

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES  
JUNE 6, 2005

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

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

Mr. Hills: ...for those that are here, committee meetings are run by a Chair of that committee. Committees consist of three individuals on Community Development, Safety, Service, and four individuals on Finance. I've been asked to announce by administration, there are 166 seats in this room. We have certainly encouraged all of those to be filled. Unfortunately, I've been informed by administration that there is no standing in here. So therefore, the mikes are turned on, or the speakers are on in the atrium. There are benches to sit on out there, and also plenty of standing room. Mr. Mayor, was there anything else that needed to be acknowledged?

Mayor McPherson: That covers it.

Mr. Hills: Mr. Beougher, I'd like to turn it over to you for Community Development.

Mr. Beougher: Thank you, President Hills. I'll call Community Development to order at 7:31. The second item on the agenda is approval of the minutes of the May 16, 2005 Community Development Committee meeting minutes. Are there any corrections or additions to the minutes? (No response). Hearing and seeing none, they will stand as submitted.

And I'm surprised you can hear me tonight. The sound system seems to be much improved tonight. So that's a very good thing. I'd like to thank whoever took care of that.

Item 3 is approval of the agenda. Are there any additions or deletions to tonight's agenda? (No response). I have none, and seeing none, it will stand as written.

Item 4 is Discussion: Resolution re-authorizing the agreement between the City of Reynoldsburg and the Franklin County Commissioners for the Community Development Block Grant and Home Programs. And I received a phone call from the Mayor on this about four weeks ago. And Mayor, if you would like to address this issue.

Mayor McPherson: Thank you, Chairman Beougher. We do this every three years. This allows us to participate in the Franklin County Community Development Block Grant Program. This is ongoing. Has been ongoing for many, many years now. Probably twelve, fifteen years. This is their request to extend this for an additional three years. I've copied for you, the exhibit which is the actual renewal and extension agreement that they provided us. There's no money required for it. It's just a continuation of what we've been doing. So, I would ask Council just to move it along as paperwork so we can participate in the Community Development Grant programs.

Mr. Beougher: And there is a deadline of June 24 to get it back.

Mayor McPherson: That's correct.

Mr. Beougher: Certified copies of the resolution back to the Commissioners by June 24. So...

Mayor McPherson: That's correct.

Mr. Beougher: When we send this through, it's going to have to be by an emergency, which is on the legislative request. And certainly, we have benefitted from this program....

Mayor McPherson: Many times.

Mr. Beougher: ...many, many dollars in years past.

Mayor McPherson: Right.

Mr. Beougher: And I certainly would support it's continuation. Are there any questions for the Mayor from members of the committee? (No response).

Mayor McPherson: Thank you.

Mr. Beougher: Members of Council? Mr. Baxter.

Mr. Baxter: Yes. Do we have programs outstanding which these dollars already earmarked for, or ?

Mr. Beougher: CDBG?

Mr. Baxter: Yes.

Mayor McPherson: No. Not that I'm aware of.

Mr. Baxter: Okay.

Mayor McPherson: These programs pretty much, when we get the money in, it's spent.

Mr. Baxter: Okay. Thank you, Mayor.

Mayor McPherson: Okay.

Mr. Beougher: Thank you, Mayor. Any other discussion on this item? (No response). Hearing and seeing none, I would make a motion to send this forward to Council at the June 13 meeting with a recommendation for adoption as an emergency. Mr. Stearns with the second. Any further discussion? (No response). All those in favor, signify by saying aye. (All voted "Aye"). Opposed, same sign. (No response). Motion passes. This will go forward for our next Council meeting.

Item number 5 is Discussion on the, to authorize an advertisement for bids for maintenance of the landscaping beds and plans for Phase I of the Main Street Corridor Revitalization Program. And Paul, this is only to advertise for bids. Is that correct?

Mr. Walsh: That is correct.

Mr. Beougher: Okay. I will yield to you if you want to introduce it. And we did have some discussion on this, five weeks ago?

Mr. Walsh: Yes.

Mr. Beougher: And we took no action.

Mr. Walsh: Right. And I've met with most Council members over the past numbers of months to discuss the issues of Phase I and the types of things that we may want to consider for maintaining it. So in the memo that you received, we talk about the fact that landscaping costs for maintenance are going to be something over \$10,000. Therefore, we will be required to bid that out. We also talked about the fact that irrigation system on Phase I is something that we would also want to, able to maintain. That couldn't possibly be put on the individual property owners. That is an item that is significantly less than \$10,000. In fact, it's just a little bit over \$3,000. So we've already cut a purchase order to make that happen for the funds that we did have appropriated for this project. So at this point, we do request that we be permitted to go out to bid to bid out the rest of the landscaping to maintenance of the beds.

Mr. Beougher: Thank you, Paul. And just looking at your earlier memo, the estimate on the contractor services minus the irrigation system, can you give me that number? I don't have your previous, I'm sorry, your corrected memo. (Inaudible).

Mr. Walsh: Well, we're probably looking at something around \$20,000.

Mr. Beougher: Okay.

Mr. Walsh: But since we don't have any bids in, that's an estimate obviously.

Mr. Beougher: And, are we required to put an estimate of the contract on the advertisement like we did for construction?

Mr. Walsh: I'm not aware of us having to do that for a maintenance item.

Mr. Beougher: Okay. Thank you. Any questions from members of Community Development for Mr. Walsh? (No response). Members of Council? Mr. Clemens.

Mr. Clemens: Yes, Paul. I'd like to ask you, on this maintenance program, and I understand what you want to accomplish with it, could it be that when you bid this out, or when you bid this, I don't know whether this will carry into next year or not, but would you bid on, would you also bid out

the mulch that goes into the city building and so forth? To try to get a better price on the whole thing and a larger deal I mean?

Mr. Walsh: That is not included in this.

Mr. Clemens: How much was the mulch, like for the city building?

Mr. Walsh: I would have to look that up.

Mr. Clemens: It just seemed to me that you know, if you're going to do all that mulch, and we're going to do all the mulch in the rest of the city, that we might want to bid it all out at the same time and have it included. To get a better price. I mean, since we're going to have the contractor here. It would be something to think about if you want to think about it.

Mr. Walsh: Okay. Thank you.

Mr. Beougher: Thank you, Mr. Clemens. Paul, how is that handled currently? Is that done by contractor, or do our crews do that mulch spreading?

Mr. Walsh: Our crews do the vast majority of the mulch. Around the municipal building, the last two years, we've used a company that actually brings in truck loads and blows it in on site. We found that in this particular location, it's about a break even between having the truck come in and do it and blow it in versus having staff actually put it in.

Mr. Beougher: And it's probably a method they would use when doing the Streetscape beds as well I would think.

Mr. Walsh: No. Not actually. Midwest Landscape has done it for us twice now on Phase I as part of the contract and as the spring time. And they did that by hand.

Mr. Beougher: With bags.

Mr. Walsh: No. They actually brought in bulk mulch and moved it around by hand with crews.

Mr. Beougher: Okay. I think it's probably a worth while thing to investigate, Mr. Clemens. And I might suggest that we talk about it for...

Mr. Walsh: We could put that on as a bid alternate. We could put it on as a bid alternate on this.

Mr. Beougher: Mr. Clemens.

Mr. Clemens: While we're discussing this, since this is a maintenance program and we are, we're going to spend money on this, plus we're going to put our own personnel in there with additional help that you'd asked for and the possibility of equipment, I'd like the administration to look at this if they would, and you look at it if you would. I see nothing wrong if we would contact the

business owners and possibly set up something where they can make a payment each year, each business. And it wouldn't have to be much. Each one of our businesses would donate, or set up an agreement where they would pay \$500 a year for the maintenance program. Which the maintenance program does take care of their property. It really would help us financially as far as what we're spending. I'd like you to look into that if you would. And it doesn't have to be tied into this, but it's something I'd like you to look into. I think, and we've heard them speak before us, they're real pleased with our program and are happy about it. But you know, they haven't put anything financially into it, and the city has. And I think that would be something that that would be well worth looking into. And I think you would be the proper person to do it, or somebody in the administration. But I would appreciate it if you would think about it. At least get back to me on what your thoughts are. Because I don't think that's too much to ask.

Mr. Walsh: Okay.

Mr. Clemens: And I think with the, some of the money that we're putting in and investing in the program, a little help each year on the maintenance of it, it would be a big benefit to the, not only us, but also to the businesses. So I would like you to look into it and get back, talk to the Mayor about it if you would, and get back to me on it.

Mr. Walsh: Okay. I'll do that.

Mr. Beougher: Thank you, Mr. Clemens. Any other questions, discussion on this item? (No response). Okay. This is a motion. It's to authorize for bids. For advertising for bids. We are not spending any money until the bids come back in. And we will know what that amount is. The motion will take one reading and I would like to move that we send the motion forward for adoption at the June 13 Council meeting. Is there a second? Mrs. Newman with the second. Any further discussion? (No response). All in favor of sending this forward, please signify by saying aye. (All voted "Aye"). Opposed, same sign? (No response). Motion carries. Thank you Paul.

And with that, I will adjourn Community Development at 7:41

Community Development Committee

- - -Nancy C. Frazier, Clerk of Council

June 6, 2005

(Transcribed - Susie Smith)

SAFETY COMMITTEE MEETING MINUTES

JUNE 6, 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 7:42. First item on the agenda, approval of the minutes of May 16, 2005 Safety Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved.

The next item is approval of the agenda. Do we have any additions or deletions to the agenda? (No response). If not, it'll stand approved.

Item number 4, Discussion, Liquor Permit Request, new, Motherland Grille Inc dba Motherland Grille Bar & Night Club, 6493 E. Main Street, Reynoldsburg, Ohio. And this is for a new license. Chief Miller, please.

Chief Miller: Thank you, Mr. Clemens. The police department's conducted an investigation into this. The location is the old Double Dragon for those of you who are familiar with it. It is a new owner, but we have no reason to recommend any kind of appeal on this, and would suggest that it go forward.

Mr. Clemens: Alright. Thank you, Chief. We'll not ask for appeal and we'll let it go forward then. Is there any other discussion from committee on this? (No response). Members of Council? (No response). Thank you.

The next item on the agenda, is Amend 371.06(b)(2) "Use of Highway For Soliciting; Riding On Outside Of Vehicles". And this has been held 4-18-05, and held 5-2-05, and held 5-16-05. The Mayor and I got together and, the Mayor and I got together and looked this over and drafted up what we thought would be a proposal to remove this from Council and move it back to the administration so they could okay these permits without having to go through Councilmatic action. We turned it in to Mr. Underwood and we received his approval on it. You should have received it in your packets, but the Mayor gave it to me and I took it out to Buckeye Lake and left it there. So you didn't receive it in your packets. So I got copies made tonight for you. And I think it states pretty well on what we want to accomplish. It turns it over to the Mayor to handle, and it does give the public the right to appeal to Council if they felt they were turned down for no reason, or a reason they didn't feel was correct. They do have the right to appeal to Council. I know you haven't had a chance to read it. I would like to move it, since I've held it, I would like to move it to Council for its first reading, and then bring it back for discussion after everybody's had a chance to look at it. And I do want to apologize that I wasn't able to get it to you before tonight. I would like to move it on for the first reading, and then we'll, if there's anything that we'd like to change or discuss at our next committee meeting, if that would be okay with members of the committee. Are there any questions from members of Council? Mr. Beougher.

Mr. Beougher: Thank you, Mr. Clemens. Just a comment if I could. On April 23, I gave you a call asking, who the special, or who the permit had been issued to. Because I observed somebody...

Mr. Clemens: Right.

Mr. Beougher: ...at a time, I thought it was later than the authorized time. And it turned out to be somebody other than the authorized organization. And I think there's value in Council having knowledge of you know, who's supposed to be where, collecting what, when. So that we can kind of, as we go about our daily travels, keep an eye on things and let the Dispatchers know that

they need to investigate what's going on. So I just cite that example as a case. And if there's some way to put in a mechanism where Council will be notified when these permits are issued, I would think that would make this a stronger ordinance.

Mr. Clemens: I think that's a good answer, Mr. Beougher. Because I came upon on that way, and went to the police department, and they immediately went down and removed them. So I think that we can work that out, can't we Mayor?

Mayor McPherson: If you'd like. What we'll do is just each permit what's issued, we'll copy Council with it. I mean, that's a simple procedure that we can just implement in our process of issuing the permit.

Mr. Beougher: The other good reason for that is, since we have the appeal process going to Council, then we'll be aware of things coming up if they come up. So, I appreciate that.

Mr. Clemens: Okay, thank you. I would like to make a motion to send this to Council for its first reading. Do I have a second? Second by Mr. Baxter. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

That ends the Safety Committee meeting, and I can't tell you what time it is. I lost my watch playing golf a couple of weeks ago. 7:46. So, thank you.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

June 6, 2005

(Transcribed - Susie Smith)

SERVICE COMMITTEE MEETING MINUTES

JUNE 6, 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: Very well. We'll start the Service Committee meeting at 7:46 p.m.

First, the second item on the agenda is the approval of the minutes of the May 16, 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 to the agenda. I

would like to hold items 8 (Discussion, Rezoning (20.8 ac.) of 9366 & 9370 Taylor Road, from R-1 to AR-2c; applicant, M.H. Murphy Development Company), 12 (General Regulations and Zoning Classification, A. Chapter 1111 General Regulations B. Conservation Development Zoning Category), 13 (ORDINANCE ACCEPTING UNRECORDED GENERAL WARRANTY DEED (Reserves A and B, Woods at Reynoldsburg, Section 4, Part 2) (Woods at Reynoldsburg, LLC an Ohio Limited Liability Company)), and 17 (ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1175 DISTRICT REGULATIONS - SECTION 1175.08 "Side And Rear Yard Requirements for Non-Dwelling Uses Abutting Residential Districts" Subsection (a); and by adding the G D General Development District to Table 1175.01 "Permitted Uses And Special Exceptions" and by amending Table 1175.05 "Lot, Yard And Height Requirements For Buildings Other Than Dwellings"). And would also note for the record within this motion, that the Clerk's were able to catch an error in regards to the public notification of the public hearing set for 6-13 regarding the rezoning at Slate Ridge and State Route 256. And that has been corrected, and that public hearing will be reset for July 5, '05 and will be noted by the President of Council at next weeks Council meeting. So with that motion made, do I have a second on the motion? Mrs. Newman with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes. Mr. Hills.

Mr. Hills: Just one question first if I could. That's 8, 12, 13, and 17 you had?

Mr. Gilbert: Correct.

Mr. Hills: Okay. And if I could, I normally don't interrupt the Committee Chairman. Mr. Gilbert is the Chairman of Service. I do think a couple of comments would be appropriate tonight. I serve as President of Council, and we do have 35 to 40 witnesses who would like to testify tonight. Not testify, testifying is under oath. You will not be under oath. You'll be just making a statement. These statements can be just related to wherever your concerns are. You are going to see, you've seen two committees go through reasonably quietly. You're going to see a number of issues move through on Service. Issue 14 is the one where most of you are here if noted, you have questions and comments you'd like to make. We do have rules that Council, the Presiding Officer, which would be Mr. Gilbert, as when in Service Committee, may utilize the following rules. And there's a long list of them. One of the keys, and we are always good here at Council and have been, sometimes to other peoples frustration, but we try to be sure that anyone who wanted to speak has the opportunity to speak. With this number of people tonight, I think it's appropriate to note that no member or person shall be permitted to speak longer than 3 minutes at any one time, or longer than the total of 5 minutes. No one can speak that second 2 minutes until everyone has had the opportunity. Now this doesn't mean to curtail anybody's comments. And I do encourage people as we go through the list, that if your comments are just like somebody else's, it certainly isn't inappropriate, and will have just as much effect to those people that are here that say, we agree to prior comments of so and so, or just the previous comments. To hear 40 people say the same thing, probably has less of an impact than one or two people saying it and everybody else saying we agree. You accomplish the same point. I would like to note that our role in this, and because there have been a number of things I've heard about that I didn't realize we do things that way. And some of the letters and e-mails and comments. But under 1145.07,

Notification and action by City Council, Council is required for the approval of the Special Exception Use Permit shall be subject to approval by Council. Council may disapprove a Special Exception by finding on its own consideration and review, that any of the standards of the codes would be violated. Those standards are found in 1145.09. And there's a list of 8 different standards. That's just sort of an overview in what our role is. I have received probably 20 to 25 e-mails, 8 or 10 phone calls, and I, a lot of ways that I could summarize these but, I think there's one e-mail I received that probably spent a substantial amount of time reading some what is called, broad side, and I had to look that one up. \_\_\_\_\_ a number of years and I did not realize that broad side is defined as literature being passed out to a number of people for information purposes. And so I did, once I figured that out, then I understood his e-mail much better. But under the resolution of the e-mail, and I'm citing from this as it was written, 'since we were included in the broad side here at home, we can only understand that this issue or series of issues are highly sensitive items. We understand the purpose of the right of free speech in the first amendment of the constitution, and know the process is in place to seek resolution to such sensitive items.' Closing with, 'we caution patience, understanding, willingness to listen, and clear thinking.' That's what this process is about. Somebody spent some time responding to an e-mail and absolutely hit the process. This is the public process. This is the opportunity to proponents and proponents to make statements. Let me clarify one thing, especially with this crowd, you've just been through two committees and introduction of another, we haven't had any undue noises, we haven't had any applauses, we haven't had any, way to go Joe type thing, and we're not going to have any as we go through these witnesses. That's not what this process is about. This process is to be able to put your feelings into the record, make your statements, ideally in 3 minutes or less or even noting, if it isn't something new, let us know that we agree with what there is. Now, Mr. Gilbert I think with that, I've tried to lay out our process. If it raises any questions by Council members, certainly ask me or Mr. Gilbert, who's Chair.

Mr. Gilbert: None being heard, thank you Mr. Hills, and we'll continue on with the Service Committee meeting. With that being item number 4 is, An Acceptance of annexation of 3.82 acres, Truro Township. This was approved by the Franklin County Commissioners on March 22 and was received by the Clerk of Council on March 25. It is now ready to begin the Council process. Are there any questions or comments from members of Service on this? (No response). None being heard, other members of Council? (No response). None being heard there, I would just make a motion that we forward this on to Council for its first reading on the Consent Agenda. 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 5. This is a Special Exception Use Permit, 6996 East Main Street, the addition of a drive up ATM, applicant. It has been my policy to add these special exceptions to the agenda. Whether or not they move forward in terms of legislation is up to the individual, up to the members. In regards to the ATM, I do not intend to introduce legislation. I would just note for the members that if you have an interest in introducing legislation on this, next Monday's Council meeting is the deadline to do so. With that being heard, I would just, Mr. Clemens.

Mr. Clemens: Yeah. I only have one statement. I've looked at this. It's 6996, to me I don't believe exists. Now if this is the Cord Camera, it's 6950 because Burger King is 6960.

Mr. Gilbert: Okay.

Mr. Clemens: And the old bank that has been sitting vacant, that's 7000. So I, and I went back two or three times and I, 6996 to me doesn't exist. Because Cord Camera is 6950 and I had talked to John and he said it is Cord Camera. So maybe somebody could look into that before the next meeting.

Mrs. Reichard: It is Cord Camera. They've been before the Design Review Board.

Mr. Clemens: Yes. But I mean, 6996 I don't believe is the correct address.

Mrs. Reichard: I'll check on it.

Mr. Clemens: Would you check on it?

Mr. Gilbert: Mrs. Frazier, can I just note for the record, a correction to the address?

Mrs. Frazier: I'll ask the Planning Administrator.

Mr. Gilbert: Okay. Mrs. Newman, you had a comment?

Mrs. Newman: Well, I was just going to point that out that it was Cord Camera.

Mr. Clemens: Yes, it is.

Mr. Gilbert: Then what we can do is, we'll hold this for two weeks and in the mean time, if any member wants to add, introduce legislation on this, next Monday would be the time to do it. I'll make a motion to hold this for two weeks. 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 6, another special exception. This is a discussion regarding the transfer of a Special Exception Use Permit, 7354 East Main Street, motorcycle shop. The applicant is Patricia Dunn. This item did receive a recommendation from the BZA Commission. It was noted in the minutes that the Commission had requested that the restrictions provided for in the previous special exception be incorporated into this. However, at the point of passage, they failed to incorporate that into their motion. Therefore, my belief is that Council would need to take action to incorporate these same restrictions. That would be my intention to introduce this next week at Council for Council consideration to provide the same Special Exception Use Permit language that was provided for the previous applicant. Any objections from the members of Service? (No response). Other members of Council? (No response). None being heard, I'll make a motion to 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 7 is regarding a supplemental appropriation for the combined coordinated response to Ohio EPA by our City Engineers, EMH&T and Porter Wright Law Firm regarding the Southwest Licking Water and Sewer District Lock-In Application. This item comes from Mr. Underwood. Is Mr. Underwood here this evening? I see him standing there in the back.

Mr. Underwood: About 10 days ago, we had a meeting with the EPA. And it may not be necessary or as extensive a reply as we'd envisioned. But the first reply is due June 30. And then they will, by the end of July I think it is, they will come out with their revised 208 plan. And if we don't like that, then we will have to do another reply. And that would take more funds. So we're requesting the appropriation as we originally submitted it. Because Council will be on recess in August. Hopefully we won't need all the funds. But since Council will be on recess, if the reply is not favorable, or the plan is not favorable, we will have to do more extensive reply and research to oppose the lock-in by the Southwest Licking Water and Sewer District. Which would be a monopoly in our annexation area. So we would like that to stand and be an emergency so we can get the June 30 deadline met.

Mr. Gilbert: Very well. And these funds if not used, can be returned right back to the Sanitary Sewer Fund.

Mr. Underwood: Oh, they'll go right back into the fund. Correct.

Mr. Gilbert: Very well. Does that raise any questions from members of the Service Committee at this time? (No response). Other members of Council? (No response). Very well. And I would just note, this is an important action that the city is taking in regards to the future welfare of our community. I had one resident comment to me today in regards to this that the debt retirement on their bill was larger, in the Southwest Licking Water and Sewer District, was larger than the actual water bill. This is an attempt by this entity to prevent Reynoldsburg from having reasonable and responsible development to the east. It's consistent with their efforts to obstruct our ability to repair and improve Taylor Road. But I think it's important to note, many of Reynoldsburg residents, since we, this is a non-conforming boundary community, pay taxes to Etna Township as well as to Reynoldsburg, and for the taxes that they paid Etna Township, they receive no services. And so this is important to the future of Reynoldsburg. And I would just urge the members to support this item next week. With that being said, I'll make a motion that we forward this to Council with a recommendation for adoption as an emergency, but it will need to go to Finance first for approval from the Finance Committee. Do I have a second? Mr. Baxter with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes. Thank you, Mr. Underwood.

Item number 9 is a discussion regarding the authorization of a contract for 2005 Sanitary Sewer Televising and Inspection Project. Mr. Kipp. And this is an annual function of our Water and Sewer Department. Correct?

Mr. Kipp: Yes. We'd already had permission to go out for bids. And we did so. Dreier and Maller were the low bidders. And so this is a request for the funds for that project to go forward.

Mr. Gilbert: Very well. And that was as an emergency?

Mr. Kipp: Yeah. To meet the bid requirements.

Mr. Gilbert: The bid requirements. Very well. Does this raise 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 with recommendation for adoption as an emergency. I would note that this does also need to go to Finance for approval from the Finance Committee prior to moving on to Council. 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 Mr. Kipp once again. This is a discussion regarding the authorizing for our City Engineer, EMH&T, to prepare plans and specifications for, and to provide inspection of the construction of the Taylor Road/Kroger Sanitary Trunk Sewer Extension and appropriation of funds. Mr. Kipp.

Mr. Kipp: Yes. This is for EMH&T to go ahead and design a sanitary sewer to go across Kroger's. We've looked at, with the annexations that we saw coming to the northeast quadrant, they, part of those fall in this sewer that comes down Taylor Road. The trunk sewer. At that time, we started looking at the possibility of getting the trunk sewer across the Kroger property before they would open up. And we've met with Kroger's and Mr. Underwood, and the Mayor, and Kroger's is willing, would like to see it done before it goes across, before they open. They plan to open September 1. In order to do so, both items 10 and 11 go together. The first is for the appropriation for the engineering and the inspection. Do I have any questions on this? There was a letter explaining it more fully in your packets.

Mr. Gilbert: Very well. Does this raise any questions from members of Service? (No response). Other members of Council? Mr. Clemens.

Mr. Clemens: Yes. I understand the ability to wanting to do it now because it would be cheaper than after Kroger's opened up.

Mr. Kipp: Yes.

Mr. Clemens: My problem, my thought is on this, this is an extension of our sewer to pick up future annexed ground that developers will develop.

Mr. Kipp: Correct.

Mr. Clemens: And we're talking right now about 112,000 that the city's going to spend to do this. I would rather see the developers pay to run the sewer line if they were going to extend it than the city spend an additional 112,000. I see where you've got an estimate, what 190,000 if we don't do it now and we do it later.

Mr. Kipp: Correct. Plus there would be the inconvenience to Kroger's to tear up what they just installed.

Mr. Clemens: The only problem I have is, we're doing it for future expansion for developers. And I would rather see the developers participate in it. After we do it, if there's some way in the future that we can possibly work the developers to get our money back, I would appreciate that thought.

Mr. Kipp: Okay.

Mr. Gilbert: Thank you, Mr. Clemens. And I did, and I have the same concern. I spoke with the Mayor about that. Mayor, anything you care to add on that in regards to developer involvement?

Mayor McPherson: Thank you, Chairman Gilbert. Yes. We are presently talking with several developers that are going to benefit from this sewer. And our sales pitch is going to be to try to get them to pitch in some money. We can't tell you tonight that we've got commitments, because we don't. But that is an avenue that we have been working on. We'll continue to work on. That has always been our philosophy, to try to get participation by developers. So we are doing that. We will continue to do it. As a matter of fact, Mark and I have a meeting in the morning on it. So we hope that we can get them to buy into it. But regardless of that, there's a savings more than just to Kroger's by us doing it now. There's a terrible inconvenience to the people on Taylor Road. If we have to finish the project then go right back in and tear everything up again. So in addition to the monetary savings by doing it now, we hope to get developers to buy into it. And we also hope by doing it now that we won't have the inconvenience of digging it up again later.

Mr. Gilbert: Very well.

Mayor McPherson: But that was a good idea and we are following up on it.

Mr. Clemens: The reason I was bringing it, the only reason I brought this up, I know that there's development that's being planned that's been turned into us just a little bit north of that. You know, I was wondering if there's...

Mayor McPherson: That area is kind of in a limbo. It's going to be serviced from two directions with sewer. But that's one of the developers that we're talking to about sharing in it.

Mr. Clemens: Thank you.

Mr. Gilbert: You're welcome. Thank you, Mr. Clemens. Thank you, Mayor. Other members of Council? (No response). None being heard, this was a request for addition of \$22,000 be appropriated from the Sewer Capacity Fund. And this was signed off by the Deputy Auditor on May 26 on the legislative request per Council rules. It was account number 250.102.5622. Mark, you're requesting this as an emergency, correct?

Mr. Kipp: Correct.

Mr. Gilbert: Very well. I'll make a motion that we forward this on to Council with a recommendation for adoption as an emergency. It will need to go to Finance for additional consideration after the Service Committee for this evenings meeting. 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 11. This is the authorization of contract for construction of sanitary sewer extension, and to waive competitive bidding and appropriation of funds. Mr. Kipp.

Mr. Kipp: Yeah. This is a request to waive competitive bidding, to enter into contract with T C Weiser Construction, which is the contractor building the Kroger's. When we met with Kroger's we also met with the contractor. Because he'd have to work around the sewer going in. So he's going to oversee it. He agreed to get three bids. We will provide him with the plans. He will get three bids for that. And then we'll select the lowest and best bid, and then he would oversee the construction of that. So this is for the estimated cost of the sewer. \$77,000 plus 15% for T C Weiser Construction.

Mr. Gilbert: Very well. Any questions from members of Service? (No response). Other members of Council? Mr. Beougher.

Mr. Beougher: Thank you, Mr. Gilbert. I do need to give you some advanced warning that I will need to abstain on this issue. I have a prior relationship with T C Weiser. I worked on two projects, the Big Bear Stores with them in Whitehall and Hilliard. And they were also the general contractor at a 1.4 million dollar addition to our church. And those two things alone may not be enough but, I'm also on the Columbus South District Board of Church Location and Building with Todd's uncle, Dick Weiser. And those three things together make me a little queasy. And I know that Mr. Clemens may not be here next week. I just wanted to give you plenty of warning that I will have to abstain.

Mr. Gilbert: Very well.

Mr. Beougher: Thank you.

Mr. Gilbert: Your comments are duly noted. Any other comments from members of Service? (No response). Or other members of Council at this time? (No response). None being heard, I'll make a motion that we forward on to Council with a recommendation for adoption as an emergency. Also note, it will need to go to Finance as well for an appropriation, this item. 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.

Mr. Kipp: Thank you.

Mr. Gilbert: Thank you, Mr. Kipp. This gets us to item number 14 which is an ORDINANCE APPROVING A SPECIAL EXCEPTION USE PERMIT, 6300 E. Livingston Avenue. We did

have prior discussion on this at our last committee meeting. And I just wanted to note that I appreciated the comments and concerns of all those involved. I appreciate your patience through a very long meeting. And I would just like to also thank the residents. All of those that have sent in letters, and calls, and comments. Whether in support or in opposition. The information you provide is very valuable. And would just reiterate, due to the nature, I believe I have 37 speaker slips. And I would just note, it is important for all of you to be heard and to be on the record. And I will make every attempt and effort this evening for that to happen. And as promised, the Clerk's have provided to me, the list from the remaining speaker slips from our last committee meeting, in order as they were presented to us to follow up there. And then following those speakers, we also have additional speaker slips that have been provided for this evening. And I would just note, in the interest of everyone being heard, if we could, as close as possible, adhere to the three minute rule, that would be greatly appreciated. And our first speaker this evening, these first speakers will be from the previous committee meeting that weren't able to be heard is, Chris and Deborah Crump. And let me just also note, there's a podium here in the front. There's also microphones on each side in the back. Whatever's more convenient for the public to utilize is fine with me. And also, just please note your name and address for the record. Are Chris and Deborah Crump here this evening? (No response). Are we able to be heard out in the... Okay. Very well. I don't see them coming forward. We will move on to the next speaker. A Jermaine Harden. Is Mr. Harden here this evening? (No response). Betty Cain. (No response). Mickey Lymon.

Ms. Lymon: Hi.

Mr. Gilbert: Hi, Ms. Lymon.

Ms. Lymon: My husband and I have owned our home on Birchview North for almost 6 years now. And what I'd like to speak about is, in addressing the Special Exception standards in 111, or 1145.09, I'd like to address letter 'b'. 'The proposed use shall not adversely effect the use of adjacent properties'. And if you can remember from the previous meeting, the church said that they had 1500 to 2,000 members. And that they could make do with 200, sorry, 500 parking spaces. Well, the parking lot at the Big Bear only holds 444 cars before they begin to encroach on the parking for the neighboring businesses. I think that's an important point to make because you know, it already is hard to believe that a church that has 1500 members can make do with 500 spaces when there aren't even 500 available. So I do, that adversely impacts the neighboring businesses. Thank you.

Mr. Gilbert: Very well. Thank you, Ms. Lymon. Christina and Emmanuel Anthony. Are they present this evening? (No response). Jeff Morrow.

Mr. Morrow: My name is Jeff Morrow. I live at 2042 Belltree Drive. I've been a Reynoldsburg resident for over 6 years. From a financial standpoint, I see little or no value in City Council issuing a Special Exception Use Permit allowing Calvary International Inc. to occupy 6300 E. Livingston Avenue. Calvary International Inc. is a non-profit organization. The City of Reynoldsburg would not receive any tax revenue. In a time of economical instability, it just does not make good financial sense. Also referring to 1145.09, it says, 'a 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. The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated for permitted uses of the districts'. In summary, it is critical for our city to make essential efforts to establish a retail commercial operation in the area. The old Big Bear is one of the largest commercial areas within Reynoldsburg. In view of that, if our city does not cultivate and/or endorse businesses that will generate revenue, how does our city expect to compensate for the revitalization projects that are scheduled for Phase III and Phase IV of the Streetscape Improvement Project which will sustain the value and needs of our community. Thank you.

Mr. Gilbert: Thank you, Mr. Morrow. Michael Butts. Good evening.

Mr. Butts: Good evening Council members and Mayor McPherson. My name's Michael Butts. I'm a member of Calvary International Fellowship, Calvary International Ministry. And I am a former Cincinnati Police Officer. Me and my family resided in Cincinnati. The reason why we are here, because we relocated our entire family up here to the Reynoldsburg area. It is a great neighborhood, and the reason why we moved is because this church has been a very instrumental blessing to our family. And so therefore, I moved over 90 something plus miles to relocate here to the City of Columbus, particularly to the City of Reynoldsburg because of the neighborhood structure and how safe it is as a community. Being that it is a church, I understand the tax questions and oppositions and concerns from the Council and the City of Reynoldsburg. However, the oppositions from other churches, I do not particularly understand. There was a public comment made that, we already have three churches here in the City of Reynoldsburg. But the City of Reynoldsburg is a community of three particular counties. Three different counties. And I know for sure that those three different churches do not represent the whole gammon of the City of Reynoldsburg. It came to be compared to almost like cuisine. Some people like American cuisine, some people like Chinese cuisine, and even some people like soul food cuisine. It all depends on your preference of worship and where you prefer to attend. So again, I do not understand the church opposition and why other churches oppose another church moving into its vicinity. I wanted to clarify also, I believe there's still some confusion in the city about Armor Bearers. Armor Bearer is just like security. Wal Mart has security. Kroger's has security. But they cannot be detected because they're dressed in common uniforms. They look like regular shoppers. And that's how Armor Bearer's look like. They look like regular church attendants. You cannot tell that they are Armor Bearer's. They carry no weapons. They have no authority from City Council, but that of its internal position. And that's because sometimes our leaders, our Pastor, and our Bishop, we have a large congregation. And sometimes, a lot of people try to approach him with different things. And sometimes he has schedules that he meets to abide by and get to. And all they do is assist with him getting to his particular appointments, carrying his clergy attire, and his bags, and what not. So that's simply what an Armor Bearer is. There is no secret operation going on inside the church while the Armor Bearer's are out in the parking lot patrolling vicinities. Okay? So there is no more than two Armor Bearer's than that of security. My second comment is that of tax abatement. I understand there's been concerns about taxes and how we will create tax revenue. Generally, we're going to have about two to three conferences a year, if not more that generate a lot of income. Because what happens is, we have churches from out of town coming in and, that will convene together in one worship service. So there will be

revenues that will come because of that. People will come to the city and spend money, and that was stated in a previous meeting. So apparently, the opposition about tax revenue and also the employers that we'll have, we'll have about 100 employers. Some of those oppositions concerning tax (Tape Change) they may not have been at the previous meeting, or they may not have understood. However, I believe it will create a revenue. In the year 2004, I'm quite certain that there are different companies, different businesses that have received tax abatement as a way of attracting businesses to the City of Reynoldsburg. Why not provide a tax abatement to a church facility that will do very good justice to the community and the families that live here. So that's my comment on tax abatement. Also I wanted to talk about the concerns of traffic, and that's my last point. Traffic, our heaviest attendance service is on a Sunday. Sunday morning. And a lot of families go shopping, grocery shopping on Sunday morning. And it would not present any more traffic concerns than that of regular grocery shoppers on Sunday mornings. So there will be no traffic differences concerning that parking lot. I live in the City of Reynoldsburg. There's a lot of other members that live in the City of Reynoldsburg. And we can car pool if necessary. You have 400 and something parking spots, and that's what we'll use. If we have whatever parking spots that allow \_\_\_\_\_, without influencing the other business, a lot of businesses aren't even open on Sunday mornings. So that's our heavy service, on Sunday morning. So I don't believe traffic will affect the parking lot of the City of Reynoldsburg in that area, 6300 Livingston. That's all I have to say.

Mr. Gilbert: Okay. Very well.

Mr. Butts: Alright.

Mr. Gilbert: Thank you for your time.

Mr. Butts: You're welcome.

Mr. Gilbert: Cindy Sanders. (No response). Is Ms. Sanders here this evening? (No response). Very well. Agnes Qualls.

Ms. Qualls: Good evening. I'm a resident of Reynoldsburg. I've been living in Reynoldsburg for two years. And Bishop Dawson is my baby brother. And Minister Butts, he just about said everything that I was going to say. But I would like to really, I would like, if you guys would just give him an opportunity to have his church, have our church, and give us an opportunity to see just what, how it's going to be. Because a lot of people got, you know, they have this big idea in your head that, oh it's going to be congested, oh this is going to happen, and all of that is going to happen. But I would just like to say, we would just like an opportunity. Just give us an opportunity just to see what it's going to be like. And I'm sure that you guys won't be disappointed. That's all I want to say.

Mr. Gilbert: Thank you, Ms. Qualls. Ron Andrews.

Mr. Andrews: Thank you, members of Council. I don't think I've ever done anything in three minutes, but I'll try to tonight. When our family first moved into the Eastshire area 11 years ago,

there were several reasons that we came to the community. We had a new born and a toddler at the time, and my wife's parents lived in the area. It was close walking distance to the junior high, to the senior high. We had Blacklick in the neighborhood, we had a grocery, a hardware, all of our shopping. Our gas, our banking, all of our needs were right here in the Eastshire area. And I guess the thing that really clinched it for us though was the character of the people in Reynoldsburg, and the people in the Eastshire area when we came in. I mean, we came in, we saw kids playing everywhere. The yards were nicely kept, the families were nice, everybody was friendly. When we drove into the area, immediately we had neighbors coming over and welcoming us. It's a very nice community to live in. And I think the really important thing about this, what's being considered tonight, is that the neighborhood and the commercial area are linked. If one suffers, the other one is going to suffer. If one does well, the other is going to do well. And the problem that I have with well, I guess the amenities that are drawing the current applicant to this area are the same amenities that draw potential businesses to this area. They're the same amenities that draw people into the neighborhood. And if we were to go and take a major part of that commercial area and all of a sudden give that commercial property a very important key stone in that commercial area, if we turn that over to a non-profit organization, I don't care what it is, turning it over to a non-profit organization loses a lot more than the tax revenue that we would lose by not having a commercial operation there. It does change the character of the area. That area is very, very important. We need another grocery store in this area. And if we don't get a grocery store, we sure as the devil need another retail operation there. If we lose that key property, it's going to make that whole area less attractive to other people that we're trying to bring into that area. It really will change the character of the area. The other thing that is something that would affect not just that area, but the entire area of, the entire City of Reynoldsburg, something that I haven't heard anybody talk about and, maybe this isn't a legal part of the code, but I think it's important, right now all of the sporting programs in Reynoldsburg, whether it's the rec programs or whether it's the high school programs, get a very major source of their funding from the Touchdown Bingo. Touchdown Club Bingo. Which is located right across the street from where we're now going to have a large bingo operation that is not going to leave the money in the City of Reynoldsburg. We're one of the few communities that doesn't pay a lot of money to have our kids play sports, and keeps it open to everyone. It allows everyone an opportunity to play. If we lose that revenue, all of a sudden, we're going to be just like all the other communities around. We're going to be paying that money too. And the money that goes to our competitors, some of it will stay here, but the majority of it is going to leave the community. So I just hope that you all recognize by the interest that we have here, myself and my neighbors, we don't want to lose our community. We are committed. We are here to tell you tonight that we want to rebuild that community. And we're here to help you do what you need to do to bring businesses into that community. And I just hope that you'll all help us. Thank you.

Mr. Gilbert: Thank you, Mr. Andrews. Joyce Hanlin. Is Joyce Hanlin present?

Ms. Hanlin: Good evening. My name is Joyce Hanlin and I live in Huber on Laird Avenue. My husband and I have lived in Reynoldsburg for 30 some odd years. I would like to see the Big Bear thing go to something that's going to bring some revenue back into town. I have nothing against the church or anything like that. But after reading in the paper it was going to be used for some other things also, I don't think that area is conducive to, for that use. Like I said, I agree with the

person who just spoke before me and I would like to see either a grocery store or something go in there that would bring some revenue into town. I'm sure that we could find something. I know in reading the paper also, that they've tried to bring in, I think we could try a little harder because I'm pretty sure we can find something that would bring some more tax money into Reynoldsburg. Thanks.

Mr. Gilbert: Thank you, Ms. Hanlin. Debbie Andrews.

Ms. Andrews: Hello. I wish to agree with my husband and some of the other neighbors in the Eastshire area that have spoken previously. And one of the things that I just really wanted to point out is that our opposition is not based on the applicant in particular. It is based more on the fact that it is a non-profit organization. I would not like to see any other type of non-profit organization move into that facility. Whether it be a school, a YMCA, a community center, anything else other than a retail business I think, would in fact, change the character of the district. And that is my concern. Thank you.

Mr. Gilbert: Thank you, Ms. Andrews. Susan Mann.

Ms. Mann: Good evening. I'm Susan Mann and I'm a 22 year resident and homeowner in Reynoldsburg Eastshire Division at 6401 Blackhaw. The following are my concerns regarding the proposed Special Exception Use Permit. Like Mr. Andrews stated, I believe that this is a complete \_\_\_\_\_ of community and revenue. If you were to approve this permit, it's clearly not in the best interest of the Reynoldsburg residents. As one of the largest properties in the city, it will generate little to no economic benefit if it's occupied by a church. Also against the current code 1145, it would clearly change the commercial character of the district and current retail zoning. I implore that the city make every possible attempt to proactively seek a commercial tenant for this location. There are so many commercial possibilities with grocery chains, banks, insurance training centers, call centers, educational centers even, branch campuses like Devry that would bring in profit. Please work with the building owner. Offer incentives, tax abatements, be creative. Even possibly offer to contractually bind a deal with the owner and leasee to help fund reconfiguration of the building. Please do something with this location that will allow our city to prosper economically as is intended in the city's development plan. I truly believe if our city misses the opportunity to find the appropriate occupant for this location, it'll be a loss to the entire community and not just this district. Thank you.

Mr. Gilbert: Thank you. Janice Bourizk. Am I saying that correctly? There's a swish cutting right across where I, perceived to be a 'k'. I apologize if I have it wrong.

Ms. Bourizk: I guess I'm just here to agree. We've been in Reynoldsburg for a while. My name is Janice. I live on Slate Ridge Boulevard. I guess I was sitting there thinking to myself, I'm originally from Newark, Ohio and I say I'm going to go to Heath to Indian Mound Mall and I'm going to shop at Goody's which I love, or I'm going to see a movie there. I go to Pickerington, I say I'm going to go to Kohl's because I love Kohl's. I'm going to spend my money there. Or I'm going to go to Marcus Theater. Or I'm going to go to Easton and I'm going to go see a movie and I'm going to go to Hot Topics, my sons favorite store. I'm going to spend money there. And

I like to spend money. But finish this sentence. I'm going to go to Reynoldsburg and I'm going to go to.... Where am I going to go? The second hand store, Odd Lots? Where is there to shop? I've never heard anybody say I'm going to go to Reynoldsburg to shop, where? Does that make sense? I mean, we have nothing here. I mean, I have to go to Pickerington to go to Kohl's. I would like to spend my money here. I want my money to stay here. I want to stay here as a family. We were thinking about moving. I don't want to move. But there's nothing here for us. There's nowhere for me to shop close by. I'd like to shop in Reynoldsburg. I'll spend my money here and not have to go to Pickerington or you know, Columbus or somewhere. I want to spend my money here. I want to stay here. I like living here. But I ask you to finish that question. I'm going to Reynoldsburg to shop... Can anybody finish it?

Mr. Stake: Taylor Square.

Ms. Bourizk: Taylor Square, what's that? I don't even...

Mr. Hills: What Mr. Stake has just mentioned is Taylor Square which is a number of retail shops and restaurants that is open and has been open for about 3 or 4 years now. So it is eastern part of Reynoldsburg, 256. In that section. There is certainly shopping available in Reynoldsburg. And we're not, again as I noted earlier, I hope we're not going to get into, you're going to ask questions and we're going to respond back, because that's not quite what this is about.

Ms. Bourizk: Okay. That's fine.

Mr. Hills: You certainly have, the comment I think to summarize what you have said, in fact I think exactly what you said is there's nowhere to shop in Reynoldsburg.

Ms. Bourizk: No clothing store for me. I go to Kohl's.

Mr. Hills: You said there was nowhere to shop in Reynoldsburg. And so, I think that we could all come up with places that you could spend your money and we'd be happy for you to do that. But Mr. Gilbert, I'm sorry.

Mr. Gilbert: Thank you, Mr. Hills. Mr. Clemens, if that's alright Ms. Bourizk we'll just...

Mr. Clemens: I think what she's referring to, and I think most everybody else is, we'd like to shop in the east end of town too without having to go to Taylor Square. And I think that's possibly what you were speaking of.

Ms. Bourizk: Right.

Mr. Gilbert: Very well.

Ms. Bourizk: And I would like to work in Reynoldsburg because I don't like to drive too far. I'd love to work here. I work right now in the Swim Center. But I mean, that only is three months. I would just like, I used to work at Big Bear. I loved it there. And every time I go by there I just,

really sad that it's not there any more. And every time I go by I look to see what's going to be there and there is nothing there. I don't know if there's someone that's appointed to bring business into Reynoldsburg and maybe somebody can tell me, we're not supposed to ask you questions, I'm sorry. Okay. That's all.

Mr. Gilbert: You can ask us questions.

Ms. Bourizk: I just thought we weren't doing that where you were going to answer my question. I thought we weren't going to do that.

Mr. Gilbert: That's fine. Well, we have a Development Department.

Ms. Bourizk: Okay. I was just wondering. Was there anybody else interested in Big Bear?

Mr. Gilbert: I just had a brief conversation recently with the Development Director and they have made attempts to locate a tenant for the location. I know the landlord of the location had commented at the last committee meeting that there are a number of these what they term, 'big box' retail type stores that are now vacant throughout Central Ohio due to the Big Bear pullout. And it sort of has created a negative market for that sort of thing. And so that was just one of the explanations I had received up to this point. I know there were some questions at last weeks Council meeting where a resident had requested some information as to the Development Department's efforts in regards to redevelopment in this corridor. And I think that information is coming from the administration. And I'd certainly be willing to make that available to you to help answer that question for you.

Ms. Bourizk: Okay. Will you answer one more thing then?

Mr. Gilbert: Certainly.

Ms. Bourizk: Is the building actually, is the building itself, is it for sale or for lease?

Mr. Gilbert: My understanding is it's for lease. Is that correct? Either?

Male: (Inaudible).

Mr. Gilbert: Either. That would be the answer.

Ms. Bourizk: And can I ask how much it's going for?

Mr. Gilbert: I have no idea. That might be a conversation for you and the property owner after the meeting.

Ms. Bourizk: And he's here? The property owner's here?

Mr. Gilbert: A representative.

Ms. Bourizk: Okay. So I can speak to you afterwards?

Male: (Inaudible. Speaking off mike).

Ms. Bourizk: Okay. That's all then.

Mr. Gilbert: Thank you.

Mrs. Newman: Mr. Gilbert.

Mr. Gilbert: Mrs. Newman, go right ahead.

Mrs. Newman: Yes. I would just like to make a comment, that I would certainly hope that Mr. Brandt, our Development Director, could make a stronger effort to develop that, redevelop that property. And I think he could be of a lot of assistance to the property owner and the owner's representatives in that regard. And I would certainly appreciate it if he would make some effort in that direction.

Mr. Gilbert: Right. In the whole corridor.

Mrs. Newman: Yes.

Mr. Gilbert: Correct. And I would just note just for the record very briefly, and then we'll get right back on topic, but we do have certain elements in place with the revitalization that will be extending down Brice Road as well as the tax incremental financing plan which is in place to help finance these types of improvements in the area that helps keep some of that tax burden off of the individual homeowners that's been in place and has been generating revenue for the past four years. So there has been, the foundation for some of the things that the residents are asking for that have been put in place and I would certainly hope that information is coming forward from the administration based on the request that was made last week. My apologies for diverting but I just thought some of that information would be helpful. Patricia Krumm.

Ms. Krumm: Good evening. I think most of the people here that have spoken previously have answered a lot of the questions that I had. Mainly the congestion. Also the parking on Livingston Avenue. I'm a Reynoldsburg resident for 45 years. And I know in the last 3 or 4 years, getting out onto Brice Road just with the normal traffic as it is now, we've found another short, it's not really a shortcut, it's a longer way that we have to go up to Lucks Rd., up to Livingston, and then back to Brice Road to be able to get out into that area. And then, but I was also going to ask also what you just mentioned about the development on that corridor. When is that planned for? For the Brice Road and the Livingston Avenue area? Because \_\_\_\_\_ Street is really starting to come alive. I mean, it's really nice and I'm really proud to have my family and friends see that Reynoldsburg is making an effort to improve these things. But, I also believe like everyone else, or mainly, that we do need the money. The tax income to help pay for all these new improvements that is making our city more beautiful and adding to the area rather

than...

Mr. Gilbert: Mrs. Reichard, is Brice Road Phase III of Streetscape?

Mrs. Reichard: Yes, sir.

Mr. Gilbert: Very well. That would be the next phase after the completion of this phase here on Main Street.

Ms. Krumm: And then what about the Livingston Avenue corridor?

Mr. Gilbert: That's not a, it's just Brice Road that I believe is included in the corridor improvement there.

Ms. Krumm: So Livingston Avenue is not even...

Mr. Gilbert: Not at this point.

Ms. Krumm: Hopefully down the road?

Mr. Gilbert: That would be up to the administration to bring that proposal forward. I don't know that it's been looked at at this point with the proposal that's been presented.

Ms. Krumm: Because I think most people really and truly, the ones that I have talked to and I have spoken to a lot of people in the area and there's a lot of older people now that have lived there for a long time, and it's really an, I mean with everyone having cars I shouldn't say an inconvenience, but it would be more practical just to have a grocery store there, or a little ice cream store, or anything to bring in money. Where people can take their children, or their grandchildren, or even the teenagers. Something that the teenagers could go to.

Mr. Gilbert: Very well.

Ms. Krumm: Thank you.

Mr. Gilbert: Thank you, Ms. Krumm. Linda Lorentz.

Ms. Lorentz: Hello. My name is Linda Lorentz. And my husband and I have lived on Lucks Road for the last 32 years. And we're just a couple of blocks back there behind where Big Bear used to be. And I just feel a little bit concerned in regards to what Mr. Andrews said and some of the other folks in regard to the traffic and the congestion. And I would really rather see some type of a retail center in there. Another grocery store to bring in some more retail for the neighborhood and so forth. I mean, all up and down Brice Road it's getting a little bit bare around there. And I think we need to go more for the retail. Thank you.

Mr. Gilbert: Thank you. I apologize for not pronouncing your last name correctly. Alison

Boroti. I hope I'm saying that correctly. Roselawn Avenue? (No response). Very well.  
Karen Streib. Roselawn Avenue? (No response). Alton Burchett.

Mr. Burchett: Thank you sir, for allowing me to speak.

Mr. Gilbert: You're welcome.

Mr. Burchett: My name is Alton Burchett. I live on Rygate Drive. That's just down by Brice Road. And I've been there for 50 years. And over the years, I have been proud of the Mayor and the Council's decision to make it a better and safer city. You've done a good job. But now there's a problem here. And it's a tough one for you guys too. It's the making over this property on Livingston Avenue. Now I know the needs of our neighborhood. The main need is to get a grocery store over there. What we're doing, the people in that area, we're going south. That's not helping the city a bit. Our money is being spent down south. Also, something I have thought about, if you would offer industry, a tax free base, that would sound pretty good to them. I'm sure a lot of companies would like that. So why not offer the property to schools? School property. If it can be made into a church, it can be made into class rooms. Why not offer it to the post office? What a mess it is over there sometimes when you go to the post office. Or why not the city take it over as a city recreation center which would employ local people. I'm sure that there's expense unknown to this deal right now. So I hope you men and women make a good decision.

Mr. Gilbert: Thank you, sir. Bishop Dawson, I have a speaker slip for you this evening.

Bishop Dawson: Yes. I don't want to take too much of the Council time, Mayor. Good to see you guys. I just want to say to the Council, take good consideration in what we have to offer. We're a church. We don't have a lot of odds and ends. We're just a church. And we want to be an asset to the City of Reynoldsburg as much as possible. And present any helping hand we can to this city by bringing people in and bringing our expertise to the table. We're just a church. And there is not other, the only way I can put it, we're just a church that want to be a part of this city. And anything we can do to help the city, we want to be a part of it. And that's all I have to say right now.

Mr. Gilbert: Thank you. Corey Redd. Is Corey Redd here?

Mr. Redd: Good evening, Council. I just want to basically, Bishop Dawson summed up pretty much very eloquently, we're a church. We're community based and we want to be a part of the community and assist the community any possible way, shape or form with our expertise that we have. So, I just wanted to agree with him. Thank you very much.

Mr. Gilbert: Okay. Thank you. Robert Kelley.

Mr. Kelley: Thank you Council. While in the course of respecting one people in human events, it becomes necessary to protect the safety of another. It is right for those in pursuit of worthy ambition to declare their cause, and proper for those who's security is questionable to declare their concerns. Be it assumed by the power of those in authority that all have the same and equal

station in the pursuit of life, liberty, and happiness to which they are entitled by natural law and the laws of God. While one people have good and honorable intention, another believes it's personal safety and residential security are threatened. By those who govern with the consent of the governed, it is necessary due consideration be given and judgement entered. The task is not easy. Denying one people and granting another, both with legitimate industry requires instrument beyond the gavel and human voices. Be as it is that all earthly authority is derived from a higher authority, the God who created us and gave us life, let us offer up our causes as a good exercise of the human spirit. Having said this, in the quest of Godly judgment, it is my prayer that God will find for our brethren, a site much more desirable, more beautiful, and much more to their liking than the old Big Bear location. A wonderful place where traffic congestion will not be a community threat, where the church and it's entail will not have an adverse effect on vicinity schools such as Reynoldsburg high school, where it will not be a possible danger to residential children, and where it will not be an encumbrance to the elderly who although the constitution diminishes with aging, and that includes me, drive to the neighborhood groceries and businesses. So be it. Thank you for your time and consideration.

Mr. Gilbert: Thank you. Benton Benalkazer.

Mr. Benalkazer: Yes. My name is Benton Benalkazer. I'm the listing agent. My company is Logo's Realty Advisors, and I'm the broker and principle owner of that company. And last time we had a meeting, I spoke briefly with some statistics about the market. I have some updated information about that. And just a kind of a brief summary of the marketing campaign that we have implemented for the property. I have 20 years experience in commercial real estate, strictly commercial real estate.

Mr. Gilbert: One second Mr. Benalkazer. Is your cell phone on? I think it's effecting our sound system.

Mr. Benalkazer: Oh, I'm sorry. It's turned off.

Mr. Gilbert: Great. Thank you.

Mr. Benalkazer: And so I just wanted to kind of give a brief background of my experience and just to note some highlights of the marketing campaign. The property is for lease or for sale. And as part of that, we have directly contacted first and foremost, grocery's, potential call centers like insurance claim centers, those kinds of tenants. We've also contacted charter schools. And fortunately or unfortunately, however you want to look at it, the Reynoldsburg school system is doing well enough that it is not considered a distressed school system. So charter schools are focusing more on properties that are located in the City of Columbus school limits proper. So charter schools have not had an interest in the property. As part of the campaign also, we have offered it for sale, and the asking price is 3.1 million. And also we've offered it for lease. And the, we have offered the property to, the landlord is willing to consider scenarios. Not just one scenario where one tenant would come in and lease all 101,000 feet. We've been able to convince the landlord to spend potential dollars to divide the property into four different tenants. So in other words, they're willing to consider tenant sizes down to 25,000 square feet. So we have not

limited our search for tenancies just to full building user of 101,000 feet. So we've really comprehensively sought tenants and buyers. We've also contacted many developers. Especially those that are adept at redeveloping properties. Because a lot of times they'll have tenant relationships that they can bring a tenant. They'll buy a property, see an opportunity. They'll bring a tenant with them kind of as we say in tow, and buy the property and then place that tenant in that property. The property is listed on all commercial multiple listing services. It's on the internet. And in addition to that, we do direct mailings to, as I mentioned before, direct e-mail contact and direct U S Postal Service mailings to perspective tenants, buyers, users of the property. And then also, the brokerage community, both in local area and then on a regional basis. So we've covered the bases very well. And I just wanted to give you some statistics from a third party real estate service called Costar. And as of today, there are, for buildings that are 50,000 square feet and larger in the Columbus market, there are 36,000, I'm sorry, there are 36 buildings that are 50,000 square feet and larger that are available either for lease or for purchase. And then if you go down a little bit smaller and look at buildings that are 30,000 square feet and larger, there are 49 of those available as of today according again, to Costar. And Costar is a national, third party, real estate data base. And a lot of developers, brokers, and Development Departments use Costar. And I guess I'd just like to close by saying that my seller wanted to convey that we are operating in a free enterprise system. We have located a buyer that's ready, willing, and able to purchase this property. And he just hopes that that process can continue and be closed.

Mr. Gilbert: Mr. Benalkazer, can you provide that information to the Clerk's so the members have it to review over the next week or two?

Mr. Benalkazer: The Costar information?

Mr. Gilbert: Yeah. The figures that you provided this evening if you would. Maybe draw it up and fax it to the office tomorrow.

Mr. Benalkazer: Oh, just a summary of the information? Oh, sure.

Mr. Gilbert: And then, I don't know if you would have had direct contact or it would be the actual landlord but, have you had any contact with our Development Department in regards...

Mr. Benalkazer: John Brandt?

Mr. Gilbert: Yes.

Mr. Benalkazer: Yes, I have. And we have, we've strategized on different users. He's given me some ideas. We have also talked, he's talked to other developers. Most notably, the Casto organization which owns the adjoining shopping center. And I've talked to that group as well. Because it would make the most sense for them to acquire this property because of two reasons. One, they are a national developer with national relationships with tenants that they travel from city to city, state to state. They're very strongly positioned to work with a lot of different tenants. And then the second of course is, that they're the contiguous neighbor on the one common wall to this property. And they were not successful in finding a tenant for the property. And again, it

made sense for them to do that. And we contacted other developers as well.

Mr. Gilbert: Very well. Thank you for your time. Mr. Baxter.

Mr. Baxter: Well, thank you Councilman Gilbert. A quick question I have is dealing with the marketing campaign. Has that ceased now that you have found a buyer? Or does that continue?

Mr. Benalkazer: No. It continues. And by law, we have to notify potential prospects that the property is in contract, that we are open to receiving backup offers. And we are continuing our, we haven't pulled any of the information off of the market.

Mr. Baxter: Very good. Thank you.

Mr. Gilbert: Thank you. Mrs. Newman and then Mr. Beougher.

Mrs. Newman: Yes. I'd like to ask, what is the length of time that this type of building or facility remains vacant before a suitable tenant is found for it? On the average.

Mr. Benalkazer: I guess that depends on, are you, when you say suitable, are you saying another retail user?

Mrs. Newman: Well, this size. This size. That's the statistics you were giving us. You know, citing your statistics, what's the average length of time before they're occupied again? Or redeveloped.

Mr. Benalkazer: That's going to depend, I can give you some wide ranges. And it's going to depend really on the use, the eventual use. If you're saying, okay we have 101,000 foot building, and we want this property to be occupied once again by a 101,000 foot user as a single tenant retail user, and hopefully as a grocery store, that really narrows down your universe of prospects.

Mrs. Newman: Well, you've been in this business 20 years. Give me your best guess.

Mr. Benalkazer: Properties, if you're looking for a single tenant user that's a retail user, they're going to be years, years in availability. Especially if you're looking for a grocery store.

Mrs. Newman: So this isn't all unusual for that type of building to get another grocer. It's my understanding that Penn Traffic, the previous owner of that property, Big Bear. Well I guess Big Bear and not the property. But they were in bankruptcy for quite some time. And that this property essentially has only been available for about 7 months. Is that true?

Mr. Benalkazer: No. That's not. The Penn Traffic never owned the property.

Mrs. Newman: Well, I just corrected myself. They did own Big Bear. So, the store.

Mr. Benalkazer: Big Bear was just a tenant in the property.

Mrs. Newman: Yes. But Penn Traffic owned Big Bear. They were in bankruptcy. Correct?

Mr. Benalkazer: Yes. Penn Traffic then dissolved. No. The property has been available for, for more than that. And I would have to check...

Mrs. Newman: How much more, please?

Mr. Benalkazer: I would have to check with the seller. Because I was brought in after the owner tried to market this property directly for some time. But my listing started last summer.

Mrs. Newman: Alright. Thank you.

Mr. Beougher: Thank you, Mr. Gilbert.

Mr. Gilbert: Mr. Beougher.

Mr. Beougher: Mr. Benalkazer, the question I have deals with how much impact on abatement, or an enterprise zone, or some way of encouraging a developer or a retail establishment to come in, how much would that help? I mean, what if we leveled the playing field? Would that have any effect?

Mr. Benalkazer: Okay. If I could finish up one more thought with Mrs. Newman. When I said three to, or multiple years, that doesn't, just because you wait, doesn't guarantee that you're going to get another grocer into that space. Time does not necessarily mean that you'll have another grocer. But time might allow you to find an alternate use for that property. Whether it be a call center or, and I did want to just comment that I did briefly touch upon the market having shifted over the last couple of decades from, Hamilton was the hot corridor, then Brice became the hot corridor. Now it's 256. And then it's beyond. Retailers, especially national grocers and other national tenants are, they follow the trends. They follow the hottest areas. So once that they perceive an area to be hotter somewhere else, it's very difficult to convince them otherwise. And that kind of leads me into your question sir. If you're looking at a retail, a retailer, they don't concern themselves with tax abatements. Because their formulas, and their site location parameters and everything, their demographic studies, their traffic studies, all of that has to be met completely. And if that's not met, there aren't going to be any incentives. Now if you were talking about a warehouse user, or a factory, or someone else that's not as location sensitive, then there would be a greater impact to provide incentives. And that would make the playing field more competitive with another location that might be trying to lure a warehouse user. But retailers, their concern are sales. Their concerns are the bottom line sales. And if that formula doesn't work at that property, there's not amount of incentives that's going to work. Because incentives, that property has to work long term just from an economic formula. And incentives can't go on forever. And even if they did, it's like, it was like the old days when the tax laws were very favorable. Some people were getting, investing in real estate for tax purposes only and they weren't looking at the economics of the investments. And those were failures. So it would be, I'd say next to impossible to lure a retailer if that formula doesn't work on that site.

Mr. Beougher: Thank you. One follow up. You mentioned that you'd contacted, or have you contacted large chains like Giant Eagle and...

Mr. Benalkazer: Yes, we have.

Mr. Beougher: Have you also contacted specialty \_\_\_\_\_ such as whole foods and some of the other?

Mr. Benalkazer: Yes. Yes, we have.

Mr. Beougher: So they all know it's out there and they haven't taken a bite?

Mr. Benalkazer: Yes. And what we found is, we've contacted them directly. And virtually, all of those users also work with real estate brokers that represent them. And we've also contacted their brokers. And excuse me, they've said that there's not an interest there.

Mr. Beougher: Thank you.

Mr. Gilbert: Mrs. Newman. A follow up?

Mrs. Newman: Just one more comment please. Not to hold everybody up but, I hardly think that that area is comparable with Hamilton Road, for example. We have thousands of people who live nearby who need a grocery store and a place to shop. And I was just down Hamilton Road today, and I don't see anybody living down there. Very few. It's not the same scenario there as those two properties. I mean those two areas.

Mr. Benalkazer: Yeah. They're different. I wasn't saying that they're equal in comparison to them. I'm just saying that the trend, the trends you know, in the 70's Hamilton was as popular as a retail corridor as Sawmill was back then. And then Brice was as popular as anything in the 80's. And then we had no vacancies along Brice Road in the 80's. Especially south of 70, and also north of 70. So I was just mentioning those areas as showing that retail corridors transition.

Mr. Gilbert: Thank you, Mr. Benalkazer. I think the best example of that is the resident that spoke in regards to Kohl's. Kohl's was on Hamilton Road. Now it's on 256. We lost that battle, but we won the battle for Sam's Club in terms of that being on Brice Road. So I think we have some recent examples here of that transition that Mr. Benalkazer is talking about here with the development of Taylor Road.

Mrs. Newman: Isn't Kohl's still on Hamilton Road?

Mr. Gilbert: Is it?

Mrs. Newman: Yeah.

Mr. Gilbert: Well, my understanding at the time was that it was moving to 256.

Mrs. Newman: No. They're in both places.

Mr. Gilbert: Any other questions for Mr. Benalkazer?

Mr. Benalkazer: Just one more comment. Wal Mart was also one of the many that we contacted. They have that property off of Brice for sale and they said that they did not want to enter, they felt that they were no longer interested in this immediate market area.

Mr. Gilbert: Okay. Thank you. Mr. Clemens.

Mr. Clemens: Just one thing. I want us all to consider, he is the broker, and he is giving his pitch for his company. So you all want to take that in consideration too. And I appreciate your information but, we do understand, you are handling the property. And this is your business to make money. And so I understand why you give us the information you have. So I want us to take that in thought too.

Mr. Benalkazer: As I mentioned, yes, I represent the seller, and they found a ready, willing, and able buyer, and they'd like to move forward to a closing on that property.

Mr. Gilbert: And I think you identified that at the last meeting. Correct?

Mr. Benalkazer: Yes, I did.

Mr. Gilbert: Thank you, Mr. Benalkazer. Kenneth Buck.

Mr. Buck: Mr. Mayor, members of Council. Thank you for providing me this opportunity to speak. I'm here with my wife tonight. My name is Kenneth Buck. Her name is Shirley. We live in the Huber Home area. We've lived in Reynoldsburg now for over 40 years and watched it grow. Not only with the residents, with the businesses. I'm here to speak out against rezoning that area. I've talked, my wife and I spoke, and we've spoken with people here and with the neighbors in my community. Our concern is tax base. We don't have any new area in Reynoldsburg to put in new businesses. If we don't keep the area we currently have and look for future development, it's on the backs of the residents who's taxes will go up. You don't want that. We don't want that. The area right now, I don't believe it'll probably ever be a grocery store again. I think we all realize that. I'd like to thank Councilman Newman for bringing up a few questions early. The property's maybe only in market for over a little bit of a year now. Well certainly a year is not enough time to see what may be available. But decisions you make, not only affect your current time in office, but those who may follow in the year '20, '25, they may look and say, I wish they had never gotten rid of that area that many years ago because we could use that for tax base. We have no idea what it may be. It may be many mom and pop stores. It could be medical. It could be many things. The future for that area may be also changed. As we understand, the Truro Township fire department will be adding a fire station over at Livingston Avenue. That can greatly enhance that area in many ways to the shape of the people and businesses both. When will that happen? It's not going to happen tomorrow. But in the years

coming, businesses I'm sure will be looking at how close they are to fire departments. It may be a nursing home. It may be another community for elderly people to live in the future. But we can't give that up. The fire station can also benefit the southeast corner where Tom Tarpy's shopping center used to be. We can have a larger tax base. Councilman Clemens mentioned earlier, he was sitting back, he's counting nickles and dimes and I greatly appreciate it. He was talking about the mulch earlier. About what we're doing for Streetscape right now, and can we add the cost of additional mulch for the city into that and see if we can get a little bit better price. I appreciate what he's doing there. Because if it isn't looked at right now, we the tax payers again have to take care of that. It was mentioned earlier, and maybe you can verify it but, the opportunity for another church somewhere is tremendous. Yes we all believe in God. But what I heard earlier, and it may not be true, it may be true is, that they may have bingo. In that particular area right there is brought up. We have the Reynoldsburg bingo from the high school (Tape Change). If they do compete, if there's a competing bingo at this church, it can hurt. And we've had over a million and a half dollars I'm assuming out of that in the \_\_\_\_\_. . It not only helps the school system but it helps the citizens and the youth of Reynoldsburg in the future. I'm hoping that Council makes a decision not only for the time that you have in office for those who are sitting in those chairs after you. But you realize, we need the tax base. We don't have additional land right now to put the businesses on. It will never be a big business. It will not be an industry. We realize that. But it's currently providing taxes, and it will provide taxes in the future. Is 12 months enough? That surprises me tremendously. Twelve months is not enough time. That building may be razed like I said. But it may provide a better place for something that Reynoldsburg does need for a tax base. 256 will not be, it was talked about earlier that we have a Kohl's moving out towards the east side. Certainly we can see it. But what was not brought up is, what's happened in Columbus since then. I was down at the festival down at the Scioto, the arts festival. Tell me that area down there which was not at one time looked down upon, has not improved tremendously. Condominiums, businesses, talk about a grocery store down there. We've looked at it. Polaris Mall. How nice that is. Well Easton Mall is inside of 270, and there is not considered once upon a time. Look at that tremendous tax base for Columbus now. This is a much smaller area. But it still provides a tax base. Not only for the coming years but for '20, '25 and beyond. We can't give up land like that. Thank you.

Mr. Gilbert: Thank you, Mr. Buck. At this time, what I'd like to do is take a short 5 minutes recess. Everyone's been here approximately 2 hours. We have approximately 10 other speaker slips. We've been moving along at a good clip. I'd like to get through them if we could if that's okay with everyone here. Take a 5 minute breather, then we'll come back and finish out this topic. Thank you very much.

Recess at 9:05 p.m.

Re-adjourned at 9:23 p.m.

Mr. Gilbert: I'll re-adjourn the Service Committee at 9:23 to conclude our speaker slips for this evening. Our next speaker is Kenneth Golonka, Jr., attorney for the applicant. Mr. Golonka.

Mr. Golonka: Members of Council, I'm Ken Golonka. I want to take a few minutes either now, or

maybe at the end, to respond to a couple of things that were raised to kind of help the church. But I do want to kind of talk about something that really hasn't been discussed too much which is, the scope of review that I think this Council has with respect to the action, the decision of the BZA that was taken on April 21. If you look at 1145.02, and you know your code a lot better than I do, but I had a chance to look at it over the last couple of weeks. \_\_\_\_\_ in the BZA, the approval process. And if you go through the approval process, the BZA makes decision, and that decision they make the considerations in .09. It does provide in .07 that Council has the right to approve or disapprove the action. But when you look at .09 and they talk about the BZA's authority, it talks about whether or not these eight elements are consistent. And I think when you look through this, it is consistent. I mean, a couple of people have raised a couple of issues about it not being character. But I mean, the character right now is, we have an abandoned store. And that store has been abandoned for some time. So it's not quite a situation of a thriving retail center, and the character of a thriving retail center. But your standard, the standard of Council is whether it is a violation of the standards of the code. So I think it's a different standard. I think you have to look and see, did the BZA screw up? Not, you know, do we want to substitute our judgment for them and go through and walk through and decide whether or not this is right or wrong? And again, I'm a lawyer speaking. You can talk to your own counsel on that and come to your own conclusions. But I do think your standard is different. And therefore, I'd like you to consider that. When you talk about the property tax issue, and the sales tax issue, and the economic issue, and all those things, they're a couple of things to consider. One of them is that the property taxes virtually all go to the schools. A little bit goes to the fire department. A little bit goes to the city. Most of it goes to the schools. The school superintendent has supported this request. It is a use that will help most of the community spiritually and a lot of other levels. In addition, they're going to have a community center which they will share with the community and the schools. All of which is something good. When Bishop Dawson came up he said, they want to be a part of this community. And that's the truth. This is not a group of outsiders coming in, trying to be, get the benefit of the community and then send money out like somebody else had indicated. They want to be part of this community. One other little point to bring up and then I'll go to my last point right now and I can respond maybe a minute at the end. It has to do with bingo. They have no desire to do bingo. I mean, a couple of group people said well, you know they're a church so they could do bingo and they'll compete with the Touchdown Club. That's not their intention. If that were a condition, we could agree to that. I mean, that's not a problem.

Mr. Gilbert: Mr. Golonka, I would just note just so you're aware. And Bishop Dawson, it does note in your information that was provided on the application that there was bingo on nights where there wasn't church services.

Male: (Inaudible. Speaking off mike).

Mr. Golonka: This isn't their church bingo.

Mr. Gilbert: Okay. I was just saying, that's maybe where some of the questions had \_\_\_\_\_  
.

Mr. Golonka: I understand. No we're not. I mean, we're not arguing. I mean, we're just trying

to explain.

Mr. Gilbert: Right.

Mr. Golonka: Finally, the one thing that when you talk about the economic benefits, there was a federal law that was passed in 2000. It goes by the acronym 'RLUIPA'. And it was passed intended to prevent municipalities and local governments from discriminating against churches. And it's very specific in what you can and can't do in the way of discrimination. It's a new statute. There's not a lot of case law out under it. But we have looked at the case law. And things like making sure that we don't lose a tax base. You know, taking an abandoned store and turning it into a church because some day we may be able to have a store in there that will pay real estate taxes. That could be an illegal consideration under federal law. The same thing with respect to the use. We'd rather have this use than that use. I mean, if there was another user there ready to go, and you had a competing interest there, that could be a consideration. Because you're allowed to have a compelling interest to benefit the community. Statute allows a municipality who has a compelling interest to take an action that may not benefit the church. But it has to be a compelling interest and it also has to be the least restrictive use. What you have here is an abandoned store in a shopping center which is not very healthy right now, and you have, it's very hard, it's a very hard stretch to say that the City of Reynoldsburg has a compelling interest to leave that store empty for the indefinite future, and discriminate against this church. So I mean, and that's a new statute. I mean, it's only been around since 2000, but it was passed with great fanfare in that year and it is certainly something that every municipality has to consider now when they're taking these kinds of applications into account. I mean, this is a special exception. This isn't a rezoning. Their standards are limited. And I guess that's all I have to say now unless you have questions, and then I may respond to a couple of things at the end.

Mr. Gilbert: Okay. Questions for Mr. Golonka? Mrs. Newman.

Mrs. Newman: I just have a comment. I don't feel that we're here to rubber stamp the Planning and Zoning Administration's or Boards decisions. You know, we are here to make decisions in light of what's best for our community. And that's what we're going to do.

Mr. Gilbert: Very well. Mr. Clemens. Hold your applause please. Thank you.

Mr. Clemens: Yes. I understand you know, the standards and the requirements. And that's what we have to go by. And there is probably three standards and requirements that fit this issue that we can address. And I think those are probably what Council will finally end up considering. Whether it's discriminatory or not, I don't know. I mean, you're an attorney. I know a lot of attorneys and there's a lot of laws. And so, everybody can take your opinion or somebody else's opinion and they're worth probably 50 cents. You know, you never know. You probably charge more, I'm sure of that.

Mr. Golonka: Hopefully, my clients are worth a little more than 50 cents.

Mr. Clemens: But that's not the point. I mean, by standing up there and reciting these laws, or the

new 2000 law, and I know that exists and possibly discrimination could probably be a court case, and I know what you mean by that, and I know what you're trying to get across to us if that would be your intent. I don't really care. I mean, that's something we have to worry about later. I think that we have to decide on the standards that are before us. Be able to turn down this Special Exception Use Permit, whether we thought B&Z did their job. I read their minutes. I mean, I see no conversation. No questions really. Maybe throw in a tree here and there. But that didn't fall in the requirements. I don't think it got the proper hearing in that process. And I think that's why it's before Council now. I think we have to make our mind up on what we feel is correct for the City of Reynoldsburg and go from there. Now, I understand that we're here to listen to the speakers, and that's what I'd like to do. In the next couple of weeks or so, or three weeks, we'll have our chance to voice our opinions to your opinions, or to the Bishop's opinions, and I hope to everybody's opinion. And I hope everybody here comes back. Everybody from both sides because that's what we want. And that's how we make our decisions. So I implore everybody sitting in this room to come back and bring your neighbors. The more the merrier. It makes for a nice evening. So I want to thank you. But I do want to bring up the subject that we do know, and I know every member of Council knows here, what we have to make our decision on. Thank you.

Mr. Gilbert: Thank you, Mr. Clemens. Any other questions for Mr. Golonka at this point? (No response).

Mr. Golonka: Thank you.

Mr. Gilbert: Thank you, sir. Don Groesbeck.

Mr. Groesbeck: Good evening Council. Good evening Mayor. My name's Don Groesbeck. I live at 6470 Hurlingham Road in Reynoldsburg. I've lived there for approximately 9 years. Before I make my statement, I'd just like to thank the Council and all the City of Reynoldsburg employees for making my 9 years that I've been here thus far a very positive 9 years. I'd like to keep it moving in that direction so to speak. I did take a look at the Special Exception Use Permit submitted by Calvary. And I believe that a change to the established zoning which is currently CC, Community Commerce, would not be in the best interest of the City of Reynoldsburg or it's residents. The area surrounding 6300 E. Livingston has experienced and continues to experience, a high degree of instability. And we continue to lose our commercial tax base, and I don't feel like we can afford to lose any more. I would hope that the city would agree with me. Most importantly, I don't believe that the proposed use of the structure to be in compliance with the requirements of the established ordinances, the standard requirements for special exceptions. Specifically, the use to be in harmony with the surrounding district. This is a commercial corridor. Lastly, traffic conditions and requirements specified in the same reference, was also a concern of mine. This location already experiences a considerable amount of traffic flow now. Thank you.

Mr. Gilbert: Thank you. Ron Andrews. Did we already have?

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

Mr. Gilbert: Okay. Very well.

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

Mr. Gilbert: Not until everyone spoke. And the next is Susan Mann. I know Susan has already spoke, so we move on to Sharon Pah.

Mr. Hills: Mr. Gilbert, if I could help. This is the list that I was given that all of these people were on one witness slip.

Mr. Gilbert: Correct.

Mr. Hills: Hand written on a piece of paper with a single witness slip I think was presented by Mr. Groesbeck.

Mr. Gilbert: Right. Right. We were out of slips so they put it on another sheet of paper. Kirk and Carol Cartledge.

Mrs. Cartledge: Good evening, Council, Mayor. My husband and I have lived in Reynoldsburg for 47 years. We've raised 4 children here. We live on Roselawn which is directly adjacent to Brice Road. Traffic on Brice and Livingston as everyone knows, is very heavy. We have a lot of ambulances, police cars, cruisers, that come down. That's a main thoroughfare. Livingston and Brice is. To have any organization, any type of business at the Big Bear facility, would bring a lot more traffic to that area. And that would be a great concern to all of us. Thank you.

Mr. Gilbert: Thank you. Erin Michelli.

Ms. Michelli: I talk loud so you could probably hear me without the microphone. My parents originally moved from Columbus to Reynoldsburg in 1972 to Borr Avenue which was just being built off of Rosehill. My father joined the military with 5 kids and decided to come back here after Westpoint in 1979. He bought the house off Birchview Drive North because he had 5 kids and didn't want to buy 5 cars. We could walk to the junior high, walk to the high school. At one time where the Odd Lot's is used to be a pharmacy, a little grocery, another grocer across the way. His argument was, you've got legs, use them. That's why he moved us there. I am the only one that has stayed all these years. My daughter just graduated last week, and I stayed there with my mother because my daughter could have a nice back yard. For 14 years we didn't lock our doors. In fact, I had to go buy door knobs with keys recently because we had no keys to that house. I am just very sad after listening to everybody because our end of town has to have been forgotten. Referred to as a south end by certain people who moved in to the newer sections. Want the newer high school, the newer elementary school, and it really depresses me. Because it was a nice, nice small neighborhood that no one even knew about for years. That we could all walk to what we needed, and I think there's still time that that whole section be turned around so another whole generation can benefit. I just spent a week arguing with my mother not to sell the house because I want to stay there a while longer. But when she saw what was going on, she was depressed also. It's an empty building now. We have lots of empty buildings in Reynoldsburg that have been

allowed to sit for many years. It won't hurt to allow this one to sit a little bit longer to find something that will benefit everybody in the community. To help bring a sense of pride back to that end of town. Right now, we're known for MOPAR. And I'd like to be known for something else just besides that on that side of town. I think it's a lot of good people that want to revitalize it. At this time, and I have no opposition to the church itself, I just don't think it meets what we need on that end of town and the use of that section. I would like to see all those bars gone personally on the Columbus side. I'd like to see that whole gateway \_\_\_\_\_. But that's in the future. But if we do this now, I'm afraid that future's going to be gone. And that's all I wanted to say. I agree with both sides but I want to live there until I'm 62 at least. And right now, it's depressed me every time I drive from Main to McNaughton, to Livingston, to Briceton, to Birchview. It's a very depressing drive every day. I never used to feel that way. Now I do when I drive in. I'd like to see that all revitalized. And I see landscaping at the old Big Bear.

Mr. Gilbert: Thank you, Erin. Loretta Franke.

Ms. Franke: Hello. My name's Loretta Franke and I've lived in Reynoldsburg for 4 years. And the other day, I got this paper put on my door from the Concerned Citizens of Huber. And I'm looking at this paper and it's giving me all kinds of information that got me to this meeting. I've never been to a Council meeting before. I've never spoke at one. And it says here that only 50% of the 101,000 square feet building will be used for church worship. And I think that might, I don't know if that's an issue or not, or if there could be a way that maybe this could be a win, win situation. If only half of it's going to be used for church, maybe the other half could be used for something for like a skating rink or something for kids to have something to do if you want some revenue coming in. And I didn't like Reynoldsburg when I first moved here. Because I've lived in many, many different places and I've grown to like it a lot because people are starting to say hi in the grocery store that I see. I see a couple of people from work and I'd like to see both sides win. And besides that, the church, I'm not for either/or but the church could bring lots of revenue for the people going out to eat after the worship. So, thanks.

Mr. Gilbert: Thank you, Ms. Franke. That ends our speaker slips for this evening. I'm sorry. If I've misplaced it then, you're free to speak.

Pastor Wright: My name is Pastor Bernie Wright, a local pastor in the Reynoldsburg area. I have 5 children in this school system. I'm for the church. Because I believe what he's going to impart into the community would help the schools. I keep hearing these things about the school. There is a school there. He's going to help. He's going to be a part of it. There's a program that he's trying to implement now to be a part, to help the school. Both high and junior high. We know there's a problem in the community. Nobody said anything about that. We're talking about traffic. But there is 6 or 7 trailer, semi cars parked there every Sunday. That's very dangerous. Nobody said anything about that traffic. If it was a grocery store there, there's going to be traffic at the grocery store. So I don't understand this issue about traffic. I think it's a good idea. I'm for it and I'm praying that God will do what he has to do. Thank you.

Mr. Gilbert: Thank you. At the end of the speakers we had one with a follow up comment. Mr. Andrews. Correct?

Mr. Andrews: Yes.

Mr. Gilbert: And what was your last name?

Pastor Wright: Wright.

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

Mr. Andrews: Thank you, Council. I just wanted to say, first of all, the traffic issue is the fact that it's coming all at once. That's the issue. And several times during the week from what we understand. But, what I really wanted to talk about is, as a member of this community, I want to stay here too. We came here and we found our dream house. We found the community that we like. And we want to stay there. And we want to be part of the solution to bring it back. And I refuse to accept the fact that that retail section is totally dead. Yeah. It may have to transform. But there are a lot of people living in that area. And anybody that lives in that area, I'm sure, hates it as much as I do, traveling across that bridge on Brice Road down south through that traffic to get to the shopping and everything that's down there. We want a grocery store. And I'm going to say it, I want a grocery store. Doesn't have to be 101,000 square feet. But there is definitely ways. We've talked about it, we can subdivide that building. And there are a lot of other things that can go in there too. But it needs to stay commercial. If it doesn't, the commercial area dies and the community dies with it. And you will have, what the last speaker talked about. Yeah. We've got a few problems in that area. But I'll tell you what. For every child in that area that's not getting the kind of attention, and is developing the kind of respect that he needs, there's 20 others still in that area that are good kids. And that's a good area. And it's not too late to bring that area back. I like my neighbors and I don't want to see any more of them leave. I want them to stay there. Thank you.

Mr. Gilbert: Thank you. Yes, sir. Mr. Golonka. Two minutes.

Mr. Golonka: I just want to follow up on a couple of things I had said. And then to respond to a couple of things that came up. First of all, the question about the half being used for church worship. The other half, approximately will be used as the community center which will be open to the schools and to the community in general. So I mean, they do want to be a part of the community. And one thing that I guess is kind of surprising is that there are people who feel that a church is kind of a lower use. It's not a commercial use and there's no question that you can't go and buy groceries at a church. But it is a use that I really do believe and, I know the church believes, that this community will be proud of. You'll be proud to have this church as part of the City of Reynoldsburg. With respect to the question about traffic, they've already committed to get police directing traffic at busy times. And beyond those busy times, there isn't traffic. There's no rush hour traffic. There's no 8 a.m. on Tuesday morning traffic. There's no 5:30 p.m. traffic. It is specific times when in fact, there really is not a lot of traffic on the roads. Finally, with respect to the RLUIPA point that I brought up, I understand, it's just my opinion, I mean, I'm a lawyer, I think I know what it says but, I invite you to talk to Mr. Underwood, your counsel on that point to see what his thoughts are. I mean, I'm not saying you have to do anything

I say. I'm just, I'm a hired guy and I guess you look at me as, although I'm a nice one. So that's what I would suggest you do. And I will be here you know, at the meetings when you do make your consideration and take your vote. And I'll be happy to answer questions then, and certainly discuss the standards. Because I'm not debating that it's fair for people to walk through the eight standards in the code and talk about them. And we're certainly prepared to talk about them. I just didn't think it was necessary or appropriate to do that tonight. Because I know we'll be talking again. So, thank you very much.

Mr. Gilbert: Thank you, Mr. Golonka. For the public's benefit, the process is this Special Exception Use Permit, once received from the BZA Commission, will receive three committee hearings and three readings from regular Council. To this point, we have had one reading before regular Council which is where Council votes on those issues that are ready for final adoption. This item had a first reading which means we have two more to go. It has received, as of tonight, we'll have received two committee hearings. That does not mean there won't be more committee hearings prior to the third and final reading. But the process does need to move forward. There's been a great deal of information for the members to digest that has been provided for this evening. And is my intention to move this forward for what is known as the second reading where that will be on the Consent Agenda. It will just receive a reading at regular Council, then it will return to Service Committee on the 20<sup>th</sup> of June for additional discussion and consideration. So as this moves forward this evening, for those of the benefit of the public, that is just for an additional reading at next weeks Council meeting. Then it returns to committee for consideration where I welcome all of you back for additional input. And I'm sure the members at this point will have more discussion and input on the matter because they will have had a good month to review and digest all of the information that's been provided. Let me just thank each of you for your patience. I'm glad all of you are able to be heard, and for the information that you have provided the members this evening. With that being said, I would make a motion that we forward this on to Council for its second reading on the Consent Agenda. Do I have a second? Mrs. Newman with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 15 is Ordinance authorizing the Mayor to execute the relocation of Sanitary Sewer Easement Agreement. And I'll just hold for, if...

Mr. Hills: Mr. Gilbert, if I could ask, because everybody's getting ready to leave, I thank everyone for their patience, their input, following the guidelines that we have in place, and I think Council will join me in thanking everyone for their acts tonight and the way it responded.

Mr. Gilbert: Thank you, Mr. Hills. We'll give those that would like to leave, a moment to leave the auditorium. I think it's quite enough to move forward with item number 15. I know Mr. Stake's chomping at the bit to get rolling with Finance. This item did receive its second reading on May 23. Are there any questions or comments from members of Service? (No response). Other members of Council? (No response). None being heard, I'll make a motion that we forward this on to Council for its third reading with a 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 carries.

Item number 16 is an Ordinance accepting unrecorded permanent access easement. Ralph C. Howle and Judith Howle, Instone Drive. This item had its second reading on May 23. Any questions or comments from members of Service? (No response). Other members of Council? (No response). None being heard, I'll make a motion that we forward this on for its third reading with a recommendation for adoption. Do I have a second? Mrs. Newman with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion carries.

And I will adjourn Service at 9:52 p.m.

Service Committee  
- -Nancy C. Frazier, Clerk of Council  
June 6, 2005  
(Transcribed - Susie Smith)  
FINANCE COMMITTEE MEETING MINUTES

June 6, 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: I would like to call to order the Finance Committee meeting at 9:53.

The second item on the agenda is approval of the minutes of the Finance Committee meeting held May 16, 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. We do have some additions to the agenda from the Service Committee. I'd like to make item 3a, the appropriation from the unappropriated Sewer Fund of \$48,183 for the combined coordinated response to the Ohio EPA by EMH&T and Porter Wright Law Firm in regards to the lock-in. 3b, I would like to make the appropriation of \$90,000 from the Sewer Capacity Fund account in regards to the construction of the Reynoldsburg Sanitary Sewer Extension. 3c, I would like to make the appropriation of \$22,000 from the Sewer Capacity Fund for the authorization of EMH&T to engineer and inspect the construction of the Taylor Road/Kroger Sanitary Sewer Inspection. And 3d, the appropriation of \$29,556 from the Sewer Capacity Fund, which would need to be appropriated to the Waste Water Fund for the Dreier and Muller Inc. Sanitary Sewer Televising Inspection Project. Are there any other additions to the agenda, or deletions? (No response). I'll make that motion. 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.

3a is the funding for the professional services in regards to the lock-in. This came from the Service Committee with a recommendation for adoption as an emergency. I request this for \$48,183 to be appropriated from the unappropriated Sewer Fund to account number 720.736.5331. Are there any questions or comments from members of the committee in regards to this? (No response). Members of Council? (No response).

Mr. Gilbert: Mr. Stake.

Mr. Stake: Mr. Gilbert.

Mr. Gilbert: This comes from the Service Committee with a recommendation for adoption as an emergency.

Mr. Stake: Okay. Then we'll move this forward for a recommendation for adoption as an emergency. 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.

Item 3b is the 2005 Sanitary Sewer Televising and Inspection. This is an appropriation of \$90,000 from the Sewer Capacity Fund to account 250.102.5622. This also comes from the Service Committee with recommendation for adoption as an emergency. Mr. Gilbert.

Mr. Gilbert: Yes, Mr. Stake. It does.

Mr. Stake: Okay. Then I'll make a motion that we send this on to Council with recommendation for adoption as an emergency. Is there a second? Second by Mr. Gilbert. Any further discussion? Mr. Clemens.

Mr. Clemens: Yes. I had brought this up before, and I appreciate that the Mayor is going to look into additional help, maybe from the developers. But this is another one of those item deals that are with an emergency, and I'm not crazy about spending 90 grand as an emergency. I'll support it. I know it needs to be done. But this and the other item, I had wished that they would bring these things up and give us a little more time. A little more discussion on them before there was an emergency.

Mr. Stake: Thank you, Mr. Clemens. And I agree with you. I certainly would like to see us have a little bit more time to look at these things and digest. Especially when we're looking to spend \$90,000. But I think this is something that we do need to get rolling with. So as you said, I will support it as well. Are there any other questions or comments in regards to this? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

The next item is the Ordinance authorizing EMH&T and providing the funding for EMH&T to engineer and inspect the construction of the Taylor Road/Kroger Sanitary Sewer Inspection. This is \$22,000 to be appropriated from the Sewer Capacity Fund to account number 250.102.5622. As Mr. Clemens mentioned earlier, he'd like to see developers participate in this and I would as well. And Mayor, I'm sure you got the message, so I would hope in the future when developments are happening that way, that we do get them to participate with some of the funding in this. But this does come from the Service Committee. Mr. Gilbert, recommendation for adoption as an...

Mr. Gilbert: Recommendation for adoption. And I would just note, I'm in agreement with Mr. Clemens and Mr. Stake in regards to the timing. But I would certainly note that, in light of the circumstances what we're facing with the lock-in request from Southwest Licking, and the cooperation that we're receiving from Kroger in the element of that construction time frame, I do think there is an exception here that we can make. And I'm comfortable with the fact that the Mayor will pursue aggressively, the involvement of the developers. And would also just note, Mr. Kipp in putting together a package for us in such a short time period that identified the cost benefit to moving forward now as opposed to later in the year. So I think all things considered, it's the best \_\_\_\_\_ that we could come up with at this time and just urge other members to consider supporting this. Thank you.

Mr. Stake: Thank you, Mr. Gilbert. Then I will make a motion that we send this forward for recommendation for adoption as an emergency. Do I have a second? Second by Mr. Gilbert.

Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And the last one is the request for the \$29,556, the last one that comes from the Service Committee, be appropriated from the Sewer Capacity Fund and appropriate it to the Waste Water Fund account number 720.736.5365. This also comes with a recommendation for adoption as an emergency. Are there any questions or comments from members of the committee? (No response). Members of Council? (No response). Then I will make a motion we send this forward for recommendation for adoption as an emergency. Is there a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item 4 is Discussion of the 2006 budget. This is the 2006 tax budget submitted by the Mayor. This is a request for a resolution adopting the tax budget of the City of Reynoldsburg, Ohio for the fiscal year beginning January 1, 2006. Members have received some numbers from the Auditor's Office, Mike Turner, Accounting Manager, and a time line in regards to this. And Mayor, do you have anything to say about this?

Mayor McPherson: Well, I got this probably the same time Council did. I found a few areas in it that I think we need to discuss about the values. And what I'll do if it's alright with Council is talk to you first Ron and go over them and see whether or not you want to bring them forward. But just a few areas that I think need to be tweaked based on some things that have gone on this year.

Mr. Stake: Okay, Mayor. Are there any questions or comments from members of the committee in regards to the 2006 tax budget? (No response). Members of Council? Mr. Baxter.

Mr. Baxter: Just a quick note, Mayor. If you'd take a look at, at least the second page of what we received in our packets this weeks, "Cops and Shools". You might want to change the spelling of "Shools" to "Schools".

Mayor McPherson: Which?

Mr. Baxter: It says "Cops and Schools" is what I think you intend to have there. I think it's just a typo.

Mr. Stake: Okay. Thank you, Mr. Baxter. Are there any other questions or comments from members of Council? (No response). We are on a time line with this, so I would like to send this on for its first reading and the Mayor and I will discuss this further, and then we'll discuss it at the next committee meeting. So I would like to send this on for its first reading. Do I have a second? Second by Mr. Clemens. I'd like to put this on also on the Consent Agenda. So I'd like to add that first reading on the Consent Agenda.

Mrs. Frazier: You can't do that.

Mr. Stake: No? You can't do that? Okay. Then I wouldn't like to put it on the Consent Agenda, because the Clerk said I can't do it. So we won't do that. So we'll send this on for its

first reading, and seconded by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And the final item on the agenda is Ordinance to appropriate funds to the City Attorney Special Counsel Account 110.554.5332. It had its second reading on 5-23. This is \$2,579.71 to be appropriated from the unappropriated General Fund to account number 110.554.5332 to pay Porter Wright Law Firm for work which was performed in September, 2004 under a valid 2004 purchase order, but not billed until March 31, 2005. And that was after the 2004 purchase order was closed out. Are there any questions or comments from members of the committee in regards to this? (No response). Members of Council? (No response). Then I will make a motion that we send this on for recommendation for adoption in the Finance Committee. I make that motion. Is there a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. Opposed? (No response). Motion passes.

And before I adjourn the Finance Committee meeting, I would just like to ask Mr. Clemens, what kind of game he was in playing golf that he lost his watch? That was an expensive game.

Mr. Clemens: I lost my 4 iron and 8 iron, too.

Mr. Stake: Alright. I'd like to adjourn the Finance Committee meeting at 10:04. Thank you.

Finance Committee  
- - -Nancy C. Frazier, Clerk of Council  
June 6, 2005  
(Transcribed - Susie Smith)