

SAFETY COMMITTEE MEETING MINUTES

June 7, 2010

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

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

Mr. Clemens: I'll call the Safety Committee Meeting to order at 7:30 p.m. First item on the agenda, is the approval of agenda. Are there any additions or deletions to tonight's agenda? If not, it'll stand approved.

Next item is approval of the minutes of the Safety Committee meeting held May 17, 2010. Are there any changes to the minutes of that meeting? If not, they'll stand approved.

Item No. 4 - Discussion: Authorization of engineering services - Round 25 Grant Application (Brice Road Improvements) (south corporation limit to East Main Street). This has been brought forward by our City Engineer and it's a request to authorize the Mayor to direct Bird Houk, a division of OHM, to assist the city with the effort necessary to prepare, assemble, make prints and copies, make exhibits for the public meetings and review Round 25 Grant Applications for the Brice Road Improvement. Funds to do so will come from Miscellaneous Engineer, 110.499.5331. It will not exceed \$5,000. Jim's not here this evening, but he's asked for this to be an emergency, but I don't think we'll send this as an emergency. I'd like to send it to Council when we do, first reading and in the interim, if there's a reason to make it an emergency, why we can make it an emergency at the next Council meeting Monday night. Are you here to represent Mr. Miller?

Development Director Luke Haire: I am this evening anyway, Mr. Clemens.

Mr. Clemens: That's fine.

Mr. Haire: The legislation before you is for the \$5,000 to be allocated to Bird Houk, a division of OHM, and is requested as an emergency so we can start preparing the application. The other legislation that will come up in the Finance Committee requests authorization for the Mayor to apply for financial assistance for Brice Road. That piece of legislation was not marked for emergency so you can go through the readings for that.

Mr. Clemens: I see he had financial, that's why it was different, it had financial needs of the city government marked on this one. (To Mr. Deskins: Yours is not marked? He had mine marked as financial needs of the city's government, but didn't say emergency.)

Mr. Deskins: Yeah, I'm saying it doesn't come to the Finance Committee.

Mr. Clemens: No it doesn't go to the Finance Committee anyhow because the money's already been appropriated. I mean, the money's there. So.....

Mr. Haire: Right.

Mr. Clemens: So it does need to be an emergency you say?

Mr. Haire: The piece that we're, they're asking for to be an emergency is to allocate that, sign the contract with OHM to do the engineering work so we can get started on that, the deadline's in September...

Mr. Clemens: Oh.

Mr. Haire:so we'd like to get the ball rolling so we can determine exactly what the scope of the project's going to be. So OHM can start the work measuring the pavement and going out and looking at the site and determining what catch basins need to be replaced and what curb needs to be replaced on the project.

Mr. Clemens: Okay, I think that's fine. I have no problem with it if it's to be an emergency. Are there any questions from the Committee to the Development Director pertaining to this? Members of Council? I do think when these come as an emergency and it says for financial needs, there should be a little article with it explaining what they're for, you know, why it's an emergency.

Mr. Haire: Right.

Mr. Clemens: Like I said, I wondered if there was a time limit we had to have

Mr. Haire: It was the timeliness of getting things started. That's why we brought it forth tonight because Council will be on recess; so we could go through the three readings and still meet that time line to get everything done for August so the application could go in the first week of September.

Mr. Clemens: That's good. All right, if there's no questions then, any further questions, I'd like to make a motion that we do send it Council for its first reading as an emergency. Seconded by Mr. Long. All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item No. 5 - Discussion: Daytime Curfew for Minors, and this was brought to me and discussed somewhat with our Attorney Jed Hood and it has to do with teenagers or children being not in school, without legitimate reasons, and I think it's something we certainly should discuss. Jed, would you go ahead and explain it please.

City Attorney Hood: Yes, thank you Chairman Clemens. Good Evening. What this legislation attempts to do is address some concerns that we've been having in the city with children, juveniles roaming the city public streets during the daytime when they ought to be in school. What this does is add a subsection to the existing curfew law and it allows for limited exceptions that you'll see built into the ordinance, but basically mandates that children within the age groups on a

Reynoldsburg City School day, should be in school or in their homes unless they fall into one of the exceptions that are listed and enumerated in the ordinance. What I've passed out to the Clerk, I apologize for not getting that to you in your packet, that is some crime data, statistics that were compiled by Officer Mielke, who will accompany me to the Committee Meeting on the 21st to answer any questions. I did work with her in collaboration. She's a School Resource Officer at the High School. That is Area Five, Columbus Area Five statistics, which is the portion of Columbus that abuts Reynoldsburg and it does show a different, it shows the reduction in crime statistics, different percentages for different types of crime since they've been enforcing this law since 2008 school year. I caution you in the reading, don't get caught up on the percentages, look at the raw data, the actual numbers because some of the percentages will jump out at you off the page but there's really not a tremendous number behind that percentage just because there's a low number to begin with but this is in response to Officer Mielke's request and what we would like to do is go through the three readings and if Council decides to ordain this particular ordinance, and have it pass as an emergency at the third reading before your Summer recess so that it's able to be enforced when school's back in session this Fall. With that, I entertain any questions.

Mr. Clemens: Thank you, Jed. Okay, members of the Committee, are there any questions for Jed? Chris?

Mr. Long: It says a child who violates subsection (I) of this section shall be taken into custody under the authority of Ohio Revised Code.

Mr. Hood: Yes.

Mr. Long: Where are they taking him to?

Mr. Hood: I'm sorry.

Mr. Long: Where are they taking him to?

Mr. Hood: He'll be held for safety. Basically, what our ordinance will do is it will treat the juvenile as an unruly child. I did site the section of the Revised Code. It does enumerate different options for the Police Department. The first option would be to get a hold of the parent of the child so they may pick up the child if they violate the ordinance and then return them either to home or to school.

Mr. Long: Okay.

Mr. Clemens: Councilman Burd.

Mr. Burd: Hi, Jed, thanks for bringing this to our attention. I have a question about the proposed ordinance. It references the Reynoldsburg City School day as the time frame.

Mr. Hood: Yes, Sir.

Mr. Burd: How would this affect home-schooled kids and online students and charter students

who may not have their school day defined by those hours? Are they exempted under No. 3 or?

Mr. Hood: Yes, Sir.

Mr. Burd: They are? Okay.

Mr. Hood: Permitted by law otherwise being expelled or suspended from school. So they would not follow the routine school day. I have talked to Reynoldsburg City Schools' representatives. They do have a list of all registered Charter Schools/home school students in the District. There's less than 100 students throughout the District. That does not include Licking Heights and/or Pickerington City Schools to the south, but that is obviously our largest district. I worked with them so that's a relatively minor number of children that we would have to be concerned with but we would have a list of those particular students and we would be able to identify them as well.

Mr. Burd: Thanks.

Mr. Hood: Yes. Yes, Ma'am.

Mrs. Kelly: Thank you. The students that attend say, a Charter School, like a life skills, that still have the time requirements, a child who's on a VCS online school or home schooling, they can do that schooling from home, but a student who goes to like a life skills, they have a regular school hour school day.

Mr. Hood: Uh huh.

Mrs. Kelly: They would still be required to be in school and can be held or picked up if they're not in, any kids who actually go some place to go to school versus their home?

Mr. Hood: I'm not sure I understand the question. The ordinance would apply to them.

Mrs. Kelly: Yes, yes.

Mr. Hood: Absolutely. I've talked to the representatives of the School District. What they are going to do is, they are going to put on the dismissal times for the students on their actual ID Badge so if an Officer comes upon a juvenile, they will know what time they are to be released from school and whether or not they fall into one of the exceptions and they have legitimate business being on the public way either traveling to or from school or some other exception that's enumerated in the ordinance but otherwise, the ordinance would apply to them. So.....

Mrs. Kelly: That would apply to those like life skills, (inaudible), some of the other Charter schools plus arts academy?

Mr. Hood: Yes, Ma'am. Absolutely.

Mrs. Kelly: Perfect.

Mr. Hood: One of the things I've found in doing some research on this ordinance is school has changed since I've been out. The school, the students at the High School, especially have different release periods, different release times. It's not that they all come in at one time, they all leave at one time, and that's why the schools were nice enough to volunteer to put the release times on the particular students ID badge. That way, like I said, the Officer would know whether or not they're out of school legitimately.

Mrs. Kelly: That's great.

Mr. Clemens: Thank you, thank you. Are there any other questions from Committee, members of Council? Yes.

Mr. Joseph: Yeah, Mr. Hood, couple of questions. One, what other communities or I should say school districts, have implemented something like this, either communities or school districts implemented, in conjunction, this type of ordinance.

Mr. Hood: City of Columbus, Columbus City Schools. We're the second.

Mr. Joseph: Okay.

Mr. Hood: As far as my research shows.

Mr. Joseph: Any place else in the State you've done any research?

Mr. Hood: To be honest with you, Councilman Joseph, I have researched around the outerbelt, I went around the outerbelt, but I did not branch out, outside of Franklin County. Newark, Lancaster, those types of cities and school districts have not adopted this particular ordinance, but I didn't go much further than that, to be honest with you.

Mr. Joseph: Okay. And just to expand a bit more on Councilman Burd's question when he mentioned charter schools and home school - what about private or religious schools that might be on a different time table than the Reynoldsburg City Schools, whether they be in the city limits, district limits or not? Would that still fall under point 3, or a different area?

Mr. Hood: They would. The purpose, the point to remember I guess, in looking at this ordinance, if they're out of school legitimately, then the ordinance obviously wouldn't apply to them. If they're out of school for a wrongful purpose, like I said, being suspended, being expelled from school, the ordinance can be enforced. What we didn't want to do is, because one of our many challenges we have to deal with is Reynoldsburg not being only in one county, is being more than one school district, we didn't want to have to tailor this for each individual school district and have to rely on the Officer having to not only make observations but also decipher the statute, or the ordinance, and then the school district, and then applying all those type of things together to try to come up with some enforcement measures. We wanted to try to make it as uniform as possible; but the thing to remember is, if the student is out of school for a legitimate purpose, this ordinance won't apply to them.

Mr. Joseph: And I think it was mentioned that, you know, on the badges it would give hours and things. In some cases, I think some of these schools don't even use those type, you know, of registration. If a child was picked up and they were legitimately able to be out, but they couldn't necessarily prove it, you know, would they still be hauled in and processed and then released or how would that happen?

Mr. Hood: Well, obviously that would be an Officer's discretion type of situation. They have discretion of enforcement in the ordinances, this one as well as all others. If it's something where it's a one-time thing where they haven't seen this particular student around often and say 'hey, I'm on my way home' and the story checks out then I'm sure the Police Officer would not take steps to enforce the ordinance. If it's something that they see ongoing then there may be something to enforce there, but obviously, that would be an Officer's discretion situation and they would use their investigatory techniques to determine whether or not the story checks out.

Mr. Joseph: Okay. Has Columbus had a lot of success and has it taxed their Police Department to any degree that we'd gather that we'd have a similar.....

Mr. Hood: The crime data that was supplied by Officer Mielke was supplied by District Five Lieutenant; his name escapes me, I apologize, but it shows tremendous success since they've been actually enforcing this ordinance at least in Area Five. They ordained this in _____ but they've had overwhelming success, and decreases in property crimes, daytime burglaries, theft from auto violations, trespassing violations, and they're all enumerated for you in that data that I supplied. So I think it's an overwhelming success, at least in this particular area. Secondly, I don't know that there's going to be any more, I don't know that they do a target enforcement of this particular, where it would cost the city or the Police Department more resources than otherwise.

Mr. Joseph: Okay, last question I have.....

Mr. Hood: I don't believe it, in at least ordained in this ordinance, I don't believe we have any plans in doing any type of enforcement that would cost us any more than our regular patrol.

Mr. Joseph: Okay, the last question I have is, was this ordinance based on the Columbus ordinance, was this some kind of model legislation that came from somewhere else?

Mr. Hood: Based on the Columbus ordinance.

Mr. Joseph: Thank you.

Mr. Clemens: Councilman Kelly.

Mrs. Kelly: I just have a couple things. One I have to say as somebody who's spent a large part of my adult life working with teenagers, I absolutely commend the city and the schools for going forward and adopting this type of an ordinance. Truancy is a very, very big issue for teenagers, it is also, people talk about gateway drugs, I think it is like a gateway to crime. If we can get that under control, I think a lot of the other issues that you have, we won't have which is evidenced by

what we have seen here in this Columbus data. I do have a couple, just two other questions that I thought of. Will you be sharing this information with the other schools, like the private schools and the charter schools. Going to Mr. Joseph's question about different schools that have different release times or things like that to where if you share it with, say, St. Pius or one of the other charter schools that know this is the new thing in Reynoldsburg, they maybe can equip their parents and let them know so that their, they can plan a response for it if they're off at a different time.

Mr. Hood: This would be a codified ordinance and of course we can make arrangements to notify not only the city school districts, but also the private schools, to make sure that they're aware of this, but it will be, this is one of the, as I said, it will be an addition to the codified ordinances of the city so it will be one of those ordinances that is reading in our big book of laws basically as opposed to the ordinances you pass to do Council business and things like that. So but we can absolutely make arrangements to notify the different schools.

Mrs. Kelly: Okay, one last question. I know, I'm pretty sure and correct me if I'm wrong, with Columbus, the kids that are picked up for truancy are taken to the YMCA?

Mr. Hood: That's right.

Mrs. Kelly: Where will our kids in Reynoldsburg be taken if they are picked up for truancy, if they're illegally out of school?

Mr. Hood: Truancy's a bit different, okay? And that's why this, to be defined as a chronic truant....

Mrs. Kelly: If they're picked up for this.

Mr. Hood: ...if they're picked up under this, they'll be treated as an unruly child.....

Mrs. Kelly: Okay.

Mr. Hood:and the statute that I listed for you, at the next Committee Meeting I can print out that actual ordinance, I'm sorry, that actual statute and list for you the different options the Officer has treating a juvenile as an unruly child, because there's been more than one question on that particular point. But like I said, the first instance will be to get a hold of the parent and then also have the parent pick up the child and take care of their child. That will be the first incident and then there's a whole host of others, the last being the detention facility. So there are different options built into the statute and once again, that would also be another thing for the Officer's discretion, okay? It gives options, it does not mandate, you shall do this, you shall do this.

Mrs. Kelly: Okay.

Mr. Hood: But I will print that statute off and have it in your packets for Friday so you can review it over the weekend and we can talk about it at the 21st meeting if you would like, more specifically.

Mrs. Kelly: Great.

Mr. Clemens: Thank you, Jed.

Mrs. Kelly: Thank you.

Mr. Clemens: Councilman Burd.

Mr. Burd: Thank you, Chairman Clemens. Just one more comment and followup to Councilman Joseph's first question about other areas that have passed these sorts of ordinances. I found an article from the Wall Street Journal over the weekend about this topic and this is not specific at all but it cites California and Ohio as being two states that have "long been popular, these ordinances have long been popular". So even though they may not be, there may not be that many in central Ohio, if this report is correct, apparently statewide, this has been going on for quite some time. So just to point that out.

Mr. Hood: And I appreciate that. To be honest with you, with the research I was doing on this ordinance, I didn't really go outside too far the outerbelt other than the big cities to, our county seats basically, to be honest with you. So whether or not it's popular, I can do some more research on that, but once again, I think this is Reynoldsburg taking a proactive step as opposed to being reactionary and we ought to be on the forefront of these types of issues.

Mr. Clemens: Are there any other questions for Mr. Hood from members of the Committee, members of Council?

Mr. Hood: Thank you all.

Mr. Clemens: Thank you.

Mr. Hood: Thank you, Chairman.

Mr. Long: Thanks, Jed.

Mr. Clemens: I'd like to send this to Council for its first reading. Seconded by Mr. Long. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Thank you. This ends the Safety Committee Meeting at 7:50 p.m.

Safety Committee-- -Nancy C. Frazier, Clerk of Council

June 7, 2010 (Transcribed - S. Cochran, Ass't. Clk. of Council)

FINANCE COMMITTEE MEETING MINUTES

June 7, 2010

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

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

Mr. Deskins: I will open the Finance Committee at 7:51 p.m. First thing on the agenda this evening is the agenda. Is there any changes to the agenda tonight? Hearing none, it'll stand as written.

Next item is approval of the minutes from our Finance Committee Meeting held May 17, 2010. Are there any changes to those minutes? Hearing none, they'll stand as written.

Next is 3b approval of the minutes of our Finance Committee Meeting held on May 24, 2010. Are there any changes to those minutes? Hearing none, they'll stand as written.

Item No. 4 - Discussion: Authorization of removal of items on Fixed Asset List (Cleanup). Auditor Richard Harris will discuss this, this evening.

City Auditor Harris: Thank you, Chairman Deskins, members of Council. Prior to going into our State audit this year, one of the things we did was, because we had some things missing last year, when they went to look for it, as I took the entire fixed asset list and we went around to the departments and asked them to go find everything that was on it, there was a list of some things that you have that went along with that, of things that most of which were old, had been totally depreciated, and we were no longer able to find in the departments. Put on there, if you'll notice, some comments about what they were. Most of these things are very old. If you look at them, they've all been totally depreciated. The vast majority of these things are computer parts for computers that when the Computer Department was created, they took possession of them and cannibalized them to pull old parts out and fix other computers and those kind of things and just never bothered to fill out any kind of paperwork for it. So we've put this together and asked Council to go ahead and approve taking these things off the approved Fixed Asset List. If you get a good look at some of these things, there's \$6,000 on line printer, now I've got to tell you, it's been a few years since we've seen one of those and I would assume that probably broke and is no longer able to get parts for it from the Stone Age. So we're asking Council, this is not an emergency or anything, we just would like to get this cleaned up, if we could.

Mr. Deskins: I think you've got a John Deere tractor on here that I'd like to have. Do you know where it went?

Mr. Harris: It was traded in.

Mr. Long: Somebody's got a pretty decent soccer field going too.

Mr. Harris: Uh-hum.

Mr. Deskins: Are there any questions from the Finance Committee for Auditor Harris? Any questions from Council? Then I'd like to move this legislation to Council for its first reading. Seconded by Mr. Clemens. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passed. Thank you, Dick.

Item No. 5 - Discussion: 2011 Tax Budget and Auditor Harris is still standing so we'll let him discuss it.

Mr. Harris: Thank you, Chairman Deskins. As we have for a number of years, we are required under the Ohio Revised Code to turn in a tax budget to the three counties prior to the middle of July. To give you a little history on this particular thing and why it was done, back in early 1900's, the State put a tax of 10 mills, which on property, which is referred to many times as the inside millage the State required. At that point, all the county, all the political subdivisions within the county would turn in to the county their budgets and they would be funded accordingly. In the 30's, they decided to make those permanent; however, this still stays around. One of the things it is now currently used for is by turning this in, we will get from all three counties, a Certificate of Available Resources, which we are not allowed to spend over during the year. Now once this is past, it can be amended. I can amend it without Council approval if for some reason we were to borrow money or we would get funded for an OPWC Grant, that would, revenue would have to be, revenue and expenditures would both have to be claimed but this is basically the beginning of the budget process. We have three readings scheduled on this before passage. So and there will have to be the always popular public hearing set. So certainly if you want to talk to me publically or privately about any of the numbers on here, we'll certainly be glad to discuss them if anybody has any questions.

Mr. Deskins: Thank you, Dick. Are there any questions from the Finance Committee? Any questions from Council? I'd like to move this legislation to Council for its first reading. Seconded by Mr. Joseph. Thank you. Any questions from Finance Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passed.

Mr. Harris: Thank you.

Mr. Deskins: Thanks Dick.

Item No. 6 - Discussion: Authorization of application for financial assistance (OPWC) - Brice Road Improvements - (south corporation limit to East Main Street). Mr. Miller is not with us this evening, but I think Luke is going to fill in for him.

Mr. Haire: Thank you, Chairman Deskins, Council members. This legislation is the first step in the process to apply for Ohio Public Works Commission funding for the Brice Road improvement project. The scope of the project will be milling, repairing and paving Brice Road from the southern corporation limit, which is basically where Home Depot's located on Brice Road, all the way north to Main Street. They'll also be replacing curbs, doing some storm water repairs to some of the catch basins that have collapsed in that area and then also some intersection improvements, which include new mast arm signals and some other sidewalk and pedestrian improvements at the intersections. As Council passed on earlier, OHM will be the consulting engineer that will help prepare the actual scope and the cost and we'll have those for you at some point in the future.

Mr. Deskins: Thank you Luke. Are there any questions from the Finance Committee? Councilman Joseph.

Mr. Joseph: Thank you Chairman. Some of this road overlaps with Columbus' jurisdiction,

particularly as you head closer to I-70. Are we, I take it we're just doing our section? Is Columbus going to be doing anything to their parts of the road?

Mr. Haire: We will be working with Columbus in cooperation on a few minor parts. All of the Brice Road right-of-way south of Livingston Avenue is within the Corporation limits of Reynoldsburg.

Mr. Joseph: Okay.

Mr. Haire: So that's all our responsibility. We will be cooperating with them on the intersection improvements on certain items that may overlap and then there's a few small parcels that are just north of Home Depot, a fuel station, things like that that are vacant where Columbus crosses Brice Road. So we'll be cooperating with them there.

Mr. Joseph: Okay, great. Thank you.

Mr. Deskins: It's my understanding that the roadway south of Livingston is Reynoldsburg and everything on the west side of the road is Columbus. Is that correct?

Mr. Haire: That is correct.

Mr. Deskins: Okay. Are there any questions from Council? If not, I'd like to move this legislation to Council for its first reading. Seconded by Mr. Clemens. Thank you. Any questions from the Finance Committee, Council? **All in favor vote "Aye". (All voted "Aye") Opposed. (No response)** Motion passes. Thank you Luke.

Item No. 7 - Discussion: Amend Ordinance No. 115-05 to remove Reynoldsburg School District property - Summit Road - from TIF. All right, we're moving good. City Attorney Jed Hood, go ahead.

Mr. Hood: Thank you Chairman Deskins. This ordinance is proposed to you in response to a request made by the Reynoldsburg City School District to remove their parcel of land where they will be constructing the two new schools on Summit Road, from the previously enacted TIF agreement in 2005. This will allow them, and enable them to apply for a tax exemption status for that particular parcel of ground, the 60-some odd acres, through the State Department of Taxation.

Mr. Deskins: Thank you Jed. Is there any questions from the Finance Committee, any questions from Council?

Mr. Hood: We would ask that this be passed, I would ask you to pass this as an emergency. That way they can apply for their exemption as soon as possible.

Mr. Deskins: Okay, I would like to move the legislation to Council with recommendation for

adoption as an emergency. Seconded by Mr. Joseph. Questions from Finance Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Mr. Hood: Thank you, Chairman Deskins.

Mr. Deskins: Thank you very much, Jed.

Item No. 8 - Discussion: Awarding of deposits of public funds. Auditor Richard Harris will discuss this evening.

Mr. Harris: Thank you, Chairman Deskins. Back in February of 2005, Council passed Ordinance 11-05 authorizing the Auditor to use certain financial institutions for both interim funds and active funds of the city, that runs out in 2010. We've also had some of these things with what's happened to the banking industry in the last couple years, who are changed names, or all that kind of thing, so it's an appropriate time to update this. These are the people who we are currently using and when you get the report every month on the Interim Funds from the TIB Meeting, these are the people who we are doing business with so we need to enter into depository agreements this year and we're asking Council for the authority to let the Mayor enter into those depository agreements.

Mr. Deskins: Thank you Dick. Are there questions from the Finance Committee? Any questions from Council? Then I'd like to move this legislation to Council for its first reading. Seconded by Mr. Clemens. Any questions from Finance, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thanks Dick.

Item No. 9 - Discussion: Authorization of grant agreement - Clean Ohio Revitalization Fund. Luke is going to address for us and Luke, please address the two agreements as we have with one legislation, I think you've talked to the City Attorney and you can give us some idea of how to proceed on the approval for this.

Mr. Haire: Right. The agreement is basically the Clean Ohio Assistance Fund. It's supplying funds to clean up asbestos at the former Big Bear location at 6300 E. Livingston Avenue. This grant agreement would make available \$415,200 to do that asbestos cleanup. As many of you know, the Valu King opened there and part of that asbestos has already been abated at the developer's own cost so that this would apply for the entire building so only part of these funds will be used because some of that money's already been expended, but this will still make all that available. This is a reimbursement type grant so the city would go out to a public bid with a contractor who would then do the work and submit for reimbursement to the city which would then submit that claim to the State and then be paid out and then we would pay the contractors. So with this grant agreement, it has to go before the State Controlling Board which will happen next Monday the 14th in the afternoon and then next Monday night at Council, I'll ask for the final approval of this grant agreement after the Controlling Board has approved the expenditure of those funds.

Mr. Deskins: So do I hear that we're going to approve two different.....

Mr. Haire: The other part of that was passed out in the memo dated June 2nd is a Development Partner Agreement which is required as part of the grant and it's basically a partnership between the City of Reynoldsburg and the building owners, Red Raider Capital. It's basically putting them in a project management role and stating that they'll comply with all the requirements that are put on the city as the grantee. There is one minor change that I'm proposing after consulting with the City Attorney. In Section II, letter "e" of that agreement, it states that the Red Raider Capital agrees to secure qualified personnel and contractors to complete the project. We would like to remove that. We don't feel it's appropriate for a private developer to do a public bidding process. So we would strike that portion of the agreement and then add an item in the 'responsibilities of the City', for the city to agree to secure qualified personnel and contractors to complete the project through a competitive procurement process. So we will actually be bidding out for the qualified environmental engineer to prepare the bids and to monitor the project and also bidding the process to get a contractor to do the work.

Mr. Deskins: Are there any questions from Finance Committee for Luke? Any questions from Council? Then I think first I need to send legislation to Council authorizing the Mayor to enter into an agreement, a grant agreement for the Clean Ohio Assistance Fund with recommendation for adoption as an emergency. That's the first request.

Mr. Haire: Correct, we're requesting an emergency to meet the State's fiscal year deadlines and to get everything approved by their processes.

Mr. Deskins: Seconded by Mrs. Kelly. All right. Any questions from Finance? Any questions from Council? **All in favor vote "Aye". (All voted "Aye") Opposed. (No response)** Motion passes. Okay, a second part of this, I would like to send legislation to Council authorizing the Development Partner Agreement of Understanding regarding the Clean Ohio Assistance Fund Grant for the former Big Bear Store, # 256 Project, located at 6300 E. Livingston Avenue, Reynoldsburg, Ohio with recommendation for adoption as an emergency. Seconded by Mrs. Kelly. Any questions from Finance? Any questions from Council? **All in favor vote "Aye". (All voted "Aye") Opposed. (No response)** Motion passes. Thank you Luke, appreciate it.

Item No. 10 - Discussion: Mowing Assessments for 2009 - Franklin County.
Safety/Service Director Pam Boratyn.

Mrs. Boratyn: Thank you, Chairman Deskins, Committee and Council. I'm here with two assessments for Franklin County and Licking County so I'd kind of like to discuss them both even though they're separate, but I'm going to talk about...

Mr. Deskins: Discuss them as one and then I'll do two different votes.

Mrs. Boratyn: That would be a little easier. So every year we come down, we have to send our mowing assessments to the County Auditor pursuant to our Code 543.08 and these are the unpaid

charges to be added for the individual properties because of assessments of their taxes and they have to be down there by the second Monday in September. They don't actually go on the tax bills until January of 2011. These are for the grass and high weed cuttings. So you should have the two large pack, well, Franklin County's the large packet. The Franklin County assessments were a total of \$17,105. That includes both the cost of cutting, the fair market value of the cost of cutting plus administrative fee. Licking County was \$4,640. We didn't have any for Fairfield County. We collected \$6,675 from 54 property owners in Franklin County and \$125 from one property owner in Licking County prior to making these, sending these down to assessments. So they're not included and we were able to collect those at the time we started sending out bills and our process is we'll send out bills, we'll try to collect up until the point where we want to send it down here so we can go through this process. In 2009, we performed a total of 222 cuts, that's 32 more than we did in 2008, 188 cuts in Franklin County, 38 in Licking County. Many of the properties, as they were in 2008, were vacant, were either held by banks or other lenders or owners; 188 in Franklin County, 24 of the 38 in Licking County and those types of properties many times were cut more than once. We had 21 properties that were cut twice in Franklin County and then you know, several that were cut three times, four times, same in Licking County. So far in 2010, which we started in April cutting grass, up through June 4th, we have made about 900 inspections on grass and weeds, with 491 complaints, with 459 notices of actual violations issued. We've put 178 properties on our mow list. About 75% of those are vacant. We've mowed 106 properties to date. The rest were done by the owners after they got our notices and before we could go back out to them, they got them cut. That is 100 properties in mowing in 2008 by around the same time so we're 6 properties more. Last year, there was about 90% of them that were vacant. This year it's about 75%, so a little less change in that vacancy rate. So that's basically some statistics for you. Happy to answer any questions but we would just like to have this for six readings just so long as you pass it at the end of July and then August it will be ready to go down to the County.....

Mr. Deskins: Pam, and I'm curious, in 2009, how much of the money that you billed have you received? I don't think I heard that.

Mrs. Boratyn: We collected \$6,675 from Franklin County and \$125 in Licking County.

Mr. Deskins: How much did you bill again?

Mrs. Boratyn: Well we, you mean what are our assessments?

Mr. Deskins: Yeah.

Mrs. Boratyn: Well, you would add those together. We are sending down to Franklin County \$17,.....(inaudible).

Mr. Deskins: That's a, you're, the previous year, how much did you? Have you got that?

Mrs. Boratyn: In 2008?

Mr. Deskins: Yeah, have you, I'm just curious.

Mrs. Boratyn: Yes.

Mr. Deskins: All these billings that you send in, you've got roughly \$21,000 worth of billings this year that you're sending down.

Mrs. Boratyn: Yes.

Mr. Deskins: How much of that will you actually collect?

Mrs. Boratyn: Well, oh, you mean, over time?

Mr. Deskins: Over time.

Mrs. Boratyn: I don't know. I'd have to find out.

Mr. Deskins: Are we making any money or are we losing money?

Mrs. Boratyn: Well, you loose money. I mean, it's a, it goes on taxes. For sure we'll collect it if somebody buys, like it's a vacant home and somebody buys it, it's on the tax and it's got to be paid when it changes hands but...

Mr. Deskins: Auditor Harris, I think has a comment.

Mr. Harris: She's pretty much right on it. Once it's assessed to the property, if and when the property is finally sold, they cannot sell it to them without clear title which case, if this is on the property, it will have to be paid. Some of these things that are tied up in bankruptcies and stuff, I mean you know, they could be sitting there for two or three years, we don't know, but there is a tax lien on it for what it's worth and they will at some point in time, get it but there's no guarantee it's going to be in six months or two years. I don't know.

Mr. Deskins: Thank you very much. Are there any questions from the Finance Committee, any questions from Council. Councilman Long.

Mr. Long: Thank you, Chairman Deskins. Pam, I'm noticing here repeatedly on both Licking and Franklin, a company by the name of First American Real Estate Tax Service.

Mrs. Boratyn: Uh-hum.

Mr. Long: Who is this? I mean, it seems like in Franklin alone, you're looking at, maybe 20% of the properties they're associated with them and perhaps even a greater percentage in Licking County.

Mrs. Boratyn: It's just someone who's, it's an owner, a lender who's got the, who's taken it when that person's not making their payments. They may even be the second or third holder of it. That's our problem. We have a problem trying to track down who to actually reach and then if you do reach somebody, I mean, they're out of the State. I talked with the City Attorney before on how we can try to reach these folks to talk to them. It's very difficult. The best bet we have is it'll go on the taxes as an assessment and at some point we'll be, at some point it will be paid out to us.

Mr. Long: I understand that and initially, we're going to go after each one of these properties individually with the tax assessment but here we have a clear target of somebody who's directly responsible. Do we have any other recourse to perhaps go beyond the tax assessment?

Mrs. Boratyn: I think if I'm right, the one you're looking at, he's not, he's out of State. He's California.

Mr. Long: Yeah. No, he's not California, it'sboth in the State of Illinois.

Mrs. Boratyn: Illinois, I don't know how to do process on somebody's who out of State. I don't know if the Attorney can help that answer or not.(inaudible).

Mr. Hood: The answer is no; you can't go across...

Mr. Deskins: President Hills.

Mr. Hills: Chris, I think, I agree, and I used to get real frustrated about these, but he has a contact on that property. He may never be able to get a hold of the primary mortgage holder. It may be somebody else. He could be something, it's just, that's our contact name.....

Mr. Long: Uh-hum.

Mr. Hills:and the thing about this, a lot of paperwork and a lot of time and if we don't process this and attach it to the property, we're not going to get paid, definitely. It's over. These people, whoever was living there, they're not there anymore. They're somewhere else. So it's one of those necessary evils if the city ever anticipates getting the money back. Is he going to come back next year? Probably not. It may be a period of time, but I can assure you whatever work we did do there without this attachment, we will never see it and I guess that's the necessary part of having to do this and then you wait to see if it comes in.

Mrs. Boratyn: Right, that's why we have an administrative fee, because it takes quite a bit of work to make sure we do it all right so that we do eventually get the money back. As I said, if the market picks up and somebody buys these properties, we do, we will get our money then because they'll have to pay.

Mr. Deskins: Mr. Hood.

Mr. Hood: Thank you, Chairman Deskins. In response, Councilman Long and the Service Director enumerated the concern that I had. One of the things that we do to try to not only dissuade but also re-coup what we're out, knowing that it will take long to collect, is to charge that additional administrative fee as opposed to the amount that we're out to cut the grass. Remember, that what you're seeing here, this is diligence on the city's part after we amended the ordinance some year and a half ago to address the vacant properties in the city and to make sure that they are compliant with the code when nobody's there to answer the door. That's what you're seeing. You're seeing the ordinance in it's working order at this point. Do we parlay an initial investment to make the city look good? Yes. Will we re-coup that money? Absolutely, that's why the assessment process is available to the city to re-coup the money that we are out plus the administrative fee to make us whole.

Mr. Deskins: I want to be the first to commend Pam, the Mayor and even you, Jed. I have sort of been a pain to Pam with some of the addresses that I have been turning in. It's working, believe me it's working. I'm not sure if you're getting money, but I know it's working. I've got one address that this lady has been written up three times. She has been ordered into court. She didn't show. She was going to be picked up. She's been out there in the rain and I saw her mowing her grass, cleaning up and finally you've got to her after all of those three or four things; it's working, but it was my question how much are we losing to make it work, but it's a necessity.

Mr. Hood: It's an investment.

Mr. Deskins: President Hills says we got to do it.

Mr. Hood: It's an investment.

Mr. Deskins: We got to do it. Thank you very much. Are there any other questions or comments from anybody?

Mrs. Boratyn: I just have one. You're not nearly the pain that Councilman Clemens is. (Lots of laughter)

Mr. Deskins: I want you to know, I thank you very much; I'll work on it, thank you very much Pam. I want to send this to Council for its first reading and I want to do it first with Franklin County.

Seconded by Mrs. Kelly. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) and now I want it sent to Council for its first reading, the issue on Licking County. Seconded by Mr. Clemens. Thank you. Any questions from the Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response).

Item No. 12 - ORDINANCE MAKING TRANSFER OF FUNDS FOR EXPENSES RELATED TO ASSET FORFEITURE- -first reading 5-24-2010. Are there any questions from the Finance Committee? Any questions from Council? I'd like to send it back to Council for its second reading. Seconded by Mrs. Kelly. Any questions from the Finance Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). I'd like to close this meeting at 8:15 p.m.

Finance Committee-- -Nancy C. Frazier, Clerk of Council June 7, 2010
(Transcribed - S. Cochran, Ass't. Clk. of Council)