the case. But I certainly think the more information you can provide, the better. Because one of which is we said we were going to clean or remove snow from your sidewalks, is not one.

Mr. Walsh: That is not one. Right. Correct.

Mr. Clemens: And I agree with Bill. I think it would be nice if Council had a copy of the agreements that were signed for Phase I so that we really know what, we don't have to ask you questions every time, which is our responsibility. So I think it would be nice if Council would get a copy on what our agreement was, on what we are doing, what we're not to do, what the property owners responsibility is and what our responsibility is. Could you handle that, Paul?

Mr. Walsh: Yes, sir.

Mr. Clemens: Okay. Do I have any other discussion? (No response). If not, do I have a motion to send this on for a first reading to Council from the committee? Motion by Mr. Baxter to send it on to Council for a first reading. Do I have a second? Second by Mr. Stearns. All in favor, say

aye. (All voted "Aye" except one). Opposed? (One voted "Nay"). It'll go to Council for the first reading. Thank you.

The next item on the agenda, ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Section 371.06 "Use Of Highway For Soliciting; Riding On Outside Of Vehicles" OF CHAPTER 371 Pedestrians. It had its first reading 6-13-05. Do I have any discussion from members of the committee? Any questions pertaining to this? (No response). What this does is, it removes the permit okay from Council and puts it back in the administration, which I think we all feel that the administration should be in charge of handling permits for this. They do have a right to appeal to Council. That's in the ordinance and that's what we wanted to make sure of. This has had its first reading. Do I have any comments from any member of the committee or Council? (No response). If not, I'd like to send this to Council for its second reading. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Thank you.

And that ends the Safety Committee meeting at 8:23.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

June 20, 2005

(Transcribed - Susie Smith)

SERVICE COMMITTEE MEETING MINUTES

JUNE 20, 2005

Members of Service Committee present: Eric Gilbert, Antoinette Newman, Brett Baxter.

Other members of Council present: Mel Clemens, Lane J. Beougher, Ron Stake, Preston Stearns, Council President William L. Hills.

Mr. Gilbert: I'll call the Service Committee meeting to order at 8:23 p.m.

The second item on the agenda is the approval of the minutes of the June 6, 2005 Service Committee meeting. Are there any additions or deletions to those minutes? (No response). None being heard, they will stand.

Item number 3 is the approval of the agenda. I have several changes. I would like to add as 5a, the application for rezoning. Proposed zoning CC, Community Commerce. And this is at 9370 and 9366 Taylor Road, Reynoldsburg, Ohio. If the members would note that as 5a. Also, to hold items 6 (Discussion, General Regulations and Zoning Classification) and 7 (ORDINANCE ACCEPTING UNRECORDED GENERAL WARRANTY DEED) for two weeks. And without any objection, to address item 12 (ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1175 DISTRICT REGULATIONS) prior to item 11 (ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - 6300 East Livingston Avenue). So we will then only have item 11 at the end of the Service Committee meeting to address. Do I have a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is a discussion regarding the proposed annexation of 29.558 acres in Etna Township. This item was approved by Licking County Commissioners on April 4. And they can now go to committee to begin the acceptance process. Are there any questions or comments from members of Service? (No response). Other members of Council? (No response). None being heard, I would make a motion that we forward this to Council for its first reading on the Consent Agenda. Do I have a second? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 5 is a discussion regarding a rezoning, 20.8 acres of 9366 and 9370 Taylor

Road from RI to AR2, applicant, M.H. Murphy Development Company. The members should have had this in your packets over a week ago. Is the applicant here this evening?

Male: Yes.

Mr. Gilbert: Mr. Murphy or Mr. Fulkert?

Mr. Fulkert: Mr. Fulkert.

Mr. Gilbert: Mr. Fulkert, please come forward, identify yourself, and make your presentation.

Mr. Fulkert: I'm Steven Fulkert, the architect for MH Murphy Development. And we're here hopefully for two rezonings. You received a package a week or so ago, and hopefully a second package for the commercial rezoning recently. We are, the annexation that you had just before this on the agenda is for a 30 acre parcel, and we would like to develop approximately 20 to 21 acres as ranch condominiums. And then the balance of the acreage, approximately a little over 8 acres as a combination of commercial parcels. This property is directly north of the Kroger's that is currently under construction at the intersection of Taylor and Main. Behind me is a photograph of our typical ranch condominiums that we built in other communities in Columbus and the surrounding suburbs. It is generally an all brick condominium and they range in size from 2 and 3 bedroom units on 1 and 1 ½ stories and they contain 2 to 3 bathrooms. The units have 1 and 2 car garages with oversize space for storage. These units range in size from 1200 to 1600 square feet and are grouped in generally 2 and 4 units in the buildings. I brought along a larger site plan here which shows the area. This is Taylor Road. Down here is Main Street. Kroger's sits right here. The Reserves of Reynoldsburg residential subdivision is _____. We believe the ranch condominiums which is here, that acts as a good buffer between the existing residential and the future commercial. We've shown here a combination of 4 parcels and the commercial which could be things such as banks, day care centers, office buildings, medical office, or professional services, or retail service. The units again are, in this area, contain 2 and 4 unit buildings (inaudible) around open spaces. Generally 2 open spaces. A pond at the lower, and then a green space here. We have a club house at the entry of our project which is primarily used as a meeting and gathering place. It does not contain a pool. Primary market for these condominiums is the empty nester, the elderly, and the retired. And because of that we don't have a pool or a health club inside the club which we believe are both geared towards a younger crowd. Our club house is there primarily as a meeting and gathering space. Monthly card clubs, anniversary parties. I'd be glad to answer any questions you might have on the site plan itself or the condominium _____.

Mr. Gilbert: Members of the committee? Questions for the applicant? (No response). Other members of Council? Mr. Beougher.

Mr. Beougher: Mr. Fulkert, I'm looking at the site plan and I see at the detention basin, the roadway that does loop around the development, goes back behind away from the detention basin, the three units there, and then goes back to the other side. And I assume the reason for that is to get the frontage on the detention basin and maybe slow down some traffic.

Mr. Fulkert: Yes. Both of those are good features of our design. We like to group as many of the units as possible along the water feature for location of the site. Also, eliminate the length of a road that's just straight and unbroken, we add that. Also, we know it's going to abut a commercial, and I know there's a good buffer between the units and commercial. We could have done the same thing on the other side except that would have brought the road closer to the residents of The Reserve. It doesn't make as much sense on that side.

Mr. Beougher: Right. And shine headlights directly into their bedrooms probably. I guess my concern, what is the width of the roadway within the development?

Mr. Fulkert: Twenty feet.

Mr. Beougher: And those turning radii look fairly tight on that end. And my concern is, I represent the city on the West Licking Joint Fire District Board, and we are the primary responders to this development if it goes in. And my concern is getting a fire truck, emergency vehicle through this in a rapid way without hitting something and damaging our equipment. So, we should probably look at that and make sure that the equipment's going to fit back there.

Mr. Fulkert: We'd be glad to sit down and talk to _____. (Inaudible. Speaking off mike).

Mr. Beougher: West Licking Joint Fire District. Chief Weber would be happy to discuss this with you, I'm sure.

Mr. Fulkert: I'm sure we can come to some kind of an agreement. We've tried to _____. In the north part of the project we have these very large sweeping curves so that traffic flows around there. (Inaudible. Speaking off mike).

Mr. Beougher: Yeah. The large sweeping curves are fine. I'm concerned where it's fairly tight down here on the southern edge.

Mr. Fulkert: (Inaudible. Speaking off mike). I'm sure we can work on that. (Inaudible. Speaking off mike).

Mr. Beougher: Very good. Thank you. Thank you, Mr. Gilbert.

Mr. Gilbert: Thank you. Other questions? Mr. Clemens.

Mr. Clemens: If I'm not mistaking, I know it was in the past, I do believe the Fire Chief has to sign off on the plot, grade and utility. It goes to them to look at. So, they should get a copy of it and make sure they get it.

Mr. Fulkert: We'll make sure that that happens.

Mr. Gilbert: Other questions for Mr. Fulkert? (No response). Mayor, any questions?

Mayor McPherson: No.

Mr. Gilbert: Very well. This item will need to go for a Public Hearing. So at this point, it's just the preliminary stages of the process. I would make a motion that we forward this to Council for its first reading, that the President set a Public Hearing. Do I have a second? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item 5a, Mr. Fulkert once again, the commercial aspect of your development here. Go right ahead.

Mr. Fulkert: Well, I think the presentation I made previously tried to cover both the commercial and the residential. I'd be glad to answer any questions particular to the commercial uses that would go along the Taylor Road frontage.

Mr. Gilbert: The site itself, there's no ingress or egress to Reserve. Correct?

Mr. Fulkert: No. We're not planning to have any connection. I've spoken to several of the residents in The Reserve and one of their concerns about the development of this property is that they really don't want to encourage any additional access to Taylor Road through their subdivision. There is a dead end street from The Reserve, approximately right here. Two lots east, and allow for possible future expansion into this property. But we are not suggesting or recommending that that connection be made.

Mr. Gilbert: Okay. And the, what storm sewer system are you tying into? Does that run across Reserve and to the outlet at Glencrest?

Mr. Fulkert: Yes. There are several storm sewer easements and outlets that have been brought to the edge of this property along this side. They're not shown specific on here but in our site plan, there are several locations on here. And we would use the pond as a collection feature for our storm water, and then have a restriction that would then hold the water in the pond and release it at MORPC's standards, at the pre-development rates, into an existing storm sewer that is down at the southwest corner of the property.

Mr. Gilbert: Is Mr. Parkinson here? I'm going to tap some of your knowledge, your memorization skills as well. Do you know that southern portion of this property, where that drainage would run to? I know when we had done the Reserve at Reynoldsburg zoning, we had incorporated a letter into the approval regarding them running a pipe into the existing storm sewer. And I guess, what I'm just concerned with, I know on the storm water CIP, one of the projects that's in the top 15 per se, is the storm water outlet in this neighborhood where Dawn Drive, Glencrest reserve empties into a, I don't know the technical term, if it qualifies as a creek or a tributary.

Mr. Parkinson: Yeah. That particular instance that you're speaking of is, it's a little further north and not on the path that this water would take.

Mr. Gilbert: So it will not be going into that...

Mr. Parkinson: It will exacerbate that situation.

Mr. Gilbert: Okay. Very well. Where does it? Does it, I know there's a detention pond to the south of Reserve, is that routed into that vicinity, this here?

Mr. Parkinson: It would more go toward that direction than the outlet that we were talking about up by Dawn Drive.

Mr. Gilbert: Okay. Good. Well, that answers my question. Thank you. Any questions or comments from members of Service in regards to this? (No response). Other members of Council? Mr. Beougher.

Mr. Beougher: Thank you, Chairman Gilbert. Mr. Fulkert, once again I'm looking at the drives, and it looks like you have in addition to the residential inlet which has a left turn and a right turn out, you have a right in, right out only in two locations, and then a free access in and out in the center. And I'm a little concerned with having three outlets. I mean, that road is going to get a lot of traffic. Especially with the new Kroger right next door, and we're going to have a traffic light at the intersection into the Kroger parking lot. I'm just wondering if that is going to create a bit of a problem for your folks getting in and out. I'm not a big fan of right in, right out's. There are a lot of them in Pickerington and when I go down there, I see them turning left into them and causing all sorts of havoc. So I'm not a big fan of those. They also do damage to fire trucks and they don't _____ just drive over them. So I guess that's my concern. And I don't see a turn lane in that center ingress/egress. Would there be a left turn out of there?

Mr. Fulkert: Left turn into the development from Taylor Road?

Mr. Beougher: Both. Is there a left turn out onto Taylor Road going north? And is there a left turn into the development?

Mr. Fulkert: Yes. In the package on the commercial application, there is a, maybe a 25 or 30 page traffic report that makes several assumptions about the commercial developments that would occur on this property. And in there, the traffic counts for these various items. And they talk about the restriping of Taylor Road to allow left hand turn lanes in both of the, what we call the full intersections. And then the potential for these two right in, right outs along with _____ cell lanes for them if they meet a certain level of use. Again, these four locations in this traffic plan that we've prepared is based on the uses that we have chosen. Ultimately, as we find users for the commercial property, we will have to be doing individual site plans for each use, and evaluate the traffic needs at that time. We felt that a traffic study up front though, would at least allow us to give you the general picture of what impact the commercial development's going to have on Taylor Road. And we have met with the City Engineer to try and establish the most critical one which is the intersection between the commercial and the residential on Taylor Road. And I think that is a well positioned intersection that meets the city's general requirements. And we'll have a

full turning intersection with a left in and a left out. The others will ultimately have to be decided as specific users are found for the commercial properties. We would love to find a way to somehow access the traffic light at Kroger's. Unfortunately, there is a fairly large ravine that precludes us from getting to that traffic light though. We don't see that as impossible, though there are obviously very many hurdles to getting to that traffic. Access to that traffic light could easily eliminate one of our right in and right out's. So we are working on that though we don't have any progress to report at this time.

Mr. Beougher: I guess my suggestion in the right in, right out's is, it's going to take some sort of obstruction in the turn lane to keep people from using it as a left in, left out. So that's just my observation. Thank you, Mr. Fulkert.

Mr. Gilbert: Mr. Fulkert, the entrance to the condominium development is full access, left out, right out, left in, right in. Correct?

Mr. Fulkert: Yes.

Mr. Gilbert: And the same with the middle ingress/egress of the commercial?

Mr. Fulkert: That's correct.

Mr. Gilbert: Okay. Very well. Any other questions, members of Council? (No response). Then once again, I would note, this is the preliminary process, or preliminary stage of this process, and I would at this point, make a motion that we forward this on to Council for its first reading and that the President set a Public Hearing. Do I have a second? Seconded by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes. Mr. Fulkert, we'll have a Public Hearing date for you next week.

Mr. Fulkert: And we look forward to working with you in the future.

Mr. Gilbert: Thank you for your time. Item number 8, An ordinance authorizing the Mayor to enter into a contract for the 2005 sanitary sewer televising and inspection project. Mr. Kipp. Welcome back. Mr. Kipp, there were some questions as to some aspects of the bid. I think I had brought you some of those questions.

Mr. Kipp: Concerning the force account and the contingency?

Mr. Gilbert: Correct. If you could just address those.

Mr. Kipp: The force account, what happened was, I asked EMH&T when they put the bids together this year, to come up with a way to even things out. We know how much line we're going to clean. We gave them specifically, I forget, close to 15,000 feet to clean. The root cutting and the heavy sewer cleaning is just a guesstimate. We don't know where we're going to find the roots. We don't know how many there are going to be. Previously, we put in a certain footage. And then they would bid on it. Last time when they bid on it, we have a, I forget how

many feet we had in, whether it was 1,000 or so, but on the heavy cleaning, they put in zero. They were banking that they wouldn't have any heavy cleaning. Their total bid, they were low bidder. And essentially they charged us more for the TV and then there wasn't any heavy cleaning. So I asked this time that the bids be set up to even the playing field as far as the root cutting and heavy cleaning goes. So what he did was, they set up what they termed the 'force account'. And each bid includes \$5,000 for that. They don't automatically get paid it. That's just what it draws against for the heavy cleaning and root cutting. It may or may not be used. If it's not used, it would go back. The contingency would be for items such as cutting protruding taps. Some of the sewers were put in, especially in your old clay lines, they'd have a protruding tap that prevents you from cleaning the line or getting the camera in. Those have to be cut off. Last year the guy charged us \$350 for each protruding tap. Last year we found two. If we had to do some additional cleaning on another section, say they came to one section and they saw the next section was real bad and they were there, then we could have them clean that section. That's what the contingency is for. So that's why there's a force account and a contingency.

Mr. Gilbert: Does this raise questions from members of the committee? (No response). Other members of Council? Mr. Hills.

Mr. Hills: Mr. Gilbert, and Mr. Kipp did call today and we talked, and I do know that there's a couple of questions that have been raised of me. The last time I asked if you would hold this and I appreciate that. And I guess, this individual bid, \$23,000 on the job, and that includes that \$5,000 of the force account.

Mr. Kipp: Yes.

Mr. Hills: It's part of his bid. We fixed it into his numbers.

Mr. Kipp: But he doesn't necessarily get paid it.

Mr. Hills: And that's where I asked you to see if you could clarify that for me today. Because that's his bid. And I've got to be candid with you, I've never met a contractor that couldn't spend a contingency. And this force account is equivalent to a contingency. And here we have, this man apparently bid on the work he's going to do at approximately \$18,000. And we have \$5,000 force account, we have a \$3,000 contingency account, and we have \$3500 in inspection. Our if's and maybe's accounts equal, or exceed the amount that he's bid to do the job. So I guess, that's what I'm asking, is a clarification for the \$5,000. Is there a need to have both the force account and the contingency? And I think there's been different views, and I think there was a view expressed by the engineer on one phone call and changed it to the next one. So I'm not sure which one is right. I mean, I'm not opposed to doing this work. And you did clarify for me, and there's one of the questions on a number of Council people had asked of me, don't we have our own system? And the answer to that is yes. And our system's out doing things. But our system's used to identifying where these potential problems are and these people come in at times and be sure that we're maintaining more line than you can do on your own by your own personnel. Correct?

Mr. Kipp: Correct. That's the big difference. This I'm sure is going to get, this just schedules another part of town that we're trying to systematically clean the old sections of town as we go through and trying to do, right now we're working in both Briarcliff and the Huber area. That's the two areas that we're working in. And they tend to be your older areas. Our crews do a lot of preventative maintenance. Any place where we've had sewer backups, so we have a known problem. We've got to make sure we keep them clean so we're not liable in the future. So we have a set of, where we go in and we do root cutting every year. We do regular cleaning yearly, and we do some lines we have to clean is twice a year. So we do use our truck. This is a separate part of the cleaning of the sanitary sewer system.

Mr. Hills: Okay. Clarification on the \$5,000? These aren't, it doesn't appear to read as a not to exceed bid. But you're saying that, what are we relying on for them not to spend the \$5,000 that we have out there for them to have the ability to draw off of.

Mr. Kipp: Well, we do have an inspector. And he's going to say whether it's heavy cleaning, or whether it has to be root cut. If there's no roots, they can't charge us for root cutting.

Mr. Hills: So if that would be the case, we're paying the inspector \$3500 to watch to be sure the contractor doesn't spend more than \$5,000 than we need for him to spend. Then what do we need the \$3,000 contingency for?

Mr. Kipp: The contingency, the force account was set up for the heavy cleaning and the root cutting. I mean, that's what it was set, that's the way we set it up this year. We tried something different I guess, is the best way to put it. The even field, and maybe it should have been called a force account.

Mr. Hills: I don't know. That's where the questions are. But certainly, I appreciate your explanation. I'm not sure that I, I'll take your explanation for what it is. And Mr. Gilbert, I thank you and I don't know if there are other questions or not.

Mr. Gilbert: Any solutions?

Mr. Hills: I'm still waiting for the answer, do we need both the 5 and the 3? I guess the answer must be, yeah I think we do. But I haven't heard that yet.

Mr. Gilbert: If we eliminate the 5,000 will you still need the inspector?

Mr. Kipp: Well, with the company I have, I might not need an inspector. But we never know which company we're going to have until it's out for bids.

Mr. Gilbert: Thank you. Mrs. Newman.

Mrs. Newman: I'm a little confused here. You said, last year the man put in zero for root cutting.

Mr. Kipp: Heavy cleaning.

Mrs. Newman: Heavy cleaning?

Mr. Kipp: Yes.

Mrs. Newman: And that didn't include the root cutting too?

Mr. Kipp: No. He had his fee in there for root cutting. Last year we specified so many thousand, or I think it was 1,000 feet or 500, or something like that. And then they priced it all out. So they multiplied it out and their total bid came out low because they had zero in for the heavy cleaning.

Mrs. Newman: Well, in a contract, aren't they supposed to do the work anyway? I mean, if they thought it was going to be zero, I mean, shouldn't that come under their scope of work to do?

Mr. Kipp: They would have done it for nothing if they would have had it. They were just fortunate in the lines we cleaned, they cleaned, that there wasn't any heavy cleaning. We've had heavy cleaning in lines in the past.

Mrs. Newman: Well it seems to me like it would be a good idea to get the same man to do it this year. They might have some.

Mr. Kipp: They didn't bid this year.

Mrs. Newman: Then we wouldn't be out the \$5,000. Criminal intellect.

Mr. Kipp: But I won't spend the money if we don't need it. I mean, we'll return it.

Mr. Gilbert: Mr. Clemens.

Mr. Clemens: I didn't understand, we don't do our own inspection? We pay to have it inspected?

Mr. Kipp: Yeah.

Mr. Clemens: We can't do our own inspection? I mean, that's...

Mr. Kipp: I could have a man out there doing it if he's not going to be doing something else.

Mr. Clemens: That's why I was just curious. I mean, we have personnel. I just wondered if we paid somebody to do it. As far as contingency, that's always been, I never used contingencies up. Bill knows that.

Mr. Hills: That goes first.

Mr. Clemens: I was just wondering about the inspection. Paying the inspection. I thought we always did it our self and I didn't know that we paid them.

Mr. Gilbert: Mr. Parkinson.

Mr. Parkinson: I'm going against the sage advice of Mr. Myer in keeping your mouth shut until you're asked a question. But I wanted to address Councilman Newman's comment about the 5,000. The way the contractor bid the job last year, they got the \$5,000. They took that money and they put it into the price that they bid for the TV work. So even though there was no heavy cleaning, they got the money. And that's exactly why we set it up this way. So that they wouldn't get the money. But they couldn't adjust their bid in such a way to be able to do that and be competitive in their bidding. And so we lowered from 3,000 feet, last year's quantity was 3,000, we lowered it to 100 so that we could get an actual bid price for that work. And then when we needed to do the work, if we need to do the work, we have a competitively bid price for that work with the 100 feet. If we do more than 100 feet, we take the reserves that we put in our force account, it's our discretion, not his, to do. We tell them what work to do and where to do it. He doesn't get all that \$23,000 just because he shows up to work. He does a certain amount of work and he gets paid his unit prices for it. And we determine, we as a city determine what work he does. And that's exactly why it was set up that way. So that he couldn't just grab that \$5,000 and run. And that's all I wanted to add to that.

Mr. Gilbert: Okay. Thank you, Mr. Parkinson. Questions or comments? (No response). None being heard, this was up originally for a first reading with recommendation for adoption as an emergency. Without any objection, I'll make that motion again. Is there a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Mr. Kipp: Thank you.

Mr. Gilbert: Thank you, Mr. Kipp. Item number 9 is an Ordinance to accept an application for annexation of 3.82 acres in Truro Township. Applicant, Grant Medical Center. This item did have its first reading on June 13. Any questions or comments from members of Service? (No response). Other members of Council? (No response). I would make a motion that we forward this on to Council on the Consent Agenda for its second reading. Do I have a second? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 10 is Ordinance approving a transfer of a Special Exception Use Permit, 7354 East Main Street. Is the applicant here this evening? (No response). Is the applicant here for the Special Exception Use Permit transfer at 7354 East Main Street? (No response). Well, the applicant isn't here. I was hoping they were here to be able to get an idea, at least first hand for the members, about their business. The Building and Zoning Commission had suggested that the same restrictions be set in place. And according to the minutes, the applicant was agreeable to that. However, they're not present. I guess I'll look to the members. Without any objection, I'd like to hold this, hold it for two weeks until we at least have the applicant present to make a presentation to us, without any objection. Do I have a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response).

Motion passes.

Item number 12 is an Ordinance to amend the Code of Ordinances of the City of Reynoldsburg. This is for a General Development District in 1175.01. This item had initially received a recommendation for denial from the committee. After further discussion with the applicant, I know he had made calls to a number of the members. I'm inclined at this point to change this to a recommendation for approval. And I would just note, in my discussions with the applicant today and two weeks ago, he's willing to work on some of the concerns that were brought forth by the members and I'll be working to organize a meeting later in the week with those members and the applicant to work on any, on finding agreeable solution. But in the mean time, I do think it is important to move this forward for its third reading with a recommendation for adoption. Any questions or comments, members of Service? (No response). Other members of Council at this time? (No response). None being heard, I'll move this forward with recommendation for adoption. Do I have a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes. And I would think the members would be open, if there is some language that is worked on, we do have the option to amend at the table. So keep that in mind as we move forward.

Item number 11 is an Ordinance approving the Special Exception Use Permit at 6300 E. Livingston Avenue. I do have a number of speaker slips I would like to go through this evening. My intent is to have the Community Comments at the first part of the meeting, take a brief recess, and then come back for Council questions and comments in regards to the application. There has been a great deal of information presented to us by the applicant, as well as the public. I know some members have researched the issue on their own as well. And this will be the third committee reading that the item will have had. And it is my intention to move that forward then for final consideration as was noted to the applicant and the residents at the first committee hearing for June 27. With no further ado, we've gone over the guidelines before in speaking. And my intent is to have everyone be heard, pro or con. And that way the members can be best informed to make their decisions. And the first speaker that I have this evening is Marsha Nietfeld. I hope I said that right. Or I'm close. Just come to the microphone, state your name for the record.

Ms. Nietfeld: I wasn't born with it so it really doesn't matter how you say it. Any way, the point being, what I'm here for is, obviously I don't attend Council meetings very often. And I am generally a quiet citizen. I usually keep most of my thoughts and feelings to myself. However, this particular issue is going to impact my life. And I have to say what I have to say. The biggest concern I have at this point is, the traffic. Whether anyone wants to accept the reality of the real world that's out there today, and I've been a resident of Reynoldsburg for 30 years, and I've paid my taxes and my dues for 30 years, and I'm ready to retire in one year. Every day I travel that route back and forth to work. Livingston Avenue to Brice Road. I live in the lower part of the Huber Homes and I am right on the edge. I am off of Brauning Drive which is right off of Roselawn. It takes me a considerable amount of time to drive from DSCC. Used to be a 15 minute drive. No longer. I usually get into work by 6:00 because I try to avoid the congested traffic. My son works at Meijer's so I know what the traffic's like back and forth down Brice Road. If everyone thinks that there will not be an impact on the community from the traffic, please get out of that little box you're sitting in, because it will be a tremendous impact. And

nothing personal against the ministry. And I look at this church as a ministry, and I believe that's really what you are, is a ministry. I have no problem with the church. I have no problem with any congregation coming in. But I'm only here to talk for myself. And I want to know, what is it going to benefit me from? I'm not gaining anything out of any of this. Nor am I going to see any of my tax dollars going to be inherited into anything that's going to benefit me or my family. Plus, I have a handicap child, so he doesn't drive. I do have to do a lot of the driving. He does rely on public transportation to get him to and from work. Now my only question to this Council is, I have not heard any results of a traffic analysis study. And I do do a lot of that work. So I understand what analysis can bring forth in the way of information. I haven't seen or heard anything of that nature. Not only from the Council, or from the ministry for that matter.

Mr. Gilbert: If I could just point that, address that for you. Underneath our Special Exception Use guidelines, the applicant is not required to provide the traffic study. In regards to a zoning application, we do require the traffic study. However, I would note that the applicant has provided Council today, with a traffic study that you can receive a copy of from the Clerk. Go ahead with your...

Ms. Nietfeld: Okay. There wasn't anything that was said back in June or April.

Mr. Gilbert: I just saw it this evening.

Ms. Nietfeld: So far I have not heard any, it's not a win/win situation here. It's a win/win for the ministry. They will get their real estate benefits. The attorney's will get his money, and the real estate agent will get his. I don't see the benefit 100% here where it's a win/win for all of us. So that's my biggest concern is, the traffic and everything is about money. Thank you.

Mr. Gilbert: Thank you. Hazel Pauley.

Ms. Pauley: Hello. My name is Hazel Pauley and my mother has been in Huber for over 40 years. I've been listening, I was here the last meeting, and some of the concerns that I had after listening to the information was, one of the people from the church was talking about where we noticed there was like 15, 100 to 2,000 people in the congregation. It was brought up by one of the other residents in the community that they only have parking for four hundred and forty some spaces. And they said, well we'll make do with that. I understand that maybe the leaders of the church were going to, are thinking, we will do what we need to do to only stay within that amount. And that's probably going to happen for a short period of time. However, as everybody knows, you go along, people get lax, things happen. They also were talking about where they bring in conferences two to three times a year and how that would benefit the different businesses in the area. Again that's true to some degree. There will be a benefit, a short benefit in regards to possibly some of the restaurants. I don't know if this would be a conference where they would be staying over night or not, so some of the local hotels maybe will see that. The problem is again is, you are dealing with a congregation that is already too big for the area that you have available. When you bring in more people for these conferences, you're making an even bigger congestion than what you're seeing. And that's another of my concerns. Because then you're taking over

where, I guess my concern is, is that, where will this overflow of people and parking needs go? There is some area across Livingston into one of the other shopping centers. They could go backwards into where there are other businesses. But then you're encroaching upon the surrounding businesses and their abilities to do things. I guess, and again, I'm going to hit on the traffic. I go to visit my mother on a very regular basis, and I live, I grew up in that area. It's an absolute horrid thing to do to try to get in and out of Brice Road and to get around that area. And then again, I guess, my question is, I notice the realtor was stating that they had finally talked the owner of the land into going into smaller areas. And what I mean by that is, going and instead of trying to rent the whole 101,000 feet, to going into smaller, you know, putting it out to maybe like 25,000 feet or more. And I guess my question is, in regards to where Builder's Square used to be, that used to be A&P years and years and years ago, it sat empty for an extremely long time before it now recently has the Antique Mall. And my question is, if they're willing to go smaller, how long have they decided that they would be willing to break that area down into smaller parcels, and how actively have they reached, or tried to reach businesses that would be willing to do that? My thing is also, that was a, I know a lot of people are going, we need grocery stores, and bringing a grocery store in may not be actually viable but, there were people that lost their jobs because that grocery store went out of business. Bringing in the church, they will have, and they probably already do have, all of their positions. They're not really going to be providing an extra job base for all of the people within the area. And if bringing in other businesses, even if you're taking that area and breaking it into small parcels, that's bringing in, not only the tax base, which is everybody's talking about, but it's providing jobs to the local residents. And also, I guess my other major consideration is, there are lots of other small businesses that have possibly a different outlook in that area. There are a lot of bars. There are a lot of, you've got, they were talking about the Sunoco where they're selling liquor, or selling beer. You've got the State Liquor Store which is right beside where this church is going to be. You've got two or three bars right around in that area. And I guess my question there is, is when you're dealing with a church coming in and no offence, but you're dealing with people who are bringing in, and they have one way of looking at things, or one end of looking at things, and then you're dealing with people from a totally different end, who's going to end up winning? I don't see where after a period of time, you're still going to have a win/win situation there. Sooner or later you're going to have two different ends of the spectrum that are going to be going possibly against each other. And again, we've already got businesses. And most of those businesses, you know, the bars or the drive thru's and those, they're good businesses. They're providing jobs. They're providing things for us and they are not an issue to where they're bringing in, you know, you don't have the police coming up. You don't have, they're already good, respectable parts of the community where they're providing the tax base, they're providing the jobs, and they're providing services. And that's all of my concerns. Thank you.

Mr. Gilbert: Joyce Robinson.

Ms. Robinson: Thank you very much. I'm Joyce Robinson. I'm from Steckel Road. And I'm sorry, I have to agree with just about what Hazel said over here. And no offense Mr. Gilbert, but the look on your face after she talked, doesn't look really like you didn't understand what she was trying to say.

Mr. Gilbert: No. I'm trying to figure out how to get through this whole stack of yellow sheets.

Ms. Robinson: Okay. Okay. Because she does make very good points. I'm not against the church either. My thing is, I was wondering just like her, how many of the people of these 2,000 people (Tape Change) It's a nightmare. The traffic is an absolute nightmare. You cannot get down Brice Road. You can't get up and down Livingston. We need a tax base business brought back here to this community. We need to start fixing up Livingston Avenue just like you are fixing up Main Street. And just like you want to fix up Brice Road. This is a beautiful community here. I moved here because of the reputation of this city. And because of the reputations of this school. Now I'm beginning to wonder about the reputation of this city. Because you have people sitting here in this room that are trying to tell you that we do not think this is a good idea. This is not good for this city. We need jobs. We need taxes. A drug and alcohol rehabilitation center in with a day care? With a church? Scares me to death. Would you send your child there? I wouldn't. Would you send your child to a gymnasium, or a fitness center, or an auditorium, knowing that across the hall or down the hall, there is somebody there who is a drug or alcohol addict? This is my neighborhood you're talking about. These people are going to be wandering in my neighborhoods. I have a safe neighborhood. I can still go to sleep at night and not lock my windows. That's how safe I feel. I won't feel that safe. Thank you.

Mr. Gilbert: Thank you. Julie Hobensack.

Ms. Hobensack: Hi. My name is Julie Hobensack. I live at 1477 Haft Drive. And thank you for having me here. First off, I'd like to address what I believe it is the lawyer for the church said in his veiled threat the last time that we were all here, that they were going to take action based on a 2000 law. First of all, I'd like to know if you even live in Reynoldsburg. Do you? And if you did, would you want this thing part of the...

Mr. Gilbert: Ms. Hobensack, he's not the attorney.

Ms. Hobensack: Oh, I'm sorry. You look like him. Where is the attorney? You look alike. I'm sorry. I want to know, do you live in Reynoldsburg? Do you live in Reynoldsburg?

Male: (Inaudible).

Ms. Hobensack: Okay. And so, if this was coming to your community, would you fight just as hard for them to be parked on your doorstep with their drug and alcohol rehabilitation? It's not just a church. That's what's being implied here. That it's just a church. It's only half a church. And then we have the drug rehabilitation, and the social programs, and the grants from the federal government, and whoever else. We don't discriminate against churches in Reynoldsburg. I have copies of the 2004 phone book of Reynoldsburg. It lists 80 churches. We certainly don't discriminate. Also, Brice/Livingston is getting a new life. You can tell. We're getting the Antique Mall. It's starting to look kind of nice there. And if they can do it over there on that side, which is Columbus, we can do it on our side, which is Reynoldsburg. Okay. They talked about how they're going to bring a bunch of commerce to Reynoldsburg. But really, when you talk about the division there, some of that is Columbus. And where the bulk of restaurants and

hotels and things are, it's on the other side of 70 over by Scarborough Mall. So that money's not really going to be spent in Reynoldsburg because you're going to go where you see. You're not going to drive around the corner to go to the businesses in Reynoldsburg. And if they do, that'll stop in a short while. Also, I don't know why you would want the _____ to come into Reynoldsburg when it's obvious that you are meeting such great opposition. You know, there are communities in Columbus that would probably welcome you guys with open arms and you wouldn't have to bus in your drug rehab people and the people for your special programs. You wouldn't have to invite them because you should go where they are. There's 39 other box type venues according to the real estate guy that are available. So it's not like we're the only gig in town. We're one of 39. So we aren't the only place. And they've already outgrown this area. They're outgrown before they even get here. So why you would want to move into a place that you haven't invested any real money in that you've already outgrown, I don't understand. Okay. Also, we have a good image here in Reynoldsburg. Pickerington doesn't talk about anything that they have like a slum, like sometimes they refer to the Huber area as. And we're always competing with Reynoldsburg. So I would like for you to remember that right now it's a joke. But it could become a reality. And then you won't be competing with Pickerington anymore because they're going to be able to say, look over at Reynoldsburg. They have a slum. And that's all I have. Thank you.

Mr. Gilbert: At the first committee meeting, I established a standards upon which the Special Exception Use consideration can be made. Let me reiterate those at this time and caution residents in terms of what Council can base their consideration upon before we go any further. "1145.09 (a) The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts. (b) The proposed use shall not adversely affect the use of adjacent property. The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools. (e) The proposed use shall not impose a traffic impact upon the right-of-way significantly different from that anticipated from permitted uses of the district." Keep in mind, this is a commercial district. "(f) The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances." This item does come in under a definition provided for in our code known as semi-public use. "(h) The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed." Semi-public use is within that classification. My next speaker slip is Mr. Tom Eller. Mr. Eller.

Mr. Eller: My name is Tom Eller. Mr. Chairman. The Special Exemption Use Permit application for 6300 East Livingston Avenue approved by the Zoning Board on April 21 states, that the proposed use of this site is to be a church. Item (h) on page 4 of the supporting document filed with the application reads "Goal for zoning is to simply be a House of Worship". Nowhere in the supporting document is there any description of any activity other than the church. At the bottom of the Special Exemption Use Permit application in large, bold print, is a reminder to the applicant that all 10 items listed in Section 1145.03 of the Zoning Code, must be submitted with the application, and the application will not be complete until all 10 items are received. 1145.03

item 6 requires that “The application shall also include a description of the activities proposed on the site, and other information which will enable the board to understand the nature of the proposed use and its potential impacts.” 1145.03 item 6 clearly is not addressed in the application, rendering this application incomplete. We learned on May 16, in addition to the church activities on the site, there is to be counseling for crack cocaine addicts, alcoholics, and those with other addictions. Black on black crime prevention programs, a gang violence task force, possibly a 24 hour day care center, a gymnasium and weight room for area youth, meeting rooms, a TV studio with video productions and other activities. On page 13 of the transcribed minutes of the May 16 Service Committee meeting, Bishop Dawson is quoted as saying, “it is not going to be just a church”. Yet the application and supporting document that Bishop Dawson signed, clearly states that the site is to be used only as a church. None of the addiction counseling, day care, recreation, video production activities, none of them were described in the application as 1145.03 requires. Mr. Chairman, this application is not complete. It is not a valid application. It is not in compliance with the regulations in the Zoning Code, and I respectfully ask that the Service Committee terminate the processing of this application. Thank you, Mr. Chairman.

Mr. Gilbert: Thank you Mr. Eller. Ron Andrews.

Mr. Andrews: Good evening members of Council.

Mr. Gilbert: Good evening.

Mr. Andrews: I'd like to start by addressing some comments to Bishop Dawson and to the members of the church. I truly am sorry that we have to be meeting under these circumstances. I really, truly am. Because I truly agree with the philosophy and many of the things that you folks profess to stand for. I really do. I was brought up as a young child to believe that we are our brothers keeper. That we are responsible for taking care of others. I grew up in the country. I was born in Johnsville, Ohio. My family's been in Ohio since shortly after the Revolutionary War. I can still go back and see the original farm, and farm land, and Andrews Road where my forefathers came into this country, or came into this area. I still can go back to those areas, and I can see that land, I can see the four houses, the two farms, and the two country homes that I lived in. I can go back and I can see the church that I attended as a child. The places that we went to go out and to take food to the people that were shut in, couldn't take of themselves. Where we went and we visited the people that were sick. Where we went and picked up trash along the roads. I believe in community service. I believe that we do need to take care of those that are less fortunate than ourselves. And for that, I wish you all luck. I really do. But, symbols are very, very important in our society. They're very, very important to human beings. And what we have here is, a property that in this neighborhood, in this area, is a symbol, a symbol for what we are dealing with right now in this area. I've been kind of disappointed to hear some of the things from different sources. Some in the paper. Some just from people heresy, that some Council members think that we are dealing with a position of fear. They think that we're responding because we're afraid of what might happen to our community. I say quite the contrary. We are here trying to express our hope. Trying to express our vision. Trying to

express what we believe this neighborhood which has people who have lived here much of their lives. Thirty, forty years. I think about my own sons, and I think about how important it was when I fell in love with my wife, to take her back to that area where I grew up, and to show her that these places were still standing. Were still prosperous. Still had loving families living in them. I want my sons, in 30 or 40 years, to be able to come back here and see the same thing. I want them to come back and see a place that's as prosperous as it was when I came here. Gentlemen, I'm going to address you for a minute. I don't know your names. I'm sure you're probably fine individuals. But I gotta tell ya, the things that you said at our meeting two weeks ago, I feel are pure poison. When I look at you, what I see is urban sprawl incarnate. What I see is people that look at communities and they say, this is an oil field, and we're going to drain the oil out of this place, and then we're going to move to the next one. That is the message I hear. That is the message of fear. How much has really changed in the economics of this area to support a grocery store at that Big Bear location? The population hasn't declined. People still need to eat. This government is capable of good things. Now even though it's urban sprawl, when I look at the job that you guys did out on 256 with that development, it was a very, very well planned and well orchestrated project. Traffic's handled well. It was planned well. We have a good mix of businesses there. Compare that with the south side of Brice Road on the south side of I-70. Compare that with the job that Columbus did. It's a mess. Nobody wants to go there. Kroger tried to go over there. Had a beautiful store. They died. Sam's tried to go over there. A wonderful store, wonderful service. They died. Why? Because of the horrible job of planning that Columbus does. And yet, I see Columbus, I look at the other side of Brice Road, how can they be more prosperous than us? How can they be more prosperous than us? And I'll tell you why. And I'm not going to blame anybody. Because I think, you know, nobody's perfect. Nobody thinks of everything. There are limited resources. And I want to thank all of you for what you do on this Council. Because I know what it takes to volunteer. I know what it takes to leave your family at home while you're coming and working for very little compensation. You're coming here to serve your community. And I appreciate that. And I appreciate the fact that I don't think most of the Council members had any idea of what our response was going to be to this development. I really don't. I think that you thought that this honestly was a good idea. And I don't fault anybody for that. But what I do see is, this area has been neglected. We were talking earlier about a Planning Commission, I'm sorry, I was so caught up trying to think about what I was going to say that I wasn't listening carefully. But I'll tell you what, I've got experience in sales. I've got experience in business. I'll volunteer for that committee. If you want to bring in some people that have knowledge. If you want to bring in some people that want to do more than eat donuts. I've had enough of those. I'll volunteer. I'll come in. I'll help. We've already got some of the people out here sitting here tonight that have made phone calls to Mark's Grocery Store and to other businesses on their own, trying to bring people in. The one thing that I know about sales is this, if you don't believe in your product, if you believe down here that your product's a loser, you're not going to sell it. You'll go through the motions. You'll hand out some literature. You'll spout some statistics. But you're not going to sell it. Did these guys talk about the redevelopment that we're doing on Main Street? Did they talk about Phase II? Did they talk about Phase III? I bet not. Do they even know what the population density is here? I don't think so. We can sell this area. We can bring it back. That is vision. That is hope. And I'll tell you what, the current owners of the property, I don't know, you know, maybe they've got to go for a little while. Maybe they have to sacrifice a little bit. But you know what? If they

have vision, if they're looking to the future, they're going to do a lot better in the long run when those property values rise instead of when those property values fall. As I've said before, I have nothing against what these guys are for. It's just the wrong place. We need this commercial area. It is the symbol for us. It is the thing that gives us hope. Because I'll tell you what, I've talked to a lot of my neighbors, and they're all doing the same thing I'm doing right now. I'm doing nothing but cosmetics to my home. I'm doing nothing but cosmetics. I'm painting. I'm planting a few flowers. But I am not going to remodel my kitchen. Nobody is going to invest in this kind of uncertainty. Alright. I have one more thing to say. Or one more issue to discuss. No matter how well meaning they may be now, or how many assurances they give us, I have read RLUIPA. I have read the case law. And I'll tell you this, 'a', I agree with the City Attorney. I agree any type of law suit against this city would be highly speculative. We have no history of discrimination. There are numerous opportunities for them. They've got the old Sam's Club and the Kroger's store right across the freeway. There are many areas even closer to their original location. We are not imposing under an undue burden. The next thing I want to say is this, if they do come in, the other things that's clear in the case law, once they do come in, they don't have to abide by anything they've said. They can do anything. They can clog our neighborhoods with parking when they outgrow that area which as many people have pointed out, sounds to me like they're there. They have grown. Their last church was born, I'm sorry, I don't remember. I'm not going to spout the things that I don't know. They're going to keep growing. They're not going to stop. And we're not going to be able to do anything. Once they're there, we are powerless. We are powerless. And if you don't believe me, read the case law. It's right there. So, once again, I'm coming to you and I'm asking. I'm holding out my hand to work with you. Don't let us down. Thank you.

Mr. Gilbert: Thank you. At this point, Ken Wright.

Mr. Wright: Last Monday, I spoke to Council and my main point was the, that I thought that the, the best symbol of urban blight is when you start allowing churches to be put into commercial properties. Stores or whatever it is. And you can see plenty of examples of it in Columbus. But not many in Reynoldsburg yet. And there is no way that you can make a Big Bear store look like a church, or a liquor store look like a church, or anything else that a church has been put in. Only a church looks like a church. A property church is a House of God. It's something holy. The Big Bear store is never going to be holy no matter how much you pray inside of it. It's not going to be a church. It's not a church. It's a store. It will always be a store. And everybody in the neighborhood thinks of it as a store and wants it to be a store again as they keep saying over and over again. And, but when I was talking about that last week, I was thinking for myself. Because I was moved to come down here because I felt so strongly about that point. And so, I just wanted to tell you how I felt. And it's from the heart. That's the way I feel. But I decided Saturday, to, Saturday afternoon to go out and see what other people thought about it. And I just started going around the neighborhood, up my street, down my street, and the street behind me Lucks Avenue, Lucks Road. So, just to, and I went to every house that somebody was home. And there was a lot of people home because it was Saturday afternoon. That's probably the maximum, that's why I picked that time because it was, there would be the most people home. And I wanted to find out what they feel about it. Because I didn't want to just feel like I was alone in this thing. And I wanted to see if they felt like I did. Every single person is against the church

going in at the Big Bear store. Every single one of them. Not one person. I was stunned. Because I just expected that there might be 30% or, I thought there might be say, 30% that agreed with me. Or maybe even half of them you know, that would agree with me. Because issues, every time you hear a poll about any issue, you always hear the different percentages. I didn't expect that absolutely everybody was against putting a church in Big Bear and wanting a store back there. But the reason they do is because they're only one street away. And they miss having a store there. And they miss being able to walk to the store instead of driving down to the other end of Reynoldsburg which is their choice. That's what people have to realize, that the people in Huber have that choice you see. They can, in order to get, because of, in order to get to the grocery store, they're either going to have to drive to the other end of Reynoldsburg from there because they're on the very, they're on the very western edge of the city. So they have to drive down to the Kroger that's down at the other end. Or they've got to cross the freeway and, to go to Meijer's or something. And the traffic is so unbelievable you know. And I, everybody you know, shops around that area and stuff. But it is one of the most dangerous places in Central Ohio. There's no doubt about it. I've seen people being pulled out of cars with the jaws of life, on that bridge. And not once, but time and time again. Wrecks are unbelievable up there. Because like the previous speaker talked about, the planning is horrible. It's like a death trap there. A lot of people don't even want to go across there. And especially if they have some trouble driving. If they're a little bit worried or they're not particularly an aggressive person or something like that, they don't want to just dive into that and cross that freeway and risk their life. Because the people coming off that other ramp when you go over to Meijer's and having all, having there something, what is there 22, 24 lanes of traffic facing each other at that intersection at Tussing? You know, and you might, if you go to that intersection, you might as well bring a lunch. Because you're going to be there a while before you get to go and go through it when the traffic is at peak times. So the thing is, we need the store there in our neighborhood. A grocery store in our neighborhood. Not at some convenient store down on the corner. But we need a grocery store down in our, for our neighborhood. We need that back. And I, and like the man said, nothing has changed there. There's still the population there that was there before Big Bear went under. And like I said last week, it's Big Bear's fault that Big Bear went under. It's not our fault. It's because they couldn't manage it in Pennsylvania properly because the people didn't own it locally any more. Big Bear was the best store in the country at one time. It was the best grocery store in the country at one time when it was owned locally because it was started here and it was the best. And then it deteriorated when it got taken over by the people. They lowered the standards and everything else. And the service got worse, the place got filthy and everything else. Wouldn't even clean the floors right. People didn't want to go in there, they start going looking for somewhere else to go. But it's not our fault they went out of business. But I know there's somebody else out there who would like to have that spot and they got a ready customer base right there. Everybody wants to go back. All these people have been saying, they want another store in there. The people that I talked to on my street and on Lucks, a lot of those folks have been there a long time. You know, we've been there for 34 years. This year is 34 years we've been there. Some people's been there almost as long, some people's been there longer than us. Forty years and beyond that. Forty years you know, one woman said she's been there for 40 years. And you know what, the thing that really keeps ringing in my head, and one of the reasons why I came back down here tonight is because of what this one woman said to me. You know, when I was walking around asking people what they thought. She could not believe this issue. Now most people,

most people in the neighborhood know about this thing. They're familiar with it. They know about it you know. And I was actually surprised. Because it's only been in the Reynoldsburg paper. The Dispatch has not touched it. And I was surprised how many people knew about this issue and felt the way they did about it. And felt so strongly about it. I was kind of surprised. But this woman who, what she said to me was, Council wouldn't do that to us would they? Council, our own Council, wouldn't do that to us. She just couldn't believe the concept of it. She's paid enough taxes to be able to feel she's safe in her own home. I've seen the thing change. Since I've been there for 34 years, we came in, nobody locked their door. Didn't have to worry about it. Take off anywhere. Take off to the store. Whatever. Nobody had to bother to lock their door. What have you got now? On our street and the street behind me, what do you have? Locked doors? They lock the car doors and the house. Everything. They have to. They're scared. The people's got all these alarm systems. You can just go along and you can just see all the signs for the alarm system companies all along there. There used to be none at all. I mean none. You know? And now we've got people who are getting big dogs to help out as an extra alarm system, and also in case somebody does break in. Because people are breaking in.

Mr. Gilbert: Mr. Wright, just...

Mr. Wright: It was in the paper, it was in the paper that I read, in the paper, it was in...

Mr. Gilbert: Mr. Wright, one more minute.

Mr. Wright: One more minute?

Mr. Gilbert: We have other speakers if that's okay.

Mr. Wright: Okay. Yeah, I'm sorry I'm going on too long, but. I guess, I feel passionately about it just like these other folks do.

Mr. Gilbert: I understand.

Mr. Wright: Because it's their life is on the line. Their house is on the line. Their property's on the line. This thing, they put everything into it. The people across the street from me, across the street, long time residents, I've got to emphasize this because they have put so much into that house, more than we ever could dream of. They've put, because they had more money than us, they've put more into it. They have worked. But they didn't just go out and pay somebody to do the work. They've been out there with their own hands and building, they built an actual real granite wall around their whole front of their house. Put in plantings, flowers, trees. And the darn thing is beautiful. We're lucky because we get to see it. We're straight across the street. There's people that goes by and slows down. There's people that goes by on Roselawn Avenue. I've seen them do it, and they slow down to look at it. Like Christmas lights. But this isn't Christmas lights. And they do this every year. They keep putting more into it all the time. And when I was talking to them the other day, when I was talking to them the other day, see they had been talking about...

Mr. Gilbert: Mr. Wright.

Mr. Wright: They've been talking about putting a garage in the back. I'll finish with this, okay?

Mr. Gilbert: Okay. Very well.

Mr. Wright: They've been talking about putting a garage in the back for a long time because they have one of these attached garages to the house. Okay? It's an attached garage to the house. And they filled that up. I mean with, they use it as space now. So they want to have a proper garage out in the back. They talked about doing that after all this other work and money. Widening the driveway, everything. You know. And even it wasn't right, they had to redo it. The contractor wouldn't redo it. He said, no we're not going to do it over. And he refused, so they had it redone any way at full expense. Ten thousand bucks.

Mr. Gilbert: Okay. Mr. Wright.

Mr. Wright: Just let me. Okay. I'll finish with this. I'm sorry. I'll finish with this.

Mr. Hills: Mr. Wright.

Mr. Gilbert: We've gone about 14 minutes with your spot. And I need to move on to the other speakers.

Mr. Wright: Okay. Okay. I swear I'll just make this final point. Because I want to tell you what she said.

Mr. Gilbert: We need to keep to about 20 seconds.

Mr. Wright: I will tell you what she said sir. Mr. Gilbert. Please, just let me finish this one sentence and then I'm done. Just one sentence sir. Just one sentence.

Mr. Hills: Mr. Wright, if you could. Mr. Wright, I think Mr. Gilbert has said he's going to allow you to do this last sentence and a number of others earlier.

Mr. Wright: Okay sir.

Mr. Hills: But I am the President of Council. Mr. Gilbert is certainly bending our rules in order to give everybody the opportunity to speak. Now there are some limitations. They have not been imposed. The Chairman, and I think very appropriately, is trying to let people talk. He has reminded you that you are way above the time on three different occasions. You have one last statement. Please make that and that's it. Close your argument then. Because certainly, there are a number of other people that need to make some comments.

Mr. Wright: Alright. I just, I apologize for that. Because when your life is on the line, and it is. Make no mistake. You get carried away. And this is for a lot of people too. But she told me, I

just want to repeat what she said. She told me that he said when he heard about this church controversy, as bad as he wanted to put that garage up, he says, we stop putting money into this house right now. They're beloved residents. They've lavished all this work on it. It's beautiful. It's the best one on the street. Maybe in whole Huber. And he says, we stop putting money in this house right now until we see how this thing comes out.

Mr. Gilbert: Very well. Thank you Mr. Wright.

Mr. Wright: And there's a lot of other people that feel this.

Mr. Gilbert: Thank you. Debbie Andrews.

Mrs. Andrews: Thank you. I'm Debbie Andrews. I live on Tamar Court. I'll be very succinct here. And I think that my concerns do indeed address the standards to which you spoke. I've spoken before about my concerns for allowing the property to be occupied by a non-profit organization. I still also believe that commercial business such as a grocery would best meet the needs of our community. I'm not opposed to churches. There are at least three Reynoldsburg churches a very short distance from the Big Bear property. In fact, the church of Jesus Christ of Latter Day Saint's is right in the middle of my neighborhood in the Eastshire neighborhood. And they are very good neighbors. Churches are good neighbors. Calvary International has described their intentions to be more than a church. They've described social service programs that they plan to implement. In particular, the Fishnet program which has been spoken of previously. A rehabilitation clinic for people addicted to drugs, alcohol, and crack cocaine. And that is what I feel is not in keeping with the surrounding character of the property. The old Big Bear property is in very easy walking distance to the Reynoldsburg Junior High School and the high school. And it is also very close to the Blacklick Plaza which has the Dairy Queen and the little mini mart there on the corner. And both of those businesses are very popular with our students. And as a mother in that community, I have a concern about having an organization bringing in, in a very close distance, the Fishnet program to this neighborhood. I feel that we would be placing out the welcome mat for crack cocaine addicts to come right into our high school and junior high school population. And that strikes at my heart. And what I'm asking you as City Council to do is to look at the needs of our students. Protect my children and your children, and the other children in this community. Thank you for listening to me.

Mr. Gilbert: Thank you. Judy Sledd.

Ms. Sledd: My name's Judy Sledd. And I live on Steckel right beside the Big Bear. My sister worked there. She lost her job. My mother's 75 years old. Doesn't drive. None of us do. We need a grocery store. And I've also got 11 grandchildren living there. So please, they don't need dope. Thank you.

Mr. Gilbert: I don't think the church does either. Is that true? I mean, I just want to keep this in the proper context. Let me just share something with the residents that a constituent, the first night this was up for discussion pulled me aside out here in the parking lot. And he said, Mr. Gilbert, what a quandary you're in. Normally, it's the community interest versus a pawn shop,

versus a bar or something not up to community standards. But you're in a unique and difficult position that this is a, this is between the commerce and commerce district versus a church. What an interesting dilemma to have. So as we move forward from here, I'd just ask us to keep that in the perspective of our discussions. And maybe we can move forward from there. Our next speaker is Ms. Curnutte. And Ms. Curnutte, once with your comments, we'll take a brief recess and then come back and finish. And thank you again for everyone's patience. Go right ahead ma'am.

Ms. Curnutte: Mr. President, Council. Joan Curnutte, 6739 Bartlett Road, Reynoldsburg. I would like to affirm that I agree with the previous speakers. Certainly, the people that I'm representing are not against churches. Almost all of us are very active in our churches. It's not about the church. It's about the ancillary activities that are coming in. First of course, is that this was designed as a commercial area. The original intention was that the commercial area would be a significant and contributing part of the whole area including the residential area. And that is primary in our minds. Thank you.

Mr. Gilbert: Thank you, Ms. Curnutte. We'll take a brief 5 minute recess and then re-adjoin. Thank you.

Council recessed at 9:55 p.m.

Mr. Gilbert: If we could reconvene in the next 60 seconds please.

Council re-convened at 10:08 p.m.

Mr. Gilbert: Our next speaker is Dean Baumgartner. Is Mr. Baumgartner here?

Mr. Baumgartner: Yes I am.

Mr. Gilbert: Oh, okay.

Mr. Baumgartner: Yes. I'm Dean Baumgartner, Ford & Associate Architects. We're the architects for Calvary International Church. And just wanted to respond to some items that have come up for discussion. Again, along the standards for requirements for all Special Exceptions and what have you, yes, Calvary International is an Evangelical church. And I think their program is to spread the word of God is what Bishop Dawson tells me. First item, talking about proposed use shall be in harmony with the existing _____ character of district, nearby affected districts. One thing I noticed in your ordinances are semi-public uses for churches are allowed in all residential districts. They're also allowed in community office institution districts. One thing I notice is, the only place that a semi-public comes up again is as a Special Exception under the CC, Community Commerce district that would allow semi-public use or a church in this commercial district. I guess based on your ordinances and city codes, I think the church in a commerce district is a viable entity. One thing looking at your district zoning maps, all your special use districts border commercial districts and residential districts. This district and the

location of this Big Bear abuts up right against multi-family use. Multi-family use is allowed Special Exception in the semi-public use groups. I would say this location is a viable place for a church to go based on your codes and ordinances. Talk about not affecting you know, change, and not adversely affect the use of adjacent properties, I would argue for any apartment dweller adjacent to that Big Bear, I would think the church would be a more welcome entity there than a 24 hour Big Bear with the loading docks going all night long and people coming in and out of that location. I don't think we adversely affect the adjacent property in that way. There's existing cross traffic easement agreements with the adjacent retail owned by Casto and that property. I don't believe those can be changed. There will be continually to be cross traffic egress at that location. The church will be patrons to their adjacent retail members there on that Casto lot as well as being patrons to adjacent retail and restaurant, and what have you in that neighborhood. Right now, the number of members in this church is about 800. We are looking to have a facility that can handle maybe up to 2,000. The church has presently outgrown their location. Hence, they're looking for a building. A 100,000 square foot building, if you look in an architectural graphics standards, and also for institute of transportation engineers reference material, a 2,000 seat main worship center requires about 100,000 square foot building. Also based on your codes here, 2,000 seats for a main worship hall requires 500 parking places. This site, I do not know, may only have 400 stripes right now. But this plan is an original plan from a property description and a layout done for a Big Bear. It offers 500 parking places, spaces I should say, in the front of this Big Bear without encroaching in the rear. I also looked this week, looking at the parking requirements for the city for a 9 x 18 space and 22 feet wide minimum aisle for two way traffic. And probably, if we got our Special Use Exception here passed, you know, and proceeded in designing this, we will have our consultants look at the most efficient way to lay out parking here, address landscaping requirements and what have you. But I guarantee, we can get 500 spots in this facility. I guess what I'm trying to say is, for 2,000 seats, this is the size building we need and this is the parking we need. We can't go over 2,000. We're constricted by our parking. We're constricted by our building size. Right now we have 800 members and yes, we want to grow. We're an Evangelical church. (Tape Change). Multi-media, audio, visual and what have you. We did a program rough layout for this space. Again, the main worship hall, right now, we have figured at about 1800 to 2,000 capacity. We're also looking at a fellowship hall for seating and tables for about a thousand people. We're looking at an activity room. Which yes, that's a gym. We have a small chapel. We have administration offices. We have classrooms for Sunday school. We have a youth center for youth, teenagers, high schoolers, college age people. We have a media center. We have study center. We have ministry offices for their outreach programs. This is what an Evangelical church offers. I belong to a church roughly this size. The programs that this church offers are standards that my church offers. It's standard programs that were offered in my church in Cleveland when I was a kid. The rooms and items that they're programming in this are standard. As far as traffic, we do have a consultant. EMH&T and working with the city begged off on addressing this because of the you know, because of the resistance here with the people. So we have gotten another company to come in and offer an opinion on traffic. Again, based on the parking, we're talking about 100,000 square foot building. We're not trying to put more into less or less into more. Going back to being in character and not adversely affecting adjoining properties, I did too look in the yellow pages and Yahoo maps. And 1.1 miles away from this location is Church Support Ministries, .2 miles away, Creekside Community Church, .2 miles away, We Touch And Agree Christian, .2 miles away from this

location, Committed To The Word Church, .2 miles away, East Livingston Baptist Church, .3 miles away, Ohio Church of God of Prophecy, .6 miles away, Church of Jesus Christ of Latter Day Saints, .9 miles away, _____ Lutheran Church, I hope I pronounced that right. .9 miles away, Reynoldsburg Church of Nazarene, .9 miles away, Parkview Presbyterian Church, 1 miles away, Power In The Word, 1 miles away, Eastgate Assembly of God, 1.2 miles, East Columbus Christian Church. I guess what I'm trying to say is, I don't know if these churches are all in a Special Use district. I'm not going to hazard to guess. But they're all within this vicinity. A church is a viable entity for this location. And yes, I understand the convenience of a grocery store. My firm works with the developers here in the areas. And I'm glad somebody brought it up, the Kroger across the way, I guess my thought is, if that Kroger had left, Giant Eagle might have been more inclined to come into this location. I know for regional retail centers, the big boxes, it costs them less money to build new than to come in and try to re-use something. And yes, that's the fact. And it's like the gentleman said, sucking oil out of it. But you know, that's the way it is. You have somebody here who is interested in this box. It's the size they want. They want to come in and invest in this community. You know, they're bringing in their outreach and their program to help the community. Their intent isn't to bring in adverse items to your community. It's to help the people in this community. To help the schools, to help the adults. And these are viable outreach programs that they're offering. This is a viable program that they can fit into this building. I guess that's all I have to say. I think I've answered most of the questions that have come up that I can.

Mr. Gilbert: Thank you Mr. Baumgartner. If you could leave that up for our use in later discussion. Mrs. Newman.

Mrs. Newman: I would like to comment. I know for a fact that some of the churches you mentioned in your extensive list as being close to this location, are not in fact in Reynoldsburg. I know East Columbus Christian Church is in Columbus. And they would fall under their regulations.

Mr. Baumgartner: And I agree. I'll just point out, in this close proximity you know, you're not putting a church in an area that doesn't have churches you know, close by.

Mrs. Newman: Do you hear that?

Mr. Baumgartner: I just, and I don't know what districts are in and what have you. I'm just pointing out the proximity because this says 'adjacent affected districts.'

Mrs. Newman: Under different governmental entities.

Mr. Gilbert: Thank you Mr. Baumgartner. David Younger. Mr. Younger, thanks for coming this evening. Traffic engineer.

Mr. Younger: Thank you Mr. Gilbert. Members of City Council, I hope you were able to receive a copy of our traffic report. I was just asked to put this together a short, a couple of days ago. And I've put together a general overview of the traffic based on the information that's been

submitted to us. The site plan and the other information provided. And I'll just kind of walk you through it real quickly. And at any time, if you have questions on it, please stop me and I'll try to answer it. But I looked at three basic factors dealing with traffic. The first, and maybe most important is the trip generation. How many vehicles would be attracted to this site. The secondly, is the site access. How the vehicles get on and off of the site. And third, is the parking requirement. So dealing with the first issue, trip generation, on the first page of the memo, or the letter, and by the way, I guess I didn't introduce myself. I'm Senior Traffic Engineer with E.P. Ferris & Associates here in Columbus. We pointed out on that chart at the bottom of the page. We did a comparison of a supermarket use versus a proposed church of the same size. Occupying the same square footage. For the supermarket use, and the church use, we went to some national sources. And I don't know if you've had this discussion before about trip generation, but there's the Institute of Transportation Engineer's prepares a national publication of all types of vehicle generation based on all types of land uses in the country. And this is the most reliable source of creating a model if you will, of what happens. How many vehicles we'll use. Any different type of land use that you might choose to place here. So we've looked up the supermarket use. We've looked up a church use. Both of the identical square footage. And we make a comparison. The first three columns are looking at a week day. The daily total traffic on a week day. That would be 5 days of the week. And then we look at a Saturday and a Sunday. The other two days of a typical week. And for a supermarket, we looked at two types of traffic volumes. We've discounted the total trips that would use a supermarket because it's a historic fact that a lot of people that use a supermarket are already on the streets in front of the supermarket when a supermarket would go in. We call that pass by traffic. They're already passing by, and when a supermarket opens, they decide to go in. A church does not have any pass by traffic. You're either a member or you're not a member. And I suppose a hand full of people might choose to go in. But a commercial use, especially in the midst of a commercial district like we are here, draws an average of 20% of what we call pass by trips. So the discount would be like an 80% of trips would be specifically to attend the supermarket. To go to the supermarket and shop. 20% of the trips going into that supermarket were people that were already going to be on Brice Road and Livingston Avenue and they're going to decide to go in. So the first column is called total trips. That's the un-discounted. The second column is the new, or the specific trips. And the difference between those two is 20% in each case. So as you can see, a church on a week day basis is going to draw about, or the supermarket, I'll put it the other way, the supermarket is going to attract 8 to 10 times the traffic on week day basis on an average week day.

Mr. Gilbert: Mr. Younger, could you give us the numbers in your chart that you show in the comparison?

Mr. Younger: Yes. The church on a week day daily basis should generate around 920 vehicles per day for on a week day. This is not Saturday or not Sunday. Just the Monday through Friday. Whereas, the supermarket is going to generate between 7800 and 9700 vehicles per day. So it's almost an 8 to 10 fold difference in traffic. On a Saturday, the church is going to generate slightly more traffic. About 1,050 vehicles per day. And again, these are averages. But it's based on the square footage. The 101,000 square footage of church versus 101,000 square footage of supermarket. So again, Saturday would generate about 9400 trips, new trips. And a total of 11,800 trips per day on a Saturday versus the churches 1,050. Again, about 9 to 10 times. On a

Sunday, on a daily basis, the church, that's the church big day, they would generate about 3700 trips per day. Whereas, the supermarket would generate between 8300 and 10,400 vehicles per day. Depending on if you're a specific traveler to the supermarket. Or if you're just driving by and you go in the driveway and back out. That is about still, 2 to 3 times the traffic on a Sunday as a church would have. Then looking at the next three categories across the bottom, those are peak hours. So we're looking at vehicles per hour. And the first thing we looked at was week day peak hour in the 4 to 6:00 rush hour where Brice and Livingston would be at their peak on a week day. A church would generate on the average, about 70 vehicles per hour during that one peak hour somewhere between 4 and 6 p.m. A supermarket of the same size would generate between 730 and 910 vehicles during the same peak hour. We're up around the 10 to 13 times. On a Saturday peak hour, the church would generate around 360 vehicles per hour during their peak hour which is normally around 5 to 8 p.m. in the evening on a Saturday. That would represent perhaps early meetings, dinner meetings of the church. That's when the reference material indicates the churches normally have the peaks. The comparison to the supermarket on a Saturday during their peak hour, the supermarket would have 770 to 960 vehicles per hour on a Saturday. Which again, is 2 to 3 times what the church would have. Now the supermarket peaks around 1 to 5:00 in the afternoon. The church peaks like I said, from 5 to 8:00. Then on Sunday, Sunday peak hour, the busiest single hour of the week for the church, is the only hour where the church would out draw the supermarket. The churches peak hour which is between 9:00 in the morning and 1:00 in the afternoon typically, would generate around 1190 vehicles per hour. The supermarket would generate during its peak on a Sunday, which is 1 to 5:00 in the afternoon, not 9 to 1:00 but, 1:00 to 5, would generate 770 again, to 960. So that is, in that case, the church would generate for their one peak hour on Sunday, about 25 to 40% more traffic than the supermarket during its peak on a Sunday. That's like I said, the only day where the church would out draw the supermarket on a one hour basis. But even looking at all of Sunday, the church gets out drawn by 2 to 3 times for the entire day of Sunday. Are there any questions on that? I don't want to get more, any more technical.

Mrs. Newman: Mr. Gilbert, I have a question.

Mr. Gilbert: Mrs. Newman.

Mrs. Newman: Where did you get your statistics on the activities of these churches? Is this just for all churches nationwide?

Mr. Younger: Yes. It's a nationwide source of trip generation data...

Mrs. Newman: I'm sorry, I didn't mean to interrupt you but, in other words, it doesn't, your source doesn't take into consideration, the differences in the level and types of services, and the activities of the churches in this comparison.

Mr. Younger: Well, it does...

Mrs. Newman: So in a way that would not be valid.

Mr. Younger: It does in that this is an average for all of the churches studied in this source. And

there was dozens of churches studied of different sizes up to the 100,000 and down to just small churches. So this is an aggregate figure. It's very generalized. They did specify that they had some day care centers involved. And beyond that, they didn't go into any specifics of what they have. But it's all the churches that were available to look into as a resource.

Mrs. Newman: Okay. Thank you.

Mr. Gilbert: Mr. Clemens. Mr. Younger, just one other.

Mr. Clemens: We get a lot of these traffic studies in. And I want you to know, I consider yours no different than the rest of them. Basically, hot air really. Because these are done on national studies. You've not been on Brice or Livingston Avenue. You don't know our community. You don't know the church. You don't know Big Bear and what they did. So, you're giving us these trip counts on a national basis that was figured off the computer which is...

Mr. Younger: Just to give an indication.

Mr. Clemens: That's true. To give us an indication of something that may not be anywhere half correct. That's where I have my problem. Because you're talking about a community that can be completely different, or a church that's completely different, or a store that's completely different than what your national average is. And that's why I can't, I don't think we can take much faith really in these figures. And I respect your work. Don't get me wrong. I just don't really believe in it. We'll put it that way. Because I feel to do a traffic study out here, you have to do a traffic study out here. You don't pull it off the computer. I mean, I can do that at home. I think a traffic study is done on site. That's my opinion. I just wanted to let you know what the deal is.

Mr. Younger: I respect your opinion. I've been doing studies like this for 30 years and I have to say that the data I'm using is the best available.

Mr. Clemens: Don't get me wrong. I agree with you.

Mr. Younger: Since the supermarket is shut...

Mr. Clemens: I agree with you. It doesn't mean anything. It only means what you've pulled up that's a national average or such things as that. It doesn't really pertain to the fact that what we're talking about. As far as I'm concerned it doesn't.

Mr. Younger: Well you don't have a church sitting here to measure how many people are going to come in.

Mr. Clemens: That's correct.

Mr. Younger: And you don't have the Big Bear any longer.

Mr. Clemens: That's correct.

Mr. Younger: And you have to create the best model you have.

Mr. Clemens: And you don't know whether Big Bear had 300 cars or 3,000 cars. And that's what I'm trying to say. You don't know what's going to go in there. If another store went in, or another retail district went in or commercial and so forth. And I appreciate the figures. You don't even, all you're doing basically on the 100,000 square foot of the church. And that's all you're going. How many people you can cram in there any how many cars you think is going to come out. Whether they all come out at the same hour or not, you don't really know. I mean, you know that's...

Mr. Younger: I knew about as much as I can without...

Mr. Clemens: That's what I'm saying. You know about as much as you can and that's probably as much as I know. Go on with your, go ahead.

Mr. Gilbert: Mr. Ferris, what is the last project you did in Reynoldsburg?

Mr. Younger: I did the Kroger out at Main Street and Taylor Road.

Mr. Gilbert: Correct. Did the State Department of Transportation accept your traffic study and the figures you provided in your model?

Mr. Younger: Yes. Yes they did.

Mr. Gilbert: Very well. Because I know one of the models we had with 256 and Taylor Square, we had to re-pave 256 because we were off. We thought the study was hot air. So that's just one example where sometimes you have to try and take it with a grain of salt and find that happy medium with these numbers. And I think that's important. So you have done some work in the community. That's important to note. And if you have any other points you'd like to make, feel free to continue.

Mr. Younger: Well just the, on the second page of the memo, I go into the access points. I visited the site two or three times. There's a traffic signal at the main entrance on Livingston Avenue. There's a, like a 4 lane entrance point onto Livingston. Again, with the traffic signal. On Brice Road, there's a stop sign, secondary entrance. There's left turns and right turns available on Brice Road. Besides those two main entrances, there are several auxiliary entrances which would be available to any of the users of that shopping center with those cross easements so that that would ease the traffic a little bit on the main entrances because people could come and go by one of the 3 or 4 other secondary entrances. And finally, the parking. And I agree with what Dean said. I was out there and looked at that parking layout. Most of it's worn out. You can't hardly see parking spaces. And of course, it would have to be restriped to your standards. But in my opinion after doing this for a number of years is that we could get at least 500 cars on that site. Including the handicap requirements. And also whatever landscaping the city might require.

And the, for a church, the existing site plan shows a parking accommodation of just over 500 vehicles. And we understand that the church is planning a 2,000 ultimate capacity. And Reynoldsburg Development Code again, we understand, requires churches to provide one parking space for every 4 occupants of the main sanctuary which comes out 500. And the ITE data suggests that the average peak period parking demand for a 2,000 seat church, this is the run of the mill Sunday church service, would probably run around 300 cars. And of course, 500 would take care of that. That is an average. Now if you want to go to a design parking demand which would cover 85% of the occurrences, then it would require 420 parking spaces. That would cover the extra high attendance at certain, that still leaves 15% which would probably include Christmas and a couple of major things per year which I think would then take it up to the 500. So my opinion after looking at all of these factors, the access, the trip generation parking, is the church use will have a far lower impact on traffic flow in and out and safety than a continued use as a supermarket. And I think the parking, the re-use of the site can be done to provide safe parking and adequate parking.

Mr. Gilbert: Thank you Mr. Younger.

Mr. Younger: I'll be available for any other questions you might have.

Mr. Gilbert: Our next speaker will be Dan Friedlander, and then Mr. Golonka you could follow up. Or Kellough however. That's fine. Mr. Friedlander.

Mr. Friedlander: My name's Dan Friedlander. I live in Eastshire. I've been there since 1984. I've seen that neighborhood, the area, go down since 1984. The area where Odd Lot's is, at one time was full of stores. Now they're down to just Odd Lot's. Across the street, Big Bear, and there are other stores there along with it. They've moved. They've gone. Will all those, I heard you guys talking earlier about finances, short of finances. That's a lot of tax base that's gone. I don't, we've got to get some business in there to get the tax base back. I substitute taught for about 4 years in the Reynoldsburg schools and we need the money. We need expansion. I know you got a new junior high going in. Where's the money going to come to support the teachers of the thing? The community improvement, I wouldn't mind volunteering to be on that myself to help bring more business into the community. The church, I have nothing against the church at all, but talking about the drug rehab portion of it. There's a drug rehab program at Alum Creek in Maryhaven. And I challenge anyone to go over there to Maryhaven, and tell me how many businesses are located around that area. They don't locate in a circumstance like that, you won't get hardly any businesses coming in there at all. That's going to hurt us trying to get business in. The south end has deteriorated since I've been there, business wise. And if we don't get some businesses in there, stores will, you know, supermarkets or what have you, it's going to get worse. Thank you.

Mr. Gilbert: Thank you sir. Stephen Kellough and Bill Loveland.

Mr. Loveland: Yeah. My name is Bill Loveland and I'm an attorney. I come from a little different direction than some of the other speakers. I represent the Wayne Brown Trust. Stephen Kellough is a principle beneficiary. The trust is the owner of this property. The trust is very interested in seeing it's property rights protected and furthered in this proceeding. And allow the

contract which it has after many years of effort, been able to find for this property. And we thought it would be useful to the members of Council to understand some of the facts behind the situation from the sellers prospective. I guess one of the initial things that I would like to say, and it's reemphasizing what the architect says, most of my life I sit on a different side. I do what Mr. Underwood does for a lot of townships, and a lot of cities around and I only do the developers side on a very rare occasion. And it's true here and it's true in most communities that churches as churches are highly favored uses. And most communities, and in your community, churches are allowed in the center of a residential district. Churches are allowed in almost every district in almost every community. Because they are desirable uses. It's been that way since 1776 and it will continue that way to today. That's why we have the freedom of religion clause. That's why that is a typical use. So the situation we're here on is highly unusual. And typically, a church use, churches do good works. That's what they do. They teach their children good things, they do good works. And to think otherwise because of the denomination of a church, or because of the populus of the church, it's inappropriate. It's unconstitutional. It's not right. Churches worship God. They teach kids good morals. They teach kids to do good things. They help people in the community and elsewhere, and that's what they stand for. And universally in the world of zoning law, churches are highly favored uses. I'd like to focus for a second, and I do want to be as brief as I can, but there's been a lot of discussion and talk about some cooperation from the seller, about waiting for some additional use, or a grocery use to come back to this property. And I think it's important for you folks, if I might approach.

Mr. Gilbert: Certainly. Go right ahead.

Mr. Loveland: I've got a couple of _____ handouts. The first one that I have is a time line.

Mr. Gilbert: You could provide one to the Clerk as well.

Mr. Loveland: Yes. I think there's enough copies. If not, we can easily supply more.

Mr. Gilbert: Okay.

Mr. Loveland: But I think a time line that relates to this property, and my clients position in this property is relevant. First of all, this piece of property is the only real property asset which my client has ever owned or does own. It's not like we're talking about somebody who owns a bunch of shopping centers around. The store was built in 1973. Penn Traffic filed for bankruptcy, and it became clear that Big Bear was in serious trouble, bankruptcy type trouble, in 1999. The concern over Penn Traffic's ability to continue to pay the rent from this store, and our clients effort to find somebody to substitute, including multiple efforts through the bankruptcy process, started a good 6 years ago. And in the bankruptcy process, the bankruptcy trustee went to all sorts of different potential grocery chains, individual grocers. Tried it's very best to market and sell these store. Now what happened actually is, Kroger first agreed to buy, pick up a number of stores and pick up the leases or buy the properties. Giant Eagle came in with a higher bid and took fewer stores. The point to be made there is, this particular location was never, no one ever offered to

pick up this location. This was not a money making location. It wasn't then. It's not now. And it's unfortunately, probably not going to be in our life times by virtue of competition and the position of retailers these days. They're putting up bigger and bigger stores. They're putting them on the outskirts. I know that Benton gave you some information. He's got some additional information on the fact that the folks who with the money, the folks who build these stores are not interested in this site. Again, the efforts to find a grocer tenant at this site, have included inquiries to Mark's, Kroger's, every available grocer. That would have been a by far, the preferable buyer for the trust, for everyone. Nobody's willing to make a bid on this property in the last 6 years. This is the first offer that's come along the pike for this property. It's true that Big Bear occupied this property for some period of time. It tried to sell the lease. It tried to sell the store operation. Up until 2004, it could not find a single buyer. It abandoned this location because nobody would pay \$10 to buy the stores position there. Nobody would pay anything. Nobody made an offer to take over the lease on this store, to upgrade a grocery store. Subsequent to the release of this property from the bankruptcy proceeding, my client interviewed, what was it 6, 7, 8 brokers? There's the stack of reports that came back. All of them indicated, you're not going to find a grocer to buy this location, or to lease this location. No one out there is interested. The store didn't perform that well when it was a grocery store. Likely uses, one of the highest, most frequently cited potential uses was a religious use. Was as a church. The folks, that's where the demand is for these types of abandoned big box if you will. Again, through the time line, February 1, 2004 was last date the trust got a rent check for this property. Since that time, just so you have some idea, in the year 2004, the expenses to own this empty building were \$374,000. It's costing this owner about \$20,000 a month to insure the property, pay tax on the property, pay utilities on the property. That money is never going to be recovered. And frankly, it can't continue very long. It's too expensive to hold this property with no tenant and no revenues. I mean, economically I don't think any one of us could afford \$20,000 a month on an empty building. And these are families behind this. This is not General Electric we're talking about. We're talking about a family that owns this and is trying it's very best to sell it. So it's not without cost. The seller also did have some independent appraisal work done in trying to figure out how to price this property and how to get it sold. Every appraisal report, in particular, the most recent one says, Brice Park is located along Brice Road, a declining retail corridor with a large number of acres vacant in a 76% overall vacancy rate. That's tragic. That's not good for the community. That's not good for anybody. Earlier said, blight begins with a church taking over a building. Well I would argue that blight begins when empty buildings are hanging around. And if in fact Council decides to decline, to approve, this application, which frankly meets every requirement of your code straight on, it is an accepted use. The property's zoned for this use. It's a matter of an administrative proceeding to get what's typically called a conditional use. This is an exceptional permit under your code. But this is, the drafters of your code thought this was a good use in this area. And that's the way they set up your code. This is a permitted use in this area. It's not a, they're not asking to change the zoning. They're not asking for anything extraordinary. They're asking you to agree that the use that is set forth by your code is being proper and this can go forward. And that gives you the opportunity to review, to hear from your citizens, and to do that kind of stuff. But I do think it's essential that you know, that if this is turned down, that building may sit empty for the indefinite future. And what is worse? A church where people pray, teach kids, take care of kids, trying to keep people on the straight and narrow, or an empty building that frankly the seller's going to end up having a tough time keeping up. At

\$20,000 a month, it doesn't take long. Okay? So, as a supplement, and I did make additional copies. Again, Chairman if you don't mind passing these down. Those are the statements made in the appraisal report that focus on this development. Also focus on some hot spot, low spot things. The truth is, is that the money is not focused here. And we can't tell when it will be. And our position is, it's unfair to punish this family for the fact that the economics of this area have turned to where they are. And we don't know when they'll turn around. I'm not here saying I don't hope they turn, I hope they turn around. I mean, it would be wonderful. But people's lives do get crushed during these kinds of periods. And there's some potential for that here. This is a very serious issue from the seller's prospective, from a financial, from survival prospective. With that, and I could go on. I'm not going to. Mr. Benalcazar had cited _____ the last time he was here. And as a part of my presentation, I thought it would be appropriate to get him to confirm the folks in the grocery business who he's contacted and other many, many other businesses. He's contacted literally hundreds of possible users and buyers. None of whom have made offers. And he also had cited some statistics on empty big boxes in the area, the competition for this property, this type of property. And he's brought in some literature for you on that. So Benton, if you could fill in those blanks.

Mrs. Newman: Mr. Gilbert, I have a question.

Mr. Gilbert: Yes. Mrs. Newman.

Mrs. Newman: In your time line, you say May 31, 1973, store leased to Big Bear. The Penn Traffic Company is a successor. When was that?

Mr. Loveland: Steve, do you know when Penn Traffic took, there were actually three owners of the Big Bear Company.

Mrs. Newman: I'm just interested in Penn Traffic.

Mr. Loveland: Between I think, I'm going to have to go, I'm going to have to guess to be honest with you. But I think it was about, it was around 1991, 1990, '91 when Penn Traffic took over from an interim owner. The Big Bear stores sold in the 80's some time.

Male: (Inaudible. Speaking off mike).

Mr. Loveland: 70's? Okay. Late 70's. Actually, the Brown family sold, it was a public company then. But an investment company bought Big Bear. Then it became other than local ownership in the late 70's and Penn Traffic purchased it with tons of leverage and immediately went under. And I believe that happened in the early 1990's when the purchase took effect. The effect of all the borrowing didn't close the doors until the late 90's. Well, bankruptcy occurred at that time.

Mr. Gilbert: Does that answer your question, Mrs. Newman?

Mrs. Newman: Yes. Thank you.

Mr. Loveland: I apologize I don't have the exact dates but I didn't come prepared with those tonight. Benton.

Mr. Benalcazar: My name is Benton Benalcazar with Logos Realty Advisors. I am the exclusive lease listing and sale listing agent for the property. And I apologize, I did only bring one copy, so I guess I could give it to Mrs. Frazier.

Mr. Gilbert: Give it to Mrs. Frazier. She can copy it for the public and for Council.

Mr. Benalcazar: These are two reports from, I had mentioned these reports previously, and so I brought them in today to be submitted. They're from Costar Realty Services, and they are a real estate research company that has national scope and is definitely the most used real estate research company in the nation. And what we did is, we did a search of all retail properties with at least 30,000 square feet of vacancy, contiguous space. In other words, what's referred to in industry as a big box, all contiguous in one big box. And then we also did another search for spaces that are 50,000 square feet and larger. And these search perimeters match our marketing campaign which has included the visibility of this shopping, or this former Big Bear. The results, and like I say, I'll submit that to you. And I'd like to highlight one other property that's been vacant for quite some time as well other than this Big Bear. But for the 30,000 feet category, as of today's service, there are 50 properties that have 30,000 feet and larger. And it's in the greater Columbus market. For properties that have 50,000 feet and larger, there are 36 properties. And those numbers varied slightly from two weeks ago, but pretty much the same. The one property that I want to talk briefly about is located at the Olentangy Plaza Center. It's basically right on the interchange of State Route 315 and Bethel Road. That shopping center is owned by one of the largest pension funds in America called State Teacher's Retirement System who owns shopping centers nationwide and has retail relationships that they carry from state to state, to property to property. This shopping center serves the northwest trade area including the Upper Arlington market, parts of Dublin, and other locations in northwest. Micro Center is the largest tenant in the market and they are by far one of the highest traffic draws. So it's a very attractive center to locate if you're a retailer. You always want to be, if you're not an anchor, you want to be located in a center that has very high anchor draw. And that center, that former Big Bear has also been vacant for more than a year. So it's not a problem particular to this location at Brice and Livingston. And then I just wanted to touch briefly upon some of the comments that we've gotten from many of the grocers that we've been in contact with. I have kind of a, because of another business relationship, I have an exclusive representation agreement with a developer from Cleveland who has been scouring this market for Mark's stores locations. And they don't ever deal with Mark's, but they do a fair number of deals with Mark's in all their stores. We've contacted Mark's directly and my client, my other client who works with the Mark's stores has contacted them directly about this site. And they said it just does not fit their perimeters. Other stores that we've contacted have been Trader Joe's, Michael's, Meijer's, Kroger, Hobby Lobby, Giant Eagle, Anderson's General Store, all these. And that list, this is just a sampling of the list. But I just wanted to mention a few of those names because they include discount grocers, anywhere from discount grocers to more full stream grocer and kind of general stores. We received a call from a resident, I don't recall the name but, about Winn Dixie that there might be some interest there.

We were aware of their financial condition but we confirmed. Winn Dixie's in Chapter 11 and they are closing many locations. In fact, they've hired a disposition company to close and dispose of many stores in their chains. So I did want to address that for the one person there. And then I guess I just want to close with, although it's not in the City of Reynoldsburg, it's right across, diagonally across the street, which is the former Builder's Square location. And you Council members might have a more exact picture, or a time frame of how long that store sat vacant before it has its currently occupancy which is not a grocery store or a Builder's Square, or any kind of hardware store like that. But from talking to one of the former owners, it appears that that store sat vacant for 6 or 7 years. And that's all of my summary. Are there any questions? (No response).

Mr. Gilbert: Any questions? (No response). No? Very well. Thank you, Mr. Benalcazar. Mr. Golonka, attorney for the applicant.

Mr. Baumgartner: Mr. Gilbert, can I respond to a question Mr. Clemens had?

Mr. Gilbert: Certainly. He's responding to one of your questions.

Mr. Baumgartner: Mr. Clemens, you were talking about the traffic analysis that Mr. Younger performed. You know, depending if a grocery store in there or a church, I can't sit here and say there's not going to be an accident there every Sunday. I contacted Dave Parkinson, EMH&T, my understanding is he is the City of Reynoldsburg transportation consultant or what have you. The onus on this is to request traffic information. We provided it. There's no entity there to govern. You can't compare the grocery store or the church at this time. The statistics, along what you said Mrs. Newman, the statistics for that for 100,000 square foot church, also coincides with 2,000 seats for the worship and 500 parking spots, it's consistent. I mean, we're apples to apples here. You know, I suggest, you know, it's the concerns I hear, many people are talking about traffic. You know, our opinion is, and our research that the grocery store substantially more of a traffic impact than a church. And a church of that size. I would suggest because EMH&T contacted me back, said they were too busy. Also, they were saying it might be a conflict of interest to provide this to me at which point I said, I don't see how it could be a conflict of interest. I said, I don't care if it's in favor for the grocery store, or in favor of the church. I just want to know what it is. So I would suggest that the City of Reynoldsburg ask their consultant to provide the data then for the traffic report. Thank you.

Mr. Gilbert: Mr. Clemens, go right ahead.

Mr. Clemens: Yeah. What I wanted to bring out was, when you turn, there's a difference between turning 500 cars lose on a Sunday at one time and having a grocery store, they come and go. You know that and I know that.

Mr. Baumgartner: I agree sir.

Mr. Clemens: And I do know, and I've lived here for 53 years, I do know how much traffic is on Brice Road and Livingston Avenue on a weekend. And I want to be serious about that. And

these people are correct on that. I don't care what statistics you want to use. You come out here on a Saturday or a Sunday and see how much traffic's on Brice Road and Livingston at that intersection. And I understand, I don't want to discredit the report, I feel that way about any traffic report that's brought here. Don't get me wrong. But unless you're there and you see the traffic that we do have, that's what I'm trying to say is, it's not the national statistics. I don't care anything about those. I'm telling you what we have here on Brice and Livingston Avenue on a Saturday and a Sunday. And a lot of it is caused from coming across the freeway. We have traffic backed up on Sunday's and sometimes Sunday morning, Saturday morning, from Brice, from Livingston Avenue, three quarters of the way to Main Street trying to get in traffic. You can't even get through the traffic lights and things like that. These are the kind of things I'm telling you about that happen. And when you turn 500 cars lose at noon at one time, and I understand there's a traffic signal but I mean, they're impacted in the traffic because they can back it up and not move. I know what the traffic's like and I've seen it. And that's the only thing I'm bringing out, that the traffic study, I don't care whether it's done nationally or not, and it does not affect what happens at that intersection, and it happens on Livingston Avenue and Brice Road on Saturday and Sunday's. You can take it or leave it. I'm just telling you what happens. And if you want to get a study done from Parkinson, that's fine with me. But you pay for it. The city's not going to pay for it. Okay?

Mr. Gilbert: Thank you Mr. Clemens. Mr. Golonka, the floors yours.

Mr. Golonka: Hello. I'm Ken Golonka. I apologize in advance, because I think I'm going to have to jump around a little bit because I want to do my best to respond to the various points that were brought up. Obviously, Mr. Younger's report and Mr. Baumgartner has told a lot about the traffic issues, the parking, those kinds of things. All of which I think are helpful. The discussion from Mr. Loveland with respect to the history of trying to sell this store and the kinds of uses. And in fact, he brought up a point that I was going to bring up. I'll do my best not to be redundant based on what other people have said. But he is correct in that this code as pretty much every code out there favors churches. One of the things that kind of troubled me today when I was listening to what several of the residents were saying was, feeling that having this church in here would make them feel unsafe. And in fact, there's discussion about, gee the liquor stores and the bars are going to go out of business and I'm not going to feel safe with a church here. And I think there is some inconsistency that I just want to make sure everybody understands. Because I think this is our fault. This is the churches fault when they made their first (Tape Change) And I think if you go around the churches throughout this community or anywhere in Central Ohio or anywhere in the country, you'll find churches that'll have 12 step programs, meetings on a Wednesday night at 7:00, or a Saturday morning at 9 a.m. They have coffee and they sit around and they talk about how they've dealt with their addictions. There is no question that that is a ministry of most churches. There is not going to be any ministry to compare this with Maryhaven. It just shows, there's a misunderstanding. And again, we're going to take responsibility for that misunderstanding and miscommunication. This is not going to be a residential facility. No one's going to live there. No one's going to stay there. Not now, not ever. That is not the purpose of this facility. It is simply a counseling of church members, of community members with respect to life issues. Stress issues, problems, every church, I have a problem I go to my Priest and I say, Father, I'm having a hard time dealing with my day to day life. He counsels me.

It's the same thing.

Mrs. Newman: Excuse me. Can I interject something here Eric?

Mr. Gilbert: Mrs. Newman.

Mrs. Newman: We seem to be talking about all kinds of things at these meetings. Our residents have the ability to say, give us their feelings on these issues, but when you know, push comes to shove, what we're going to be dealing with are our codes. And you know, why don't you talk about that?

Mr. Golonka: I'd be happy to talk about that Mrs. Newman.

Mrs. Newman: And just quit this _____ if you will.

Mr. Gilbert: Mrs. Newman, I've provided an enormous amount of latitude to the residents, to the public...

Mrs. Newman: Well, but this isn't...

Mr. Gilbert: I'm going to provide, there were a number of points brought up in reference to drugs, drug rehabilitation programs....

Mrs. Newman: Well, that's true.

Mr. Gilbert: That people's lives are in jeopardy. I'm going to allow the applicant some latitude here to address the accusations and concerns that have been raised by the public.

Mrs. Newman: Well but you know as well as I do that we have to make our decisions by what's in our codes.

Mr. Gilbert: I could list any number of comments from the public that did not pertain to the...

Mrs. Newman: Well, but that does not affect our decision. Don't you understand that it's what's in our code that _____ to base our decision on.

Mr. Gilbert: I agree with that. But we've had everything from worrying about a child running down the middle of the street, some how that referring to the church. Slums, dope, as well as concerned, passionate concerns that the residents had about their neighborhood that may not pertain to 1145.06 or .09. Now I've allowed, I've granted that latitude here and I'm going to allow Mr. Golonka to...

Mrs. Newman: Well they pay taxes to Mr. Golonka _____.

Mr. Hills: Excuse me. If I could intercede just a second. And I don't really want to see

Councilmatic argument. But certainly, let me assure you, with all public meetings, once latitudes are allowed, they need to be allowed equally.

Mrs. Newman: Alright.

Mr. Hills: And I think that is the way. Mr. Gilbert, please proceed.

Mr. Golonka: I'm really trying to...

Mr. Gilbert: One second. We don't have anything in our rules that pertain to an individual being a tax payer as to whether or not they can speak in this Chamber. If we do, then we can address that at our next Rules Committee meeting.

Mrs. Newman: Alright.

Mr. Gilbert: I've tried to run this fairly from the beginning, and I'm going to try to maintain that the rest of the way out. Mr. Golonka, thank you.

Mr. Golonka: Thank you. Again, I'm trying to explain some of the, the concerns, so that the community knows what it is we're going to do. The church wants to be a positive, contributing member. A vibrant force in this community. And when the community feels that they are bringing in an element that's wrong, when people are concerned that addicts will be bused in, I mean, I'm just trying to clear up the confusion. I'm not trying to debate with them. I understand this is something to some extent we brought upon our selves by the way that things were communicated and I'm trying to clear that up. With respect to the specific, I want to talk a minute or two about this applicant so people can understand. Because I think there's also been questions about who are they, where are they, where'd they come from? Calvary International Worship Center is a church. It's affiliated with the Missionary Baptist Church. They recently changed their name. So people who are looking on the internet or looking in the phone book saying, gee this place doesn't exist, they changed their name several months ago from Cross Tabernacle Church in order to better reflect a broader message that's Apostolic Doctrine. Bishop Dawson has been the Bishop of the church for 3 years. He was the pastor for 12, and before that he has been in the ministry for 18. So I want to clear that up. I also want to talk about the whole question that came up last month about grants and, they're going to come up with grants to do this and that. The church has the funds to buy this facility and to do it's rehabilitation to the building and to turn it into a church. They do not need grants for that. The grants are basically to help things with different programs that they would want. Programs that every other church would have. So again, this is not a residential facility. To go to 1145.09, and I can walk through those with you, there are 8 standards in there. And it's hard for me, not to see how the BZA couldn't have granted the Special Exception, which they did unanimously, which is their authority to do. The first is, the proposed use shall be in harmony with the existing character of the district, or ___ of the district, and shall not change the essential character of the district. This is a church. There is a neighborhood. There are commercial buildings here. There are some other commercial buildings around. But it's an empty store now, and it's been an empty store for a while, and potentially could be an empty store for a long time. When the church moves in there, it's ability

to bring life back to that center could not only help that particular building, but also the center around it and the community. Again, they're bringing people. They're bringing vibrancy. They're bringing life to a center which is very depressed, which the main building is empty. The church will also bring in people who are able to provide services and counseling to members of this community. They will provide their facilities, and share the facilities with the members of this community to the extent that they are athletic. A gym, which is in the plans. It's going to be shared with the people of this community to the extent that there are auditoriums, or meeting rooms. It'll be shared with the people of this community. Every church, the gentleman who went down and said, gee there's all these ministries and they weren't listed, and so therefore, this is not a valid application. It's a church. I mean, no church will go through and list every single ministry it could have now or forever. The church operations are certainly going to be less intrusive than any use that's ever been on this property with respect to the neighbors. And this is (b). It does not adversely affect the use of the adjacent property. And plus, it'll bring a spiritual resource in the community. The next, the proposed use will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. Hopefully, my explanation with respect to the drug rehabilitation statement will clear some of that up. It's a church. That's what it is. Could there potentially be AA type meetings? Sure. Will there potentially be meetings where counseling or somebody has a problem with his family, problem with finances, they need counseling, spiritual counseling? Absolutely. Hopefully, most other churches out there do that. Because that's what we do. That's what churches do. They minister to their members. But again, as wanting to be a vibrant member of this community, that ministry will be open to the entire community. The proposed use is served adequately by a public facilities and services. The churches requirements for that are minimal. A 24 hour grocery store requires much more than that in the way of sewer use,

and traffic use, and Mr. Younger's report. Whether you accept the specific details of his report or not, the numbers that he gave, when I saw them for the first time today, are staggering. It's like a 10 to 1 difference for almost every day of the week with the exception of Sunday. And there it's a 3 to 1 difference except for the very short period of time where there's church services. And Mr. Clemens, I will absolutely respect any view you have with respect to the way traffic is there. You live here. I don't. But nevertheless, the reports, and the studies, and when you bring up traffic as a major concern, this was a grocery store. This was not an empty field. There was traffic here before. The commercial uses allowed for traffic here before. The use is in accord with the general specifics and objections or purpose and intent of the Zoning Code. Chapter 1135 of the Zoning Code states, the purpose of the Zoning Code is to further the morals, I can read it to you if you'd like. 'The purpose is the promotion of public health, safety, morals, comfort, and general welfare, conserving the value of property, facilitating the provision of water, sewage and schools. And other public requirements promoting environmental quality and lessening or avoiding congestion on public streets and highways'. We have a church that, according to our studies, will have minimal impact on traffic compared to the other uses there. It's a church. Health, if nothing else, not physical health perhaps, but spiritual health, safety, morals, comfort, general welfare. That's what a church is all about. That is part of what it's ministry is in addition to teaching about God. And then the use clearly, the last _____ use clearly does fall within a Special Exception Permit unless somebody wanted to say that this really isn't a church. I talked a little bit about RLUIPA the last time. I could do that again in more detail if you'd like. I will

note, that the U S Supreme Court just this month, affirmed a critical part of RLUIPA. RLUIPA is a new law. There is case law out there. I'm sure that you have heard or will hear that there are some courts out there, California specifically one where they've held RLUIPA to be unconstitutional. U S Supreme Court actually, and again, talk to your own counsel on this. You don't have to take my word for it, doesn't very often speak on a piece of federal legislation within a few years, within 5 years after it was passed. It was a unanimous decision. It was not exactly on point but held an element that said that basically that that provision of RLUIPA does not violate the establishment clause. So I think that again, when you think about RLUIPA and what's here, I don't want to talk about RLUIPA really. I'm just bringing it up because that's my job. I think, I'm very comfortable that this is a use that you would be proud of. One of the citizens asked me, and it's not relevant, but I'll answer it. Would I be happy to have this use in my neighborhood? And the answer is yes. Absolutely I would. These are good people. They're people of God. They're trying to help the community and help each other. That is, I think a lot of what we're all about. I understand the issue about the economic benefit. I understand that and there's no question that for this neighborhood, a grocery store would be much better for them than a church that they would not typically attend. I understand that. But that building has been empty for a long time. This is a church. It's promoting good, moral values. And I mean, I guess that's about all I have to say. I'm happy to answer questions. We did for the record, and I'll repeat again, agree because there were some concerns last time about, well gee, we don't want bingo here because it can compete with the Reynoldsburg Touch Down Club. The church has said, we won't do bingo. If there are other things that are specific concerns that would be part of its ministry, the church would be happy to talk about it. I mean, and I did want to clarify the drug issue, or the drug and alcohol issue, the addition issue. Because I think that kind of got a life of its own.

Mr. Gilbert: Mr. Golonka.

Mr. Golonka: Yes.

Mr. Gilbert: Can you clarify the, there's been some discussion, I know there's been questions in response, but just for the record, clarify the Armor Bearer terminology?

Mr. Golonka: Sure. Armor Bearer's are, it is a name of volunteers within the church that are basically ushers. They will escort Bishop Dawson. They will patrol the parking lot during services. And I can tell you that sometimes that's a good thing. I live in Hilliard and there are break in's into cars at our church at Sunday mass sometimes. So that's a good thing. Armor Bearer is a Biblical reference. They don't bear arms. They don't carry night clubs. They don't carry billy clubs or anything like that. They are...

Mr. Gilbert: What is their shield?

Mr. Golonka? Their shield is...

Mr. Gilbert: The Word of God?

Mr. Golonka: The Word of God is their shield. I mean, yes.

Mr. Gilbert: I'm paraphrasing. I've had several people try and explain it to me, so I'm just trying to understand.

Mr. Stearns: May I interject something right now?

Mr. Gilbert: Yes.

Mr. Stearns: I just want to say that I checked with a couple of ministers and it's mentioned in the New Testament, you can find it in Judges, I Samuel in three different chapters, or three different verses. And you can also find it in II Samuel. If anybody needs to know those scriptures, I've got them written out right here. Okay? So that is something that, should have been impressed upon from the beginning when they were first mentioned. And I think the people have taken the wrong concept of something that does not mean a whole lot and it's not, one thing I want to say is, this is not a terrorist group. This here. This is a church. I mean, I'm sorry that I stepped out of order right now but, I have been offended by sitting up here. I have been offended. And I just want to say this, that I am, I'm doing everything that I can to compose myself. And I just want you to know, that I'm just sorry for this outburst right now.

Mr. Gilbert: If you have anything else you'd like to say Mr. Stearns...

Mr. Stearns: No. That's all I have to say right now because when I get into these moments, I think it's best for me not to say anything else. Because I do not want to offend anybody the way I have been offended by listening to all this talk up here. And especially from some of the members of Council _____ here too. And I just don't, I just don't think it's right for someone to cop outbursts like that. Even though I'm doing it right now. But I think it is wrong for some of the things that have happened here.

Mr. Gilbert: Thank you Mr. Stearns. You're from the Catholic Church?

Mr. Baxter: Yes.

Mr. Gilbert: Armor Bearer in comparison to Knights of Columbus. Didn't the Knights of Columbus carry swords early on in the conduct of _____.

Mr. Baxter: They actually still do carry swords.

Mr. Golonka. They still do sometimes. But they don't typically, Knights of Columbus typically will attend mass on more ceremonial occasions. But there's a very similar kind of concept.

Mr. Gilbert: Very well. And that's the comparison I'm trying to get at. Any questions for Mr. Golonka at this point? Mr. Baxter.

Mr. Baxter: I think the question, I wrote it down here and I'm looking for it right now, give me a second here. I think what I had heard earlier was, the Armor Bearer's carried the Bible. And that was their tool of choice. It was God's Word. And I believe you said it the first night you came

up here. And that's how I heard it.

Mr. Gilbert: Any other questions? I guess at this, I'm out of speaker slips, and at this phase I would just briefly turn it over for Council to do the second phase of it's job where if you have any additional questions, I'm sorry Mr. Golonka.

Mr. Golonka: I just want to add one other thing that was brought up that they do not do, is camp meetings. So there are no camp meetings at this church. I just wanted to clarify that point because that was another thing that people brought up. They said, gee what about the camp meetings. There will be crowds, and people, and they don't do camp meetings.

Mr. Gilbert: Very well. I would just note for the members, there has been some additional information provided this evening that I wasn't expecting. I thank the public for your comments. And the applicant, although not required, was willing to provide information in regards to a traffic study as well as some answers. Are there any questions at this point from the members of Council for the applicant, or any comments that you'd like to make at this point? Mr. Baxter.

Mr. Baxter: Thank you. Just one more thing I want to clarify, and we did receive this at the table tonight and I wanted to make sure the public has an opportunity to hear it because it is a misconception and you haven't addressed it yet. And that is dealing with the day care being 24 hours. We have at our desk here, a notice saying the hours of operation for the day care, child care facilities be limited to 6 a.m. to 8 p.m. Monday through Sunday. Is that correct?

Mr. Gilbert: Mr. Baxter, Mr. Golonka, let me answer that. I had written up some restrictions to pass out to the members tonight and the applicant. And that's something that they are not aware of yet.

Mr. Baxter: So they're not aware of this. Okay.

Mr. Gilbert: Correct. Which is normal procedure on some aspects of what we do with our Special Exception Use Permit. And let me touch on those for the public's benefit. And then if the members will allow, with the new information, I will agree to hold this for two more weeks and then I would expect, as we have historically done, to the members of Service, is to move this out of committee for consideration by full Council. That is the appropriate way and the historic way that Council has handled this. And I would certainly hope that you would give that your consideration over the next two weeks. But some of the restrictions included in the Special Exception was that, the applicant would be required to provide special duty police assistance with traffic flow on days of worship. The level of special duty assistance will be determined by the Reynoldsburg Chief of Police. The applicant is required to install additional landscaping and green space improvements as requested by the Building and Zoning Commission. The landscaping and green space improvements must be approved by the Planning Administrator and the Mayor. Hours of operation for a day care and child care, of any day care, child care facility in this particular area where the permit applies will be limited from 6 a.m. to 8 p.m. Monday through Sunday. And at no time shall the facility be used for the purpose of providing temporary or permanent housing of any sort. I know there was some discussion between the Mayor and the Bishop in regards to the

drug rehabilitation program. That is something that could be discussed additionally over the next two weeks. And certainly, if the members have any suggestions in the meantime to offer up, I'm certainly open to them. I would just note for, Mr. Baxter, quickly.

Mr. Baxter: Just very quickly Councilman Gilbert. One other recommendation I would _____ is, I did hear in the last few weeks, that there was not going to be any improvements to the exterior of the building. That implies to me also, not to the parking lot. And if it does need re-striping as an issue for parking, I would recommend that there be some type of language be added to that for that purpose.

Mr. Golonka: No. That parking lot will be re-striped to get the _____ number of spaces.

Mr. Gilbert: I think that would be enforced in the _____.

Mr. Baxter: I'm just making sure because it was specifically stated it wasn't and I wanted to make sure it was clear (Inaudible. Multiple people talking at the same time).

Mr. Golonka: And the landscaping also is totally fine. They agreed to that at BZA and we certainly would comply with that.

Mr. Baxter: Alright. Thank you.

Mr. Gilbert: Thank you. Other comments from members of Council? Mr. Clemens.

Mr. Clemens: I think that, I want to make it plain, I think there's been a misconception. I don't think the residents here and I don't think, I don't think anybody is disrespectful as far as the church is concerned. I know Bishop Dawson and the church and I'm sure it's a fine church, outstanding church. I don't think there's any question. I don't think that's what the issue has been about. I know all these people up here. I know my family, they're very religious. My children, my grandchildren, everybody. So I don't think it, in that part I think is getting out of point. And I think we should keep that in our mind. This is not something that's against your church. I think if you know the residents, if you know myself, I've lived there for 46 years in this section. These people have their homes. They own their homes. This is why they are interested in what is going on. I think they deserve that. We deserve that. And I think that's why there's so many questions. When your life changes and your community changes, things are taken away that you've always served on, or that you went to, and that you need. These are questions I think they want answered. These are the questions that are hurting people really. It is a change. And you've seen 100 people, 200 people, and you would see more if you go out in the neighborhood around our sections. And what the gentleman said, you could go door to door and they all feel the same way, what is happening to our community? And what had happened to our section of town? And this is what they're interested in. This is what everybody's upset about. They're not upset because of you and your church. They would be just as upset if it was a Catholic church or my Methodist church. I would be speaking the same way. We want retail there. We want something that we need. And I think that's what they're speaking about and that's what I'm speaking about. So I think we want to get this other point that everybody seems to be hyper about. It's not about your church. It's about if it was any church. Any non-profit organization. And I

think that's what we're speaking of. (Applause). And I think Eric would agree on that.

Mr. Gilbert: And I would agree, Mr. Clemens, I would agree with you. And I think that's what makes this such a difficult issue for everyone involved. And I would just like to reiterate what a credit it is to the public and the applicant for your patience, and the members for how you've handled all the time to be involved with this. I just have some brief comments I'd like to make before closing this out because I think there's just some points as we head into the next two weeks that all involved can consider. And that is in regards to the Special Exception Permit. Many arguments are made for and against the one constant in all of this for the members here at the table is that, despite our reservations or our support, the one constant is that we have certain provisions that we must base our decision on. The applicant wishes to relocate their church to Reynoldsburg and continue their mission. A mission which moves them to provide many of the same services and as has been established this evening, and outlets being provided by churches across Reynoldsburg today. Most recently, I can think of, the Luther House. That brings in homeless people to provide them with a respite so to speak, to help them get re-established. That's provided on Waggoner Road in a residential neighborhood. And to date, I'm not aware of problems that we've had with that program. The difficulty from my standpoint, I've heard other members discuss, it comes from the location the church has chosen. Mr. Clemens, you point that out as well. Previous commercial use, and this use provided not only tax dollars but, convenience to the residents. And that's difficult to adjust to. However, I think it's equally important to note in how Council considers this and from what the City Attorney has advised us is that the building is currently vacant. It does not have a tenant, and no commercial tenant has shown immediate interest. And one of the things I wanted to touch on briefly this evening is that this vacancy has caused some to question the city's efforts to assist in filling this vacancy with a new tenant. And it has also brought on a broader question in this area, is the city doing it's job to address the needs of your neighborhood? And if the applicant will indulge me for one minute, I divert because this doesn't specifically apply to the permit, but it applies to some of the questions that you've been asking that I think you're entitled some answers to. Will you be happy with all of the answers? I suspect not. But at least we'll provide you with some of the answers. In my research, and analysis, and the memo that Mr. Brandt had provided to Council over the past two weeks in response to a residents inquiry, I think it is fair to say that the city Development Department made a generous and energetic effort to assist with the pursuit of a tenant at this location within the context of the limited resources that we provide this department. Now I know that's always the argument. Limited resources means limited results. But when you make a comparison to a community of general aesthetic tax base development standard such as Gahanna, and you look at the size of that Development Department and the investment that that Council has been willing to make in their Development Department, and you compare that with the results in both communities, I think you find where some times Reynoldsburg has struggled. And you know, most recently, in some context, it's the industrial, the retail, and the residential that has been pursued in comparison to that community. More so than in Dublin or Westerville, because I know Mr. Clemens always jumps out of his chair when we try to use Dublin or Westerville to compare because that's not in the size and scope and tax base, it's not comparable. But one only needs to look to the north to see that comparison. But if that isn't enough for you, I'd like to ask you to consider the following as you ponder these things over the next two weeks. The following

information. Current projects under way would include the new offices on Livingston in the all new brick building that you see as you approach the Livingston Center. A small building, but one less vacant area under an all brick structure based on the new standards that the Development Department has tried to implement and push through Council. The Brice Road TIF that the property owner, I believe the property owner participates in that we're dealing with here this evening which has been in place for several years. A Tax Incremental Financing plan that will help fund the infrastructure improvements in that area that you will require with Phase III of the Corridor Revitalization Program. This program not only increases the standards for zoning and development in the area, but also improves the business climate. If you had been here, we had some testimony a few weeks before this issue came to the forefront from business owners in Phase I of the Corridor Revitalization Project. And they spoke of the increase in their business and the vacancies that some of them were able to eliminate, and the impact that this project had on their customers mind set in terms of the ingress and egress. This is on the way. And the Brice Road TIF has been in place for a couple of years to try and help facilitate, addressing some of the concerns that you have legitimately raised here in the past three weeks. I would also point out from a recreational standpoint, that the joint effort by our Recreation Department and the State of Ohio to install and expand a bike and walking path up Livingston Avenue towards Huber Park intended to extend and connect throughout the city, offers a great benefit of life, or quality of life aspect to this area that the city frankly has spent thousands on itself, and received thousands in grant money, thousands of dollars in grant money to help pursue that, to enhance your quality of life in this area. Mr. Clemens last summer, went to bat in regards to a storm water problem in Huber. I know Huber's had many comments to say. In regards, I know when I represented that portion of Ward III at the time, justifiably so in regards to code issues and trying to get an ear from the city so that their concerns can be heard. But he went to bat to look at a three quarter of a million dollar investment in your neighborhood to fix the storm water problems that threatens the residents in the Bartlett area. That's a major investment long over due. And I think what was the beginning of the Development Department's efforts in this area to begin the revitalization of this corridor, was the successful effort to bring Home Depot as the anchor box at the far south end of this corridor. I had just joined Council at the time, and I know the extensive negotiations that went on with Columbus between our Development. And the haggling back and forth, and what a tight rope that was to walk to make that retail area a reality for this city. And it's been successful, and it's helping that area. But even more than that, I think I would point out, was the Development Department's extraordinary efforts to thwart the attempted use of the Cantina Del Rio as an adult oriented business that would have created a much larger problem for your neighborhoods than a church. And just for your information, the Development Department raised the red flags immediately to City Council and to the City Attorney, and allowed the city to swiftly move into action without any fanfare. None of us here at the table put on our tall hats and thumped our chests and said, look at we did. We quietly passed one of the most sweeping, precedent setting, sexually oriented business codes in Central Ohio. And avoided all the problems that communities like Worthington and Columbus had run into when they tried to run these businesses out and keep them away from their neighborhoods. And the Chamber was empty when we did that. I think it's important to keep everything in context. And it's a good thing now that the Chamber isn't empty in many ways because the neighborhoods did need to organize. They did need to have a voice. But in that spirit, I want you to, I mean, we've heard questions about the developer, and about the realtor, and the traffic individual, at what point do we

accept something as factual? At what point do we base our decision? Where is the credibility? I'll tell you, the credibility, when it gets to the courts is that we're a special permit to establish a place of religious is required, the grounds upon which such a permit may be denied are few is the advice from the City Attorney based on case law that has been established here in Ohio. Not the federal courts. And so, I'm just asking, and trying to provide some of these facts that the city has gone to bat in some aspects. Can we do more? Can we support more community policing? Yes. More code enforcement? Yes. Better development in the area? I don't deny that at all. But I think a more balanced look at these types of things will help us take a balanced approach to this issue of the church. And I appreciate your patience this evening, and certainly, your e-mails to the members, your comments and phone calls have been greatly appreciated, and I will adjourn Service at, Mr. Clemens, what time do we have?

Mr. Clemens: 11:35.

Mr. Gilbert: 11:35.

Service Committee
- - -Nancy C. Frazier, Clerk of Council
June 20, 2005
(Transcribed - Susie Smith)

FINANCE COMMITTEE MEETING MINUTES
JUNE 20, 2005

Members of Finance Committee present: Ron Stake, Eric Gilbert, Mel Clemens, Lane J. Beougher.

Other members of Council present: Preston Stearns, Brett Baxter, Antoinette Newman, Council President William L. Hills.

Mr. Stake: And I will call the June 20 Finance Committee to order at 11:36.

The next item on the agenda is approval of the minutes of the Finance Committee meeting held June 6, 2005. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted.

Item number 3 is approval of the agenda. Do any members of the committee have any changes to the agenda? (No response). I have one. I'd like to add as 3a, the two part time Code Enforcement Officers. Do I have a second? Second by Mr. Gilbert. Any discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

3a came from the Safety Committee. It's to add two part-time Code Enforcement Officer's with a salary for the last part of this year of \$6,329 each.

Mrs. Frazier: I thought this was the second. We already have one. So this is adding a second one. Is that not correct?

Mr. Stake: Oh, I'm sorry. Yes. Adding a second one. Yes. And hiring another one. We lost one. I'm sorry. Yes. We're hiring one. Thank you, Mrs. Frazier. Mr. Clemens, would you like to address this?

Mr. Clemens: Yes. This comes from the Safety Committee, recommendation for adoption as an emergency and I so move.

Mr. Stake: Okay. Mr. Clemens moves adoption. Is there a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed?

(No response). Motion passes.

The next item on the agenda is the RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF REYNOLDSBURG, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2006 AND DECLARING AN EMERGENCY. This was read for the first time on 6-13. There is a Public Hearing set for June 27, 2005 at 7:15 p.m. in Council Chambers. Are there any questions or comments from members of the committee? (No response). Members of Council? (No response). Then I will make a motion that we send this on for its second reading. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 11:40.

Finance Committee
- - -Nancy C. Frazier, Clerk of Council
June 20, 2005
(Transcribed - Susie Smith)