

SAFETY COMMITTEE MEETING MINUTES
(Safety Committee met as Committee of the Whole)
June 2, 2003

Members of Safety Committee present: Mel Clemens, and Lane Beougher. Councilmen Ron Stake and Jim Wade were absent.

Other members of Council present: Sarah Cannella, William Hills, Eric Gilbert, Council President Bradley L. McCloud.

Mr. Clemens: We'll call the Safety Committee to order at 7:47. I'd like to have the Committee of the Whole tonight since we don't have enough members for the Safety Committee. So this will be a Committee of the Whole. The first item on the agenda is the approval of the minutes of the May 19, 2003 Safety Committee meeting. Do I have any additions or deletions? If not, they'll stand approved. The next item is the approval of the agenda. I'd like to remove item number 5 (Discussion: Repeal of Chapter 1103 Design Review Board; amend BZBA Section 1139.03; amend Major Site Plan Section 1143.03; and amend Zoning Code Fees Table 1155), and I'd like to add as 3a, 2003 Street Program. Are there any other additions or deletions? If not, I'll make a motion for approval. Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

The first item is the 2003 Street Program. Mrs. Reichard. Just a couple of questions is all I have. The first question is on, it's about the funding. The Main Street _____ and pave from Graham Road to Oak Valley Drive, and the Mayor might know more about this, are we going to take that out of the Highway Funds, Mayor McPherson? \$112,000?

Mayor McPherson: Correct.

Mr. Clemens: That's all I wanted to know on that because I was going to try to sneak in another street. The second is the wheelchair ramps. The \$97,500. Is that the process that we're going to start each year to catch up on our wheelchair ramps to conform?

Mayor McPherson: Yes. If you'll recall, we talked to Mr. Underwood about that and we decided to get the jump and go out ahead on some of this stuff. That's going to be an ongoing annual type basis where we go back and we take care of a lot of these. One of the other areas you're going to find, and we just realized this, we have a couple of areas that we're going to have to probably add to this so we just (Tape change) handicapped individuals moving in. We need to look at the handicap ramps. But, yes, this is an ongoing annual, stay ahead of the game, if you will, on handicap ramps that we had talked about.

Mr. Clemens: Okay. Thank you, Mayor.

Mayor McPherson: We want to be on front on it, not behind it.

Mr. Clemens: I'm sorry, Sharon. I pulled you into something that happened before you were here.

Mayor McPherson: Well, we talked about this if you recall before Sharon came on board.

Mr. Clemens: I know.

Mayor McPherson: You and I and Mr. Underwood had talked about it.

Mr. Clemens: Are there any other questions pertaining to the Street Program? Other than that, I just wanted to clarify those two.

The next item on the agenda, Discussion: Authorization for EMH&T services regarding ADA curb ramp database update (including survey of intersections - sidewalk IV and V) and to prepare Draft Transition Plan and appropriation of funds. Sharon.

Mrs. Reichard: Mr. Parkinson is going to address that issue.

Mr. Clemens: Is this the 4 and 5 Sidewalk Program?

Mr. Parkinson: What this is, is a...

Mr. Clemens: I mean, surveying intersections? Is that what it is?

Mr. Parkinson: It's an evaluation. Back when Phase IV on the Sidewalk Program was first reviewed, which I think was '99 perhaps, we didn't take into account curb ramps as part of the program. It's come to our attention through recent events that we've become aware of that in addition to the Street Programs triggering curb ramp reconstruction, that sidewalk programs may also. In our zeal to crank out Phase V in a time frame consistent with the Phase IV work as you'll recall we did, we also did not, in that program, take into account an evaluation of the curb ramps. And so, this proposal before you does a number of things. One, it allows us to go back to these two phases of the sidewalk program and to evaluate those so that when we go to construction of the sidewalk program at some time in the future, we'll be able to address those ramps at that time. We have with this, is we did not do the inspection of the 2002 Street Program for you. That was done by another firm. We have an inventory of all the ramps that are associated with Street Programs back to 1992, the initiation of the ADA law, and we would add 2002 Street Program to that data base. And then lastly, the third component of this is to develop for you, a draft transition plan which is part of the ADA requirements for certain size cities. And so it's three levels of effort.

Mr. Clemens: Then what we would do, when we do Phase IV and V, we would also do the wheelchair ramps and have them done along with the sidewalk program.

Mr. Parkinson: With the construction of when the city undertakes it's construction program. Yes.

Mr. Clemens: Are there any other questions for Mr. Parkinson on this subject? Mr. Beougher.

Mr. Beougher: Mr. Parkinson, what are the changes that were made in 2002 to the guidelines for curb ramps? Are you, I'm going to ask you a question, you don't know the answer to, alright.

Mr. Parkinson: Well, it's an ongoing, there are ongoing changes and many times they are prescribed by court decisions and, no, I don't know the answer to it.

Mr. Beougher: Okay. Well, I had heard that there was an increase in the width, but I see that it's still going to be 36 inches for a straight ramp. At a corner intersection though, it looks like they increased the width to 48 inches at the bottom of the ramp?

Mr. Parkinson: The 48 inch square landing is required at the bottom of the ramps, yes, for maneuvering. I don't know that that's new since 2002 though.

Mr. Beougher: Okay. Well, I went through it and I didn't see anything that was substantially different. And is there a change to the retroactive notion that the ADA was not going to force owners who are not remodeling the building or facility to go back and change everything until they were going to remodel something? And by our Street and Sidewalk Program that is what we're considering remodeling.

Mr. Parkinson: In the public right-of-way portion, there's a different term. It's, I think the two terms are maintenance and reconstruction. And I think cities for years viewed a Street Program more as maintenance than reconstruction. The courts have viewed it differently.

Mr. Beougher: Okay.

Mr. Clemens: Are there any other questions for Mr. Parkinson? If not, I'd like to make a motion to send this to Council for its first reading. Do I have a second? Second by Mr. Hills. All in favor, say aye. (All voted "Aye"). Opposed? (No response). We'll send that to Council for the first reading.

The next item on the agenda, Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Chapter 505 Animals and Fowl.

Mrs. Frazier: Mr. Clemens.

Mr. Clemens: Yes.

Mrs. Frazier: You need to send that (ADA curb ramp topic) to Finance.

Mr. Clemens: Oh, I'm sorry. We'll send that to Finance Committee too.

The next item on the agenda, item number 6, Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Chapter 505 Animals and Fowl. Mr. Underwood.

Mr. Underwood: As presented, as you have the draft now, that is the version that the police department has also approved and that we've been through and done the additional research.

Mr. Clemens: Are there any questions for Mr. Underwood pertaining to this item? Any members of Council? Mr. Hills.

Mr. Hills: I thought it was addressed in the change, Mr. Underwood, and then I noticed it was eliminated but moved somewhere else, and I guess, for my own clarification, is there a reason that we want to refer in here to vicious dogs in a way differently than the Ohio Revised Code does? We expand the definition beyond the Ohio Revised Code and make reference to other specific breeds.

Mr. Underwood: Right. The Supreme Court case says you can. The Ohio Revised Code is probably going to be amended if it hasn't already. But that's the latest on the Supreme Court. Supreme Court says you can have specific breeds listed, but it's not ambiguous or over _____ but you can list specific breeds. And that's what we've done. Those breeds that are commonly known as pit bulls.

Mr. Hills: What the current code, and I don't, I haven't seen the Supreme Court case, I certainly would agree with you, I'm sure it does say you can do that, but my concern comes, whenever you start providing lists, then the defense becomes, my dog isn't on that list. But yet if you look at...

Mr. Underwood: There's a double standard in there.

Mr. Hills: Yes there is.

Mr. Underwood: You're talking about biting, killing, property damage, and the same way with dangerous dogs. And then you also list specific breeds that are commonly known as pit bulls and that's our recommendation, that we take this course of action.

Mr. Hills: I haven't read the Supreme Court case. I guess I, I don't know whether the code is currently being amended or not. Again, the state code says, "as a vicious dog, if it is killed or cause serious injury to any person, or if it has caused injury other than killing or serious injury to any person or has killed another dog, and then three, it belongs to a breed commonly known as the pit bull". The pit bull's the only thing that they have said, it is vicious, in and of it's, the fact that it was born, it becomes a vicious animal. And I guess what we're saying, and that does make three separate standards. You bit, you killed a dog, you caused, killed or serious injury to an individual, killed or serious injury to a dog, or you're a pit bull, it's vicious. And I just wonder if, again, I haven't read the Supreme Court Case but it would seem to me that if we're, I think we're removing the pit bull, or we're expanding upon the pit bull or any of these other breeds. Is that correct? That's how we're doing it?

Mr. Underwood: Several of those other breeds are known as pit bulls. There is no pure pit bull breed. There are several breeds that are called pit bulls and that's what we've expanded on.

Mr. Hills: Okay. I just had a question, I'm afraid that whenever we start listing we create an exemption to it, but thank you, Mr. Clemens.

Mr. Clemens: Are there any other questions for Mr. Underwood? If not, I'd like to move this on to Council for the third reading for adoption. Do I have a second? Second by Mrs. Cannella.

Mrs. Frazier: Mr. Clemens. Is that with this final one included in it then? Do you want the final version included?

Mr. Clemens: Yes.

Mrs. Frazier: Okay. Thank you.

Mr. Clemens: All in favor, say aye. (All voted "Aye" except one). Opposed? (Mr. Hills voted "Nay"). This will be sent to Council for approval.

That ends the Safety Committee meeting at 8:03.

- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
June 2, 2003

SERVICE COMMITTEE MEETING MINUTES

June 2, 2003

Members of Service Committee present: Eric Gilbert, William Hills, Lane Beougher.
Councilman Ron Stake was absent.

Other members of Council present: Sarah Cannella, Mel Clemens, Council President Bradley L. McCloud. Councilman Jim Wade was absent.

Mr. Gilbert: I'll call the Service Committee meeting to order at 8:03 p.m. The first item on the agenda is the approval of the minutes of May 19, 2003. Are there any additions or deletions to those minutes? None being heard, they will stand as read. Item number 3 is the approval of the

agenda. I have one change in the agenda. I'd like to make a motion to move item 5 (Discussion: Addition of Chapter 1180, Landscaping & Buffering Standards) into Other Legislation, and also add that to the discussions of the Ad Hoc Committee for Residential Zoning Review. Do I have a second on that at this time? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4, is the discussion from the Water/Waste Water Department regarding watering restrictions between Memorial Day and Labor Day. Mr. Kipp.

Mr. Kipp: Good evening. What I've presented is a lawn watering ordinance that would be in effect between Memorial Day and Labor Day. This is patterned after Westerville's lawn watering restrictions, and they've had theirs for many years but theirs is year round. That's the main difference between this one and theirs. But the reason for it is, right now during the summer, during peak usage, it's very difficult to keep the water tower full when it's hot and everybody's watering at the same time. The idea is to have half the people water on one day and half the people water on another day. This past, March 2002, the average daily use was 2.7 million gallons per day. In July of 2002 it went up to 4.3 million gallons per day, which some days it would have been over a peak 5 million gallons a day. So, what I'm trying to do is to alleviate problems before they happen. This is just for lawn watering. It doesn't effect the watering of gardens, shrubs, trees, or flowers. There's also an exemption for the purpose of new yards. Somebody sodding in there, that they could get a 30 day exemption. And, that's pretty much it. Any questions?

Mr. Gilbert: Any questions from members of Service? Other members of Council? Mr. Hills.

Mr. Hills: In your memo of May 12, you're saying in here, "The City of Columbus and the City of Reynoldsburg completing the process of reversing the water flow on Lancaster Avenue to be fed from the Hines Road water tower north on 256 to East Broad to help the water demand problems". What does that mean?

Mr. Kipp: When the pumps kick on, that creates a suction on the water line, and with this water line coming in from the side, it'll provide more water for them to pull. Because they were pulling all the water, at times they could break suction, and they had the three pumps running on the 16 inch water line on Broad Street.

Mr. Hills: Of which serves Columbus.

Mr. Kipp: Well, it serves Columbus, east side, and Reynoldsburg.

Mr. Hills: Because of the growth in Columbus, we're having some water problems.

Mr. Kipp: Some could say that. Yes.

Mr. Hills: Boy, let's talk about what the real problems are. I mean, is that the problem, or is that not the problem? I don't know. That's why I asked the question about what you're _____
.

Mr. Kipp: We've talked to Columbus. Columbus has growth on that side and there's really nothing we can do about their growth. It also serves off the two water towers by Rosehill Road and they also serve off of our water tower. Our problem is that where their growth is, takes the water first.

Mr. Hills: Are they doing any restricting of their water in their areas?

Mr. Kipp: No. They want the income.

Mr. Hills: Equity's a tough thing.

Mr. Kipp: I mean, there's nothing we can really do. We've talked to them about it. We have established that they are going to put the second tower in. There are still some issues as to filling both towers and they are bringing the 30 inch line all the way here from the Hap Cramean water plant, but that's a big job and it's going very, they let out a section...

Mr. Hills: But as it gets to us, it's serving the growth of Columbus north of Broad Street as it gets there.

Mr. Kipp: Yes.

Mr. Hills: So we are assisting Columbus in water and I'm not saying that isn't all bad, because we're under the Columbus water contract.

Mr. Kipp: Right.

Mr. Hills: But I think there needs to be some mutual cooperation here. I'm sitting here and I just went through what, 28 of 31 days of rain, and we're getting ready to say, wait a minute, we're short of water. If we do things I'd kind of like to see why we're doing what we're doing.

Mr. Kipp: It's not so much we're short of water, it's the keeping up with the demand. There is a difference in that. They can supply us the water but some of the pipes need upsized which is what we're looking at, and the other tower needs to be built.

Mr. Hills: So you're saying in retrospect, it would have been nice since all this expansion's going on around Reynoldsburg the tanks - hindsight being better than 20/20- the storage tanks that have so easily served Reynoldsburg, and Rosehill, and Taylor Road, they should have been expanded by Columbus and more tanks built two or three years ago before that growth started in order to have a nice even water supply that creates the revenue for Columbus.

Mr. Kipp: That would have been nice but they don't quite move that fast. We have talked to them about it. I'm trying to deal with it, our biggest problem is if the water tower goes dry, we end up issuing a boil water advisory and I'd rather not do that each summer.

Mr. Hills: I would too, but once the water's in that tank, does it only come to Reynoldsburg or does that water go north of Broad Street to Columbus too?

Mr. Kipp: It goes also north of Broad Street.

Mr. Hills: It's a pleasure to read this. I just wasn't sure there was so much in this. The more I read the more I saw and that's why I asked you exactly what this is saying.

Mr. Kipp: Okay. No problem.

Mr. Gilbert: Is there a meter at the tower that differentiates what goes north of Broad and what heads into Columbus, or Reynoldsburg?

Mr. Kipp: No. I mean, we know how much, they know how much they pump on Blacklick Creek by Frank's Nursery, there's a pump station and they know how much from there. And then they know, they can take that total pumpage minus our meters. When we did that, we start talking to them early, for quite a while now, and last year it broke down to 67% of the water came to Reynoldsburg and about 33% went to Columbus.

Mr. Gilbert: That's the equation where you get the 5 million gallons?

Mr. Kipp: No. That was just 5 million gallons coming into Reynoldsburg. That's all of Reynoldsburg.

Mr. Gilbert: Including the towers?

Mr. Kipp: That's from all the towers. That's from the towers on, two towers on Broad Street. It's basically, those two towers on Broad Street also fill our tower at Taylor Road and then the Hines Road water tower is the water that serves from the south that's off of Tussing Road.

Mr. Hills: Hines Road is off of Tussing Road?

Mr. Kipp: Yes. And that's the one that we're serving, that we're going to be serving water clear across Reynoldsburg to Broad Street to help us and help Columbus.

Mr. Hills: We're already shifting to help Columbus by changing the flow on Lancaster.

Mr. Kipp: But that was, believe it or not, that was an agreement _____ while Bill Maier was City Engineer and we just now...

Mr. Hills: You and I are about the only ones that can still remember him.

Mr. Kipp: But I was glad you brought that up because we are turning that meter around this weekend and we're not sure if it'll effect, stir the water up along Lancaster Avenue or not but we'd like to get something in the paper so people might know that's what the problem is, that when we turn that around.

Mr. Hills: We'll get out your home phone number on that. Right?

Mr. Kipp: 866-6622.

Mr. Gilbert: Mr. Clemens.

Mr. Clemens: Mark, and I understand our problem the way you explained it and everything and from the past experience. But I would hope we'd have more conferences with Columbus because it seems to me that we're cutting back on our residents number in our yards and they're building all the new construction. This will be a lot of water as far as their new construction because there's a lot of new homes going up right now.

Mr. Kipp: I agree.

Mr. Clemens: North of Broad, and they'll be watering a lot of grass and so forth. It seems like we're asking our residents, penalizing them for the growth. I think it would be fine if Columbus would help us out as far as controlling their water also as to the way we plan on doing. Also, we could keep talking to them.

Mr. Kipp: I wish we would. They have agreed to move the construction of the tower. They did do that. We went through it last summer when we lost the tower the one time, and a couple of times it was very close and they do not choose to issue any watering restrictions. That's just a choice that they made. And so...

Mr. Hills: Do they notice boil alerts? I'm sorry.

Mr. Clemens: Possibly then if we lose the towers, then they would go dry over there too and we would go dry, they might change their mind.

Mr. Kipp: I wish that was the case. But we go dry first and that's the problem, is that we go dry before they do.

Mr. Hills: Because they had alternate sources coming in also.

Mr. Kipp: No. They pull the water out first.

Mr. Hills: They pull first before we get up.

Mr. Kipp: They pull before the Taylor Road tank.

Mr. Hills: Are you sure you wouldn't like to talk with them a little more before...

Mr. Kipp: I talked to them. Trust me. We've talked to them and it's, they are, they do have certain advantages.

Mr. Hills: They don't give us water, do they?

Mr. Kipp: No. They sell it to us.

Mr. Hills: The make money off of the water they sell to us?

Mr. Kipp: Right.

Mr. Hills: And we don't make any profits off the water we mark up to the customer other than to cover our cost of getting it to the customer. It's not a money maker because any monies we make can only be used within the Water Fund. Correct?

Mr. Kipp: Yes.

Mr. Hills: In maintaining the system. So it's not like saying we're charging a fee to play. You pay \$50 to go play on our fields, it doesn't work that way. We pay this amount for water and whatever you pay isn't doing anything but giving you that water because the monies that we would come in above our bill must be used to maintain the lines. Am I wrong?

Mr. Kipp: Yes. It's based, the distribution system and the water _____.

Mr. Hills: Memorial Day's already come and gone.

Mr. Kipp: Yeah, I know.

Mr. Hills: We need to adjust some dates if we talk about this. But there's some issues that I think, Mr. Clemens I think you're correct, there's some issues I think that are, maybe should be further thought about. Especially when we, now it is out here on the table when our customers, when our city loses water, their city is getting water out of the same tanks but they don't lose it. And we didn't cause that problem. Now, we don't have wells. But we do have a long term water contract, don't we? And it's sure restrictive in some area, isn't it?

Mr. Kipp: Some areas, but not many.

Mr. Hills: He who has the natural resource plays the game. So they got the deck but now you're asking us to take half of the cards out of the deck and then go ahead and play the game of Crazy 8's. And it's hard to do that with half the cards.

Mr. Kipp: Yeah I am, I'm asking you because I see the need. I mean, I don't want to come to you later and say, I mean I did bring this at this time because we're not into heavy watering yet but people will see it in the paper. It helps it get out. It's not that people aren't going to have enough water. Basically, all you need is an inch a week of watering to maintain your yard. A lot of them are getting a lot more than that. So they'll still be able to take care of their yards. They'll be able to water three to four times a week, those who want to. I'd just rather not, I'd rather do this now than when we're really in trouble and it's an emergency and if it has to be done.

Mr. Hills: I was just hoping if we could hold this for a couple of weeks to find out maybe there's some lightning type things going on that we don't know about.

Mr. Kipp: There's not. I mean, I have met with Columbus and we have talked about this. They're very well aware of our concerns. It's been going on for several years.

Mr. Hills: And now their growth is here and they are all around us and the resource they use to provide us is no longer available.

Mr. Kipp: I'm well aware of what you're saying

Mr. Hills: It's clear what I've said and I think, I'm just not. Mr. Gilbert, you're Chair, I certainly just, this memo in this legislative request certainly raised some issues that I wasn't aware we had as a greater concern until I was able to read it. And I do appreciate your memo because there's certainly enough detail that I got to ask the questions I needed to ask. I'm not sure that we just immediately, certainly better not, I would hope we don't put an emergency on something like this. Let's put it that way.

Mr. Kipp: No. I haven't asked for an emergency.

Mr. Gilbert: You did mark that as an emergency. No, I share some of your concerns, Mr. Hills. Did you raise some of these points in your discussions with Columbus, Mark?

Mr. Kipp: Yeah.

Mr. Gilbert: And they don't show willingness to offer similar restrictions to these areas of growth that tap into the towers that are on here?

Mr. Kipp: No, they don't. They are running the 30 inch water line from Haft to Main to Broad Street. It is coming down Waggoner Road. It's been in plans for quite a while. When they did their water line north on Waggoner Road which is going the other way, north, and the other lines it was made with a 30 inch line. Because when they filled it, we almost lost all of our water when they filled it that time. It's a long term plan on their part and they're not moving, they have

money restrictions and they're not moving on it. We've met. We've talked. We met with John Doud. It was discussed quite a bit when he was there. We went down and talked to him in February of this year about the tower, about getting the tower moved forward. So we got them to move it up but they didn't move it up to this year.

Mr. Hills: The land's available to build the tower tomorrow. Correct?

Mr. Kipp: Yes.

Mr. Gilbert: Mr. Beougher.

Mr. Beougher: Thank you, Mr. Gilbert. I guess, Mr. Kipp, I have some problems with the construction of the ordinance. I could leave my house on an odd numbered day, turn on the water, and create a swamp in my front yard and come back home and turn it off and I'm totally within my rights under the law. But if I on Saturday, on an even numbered day, go out and water my _____, you're going to charge me with a third degree misdemeanor and if I do it twice, you're going to turn off my water. That's an extreme situation, but that doesn't seem like an

appropriate, I'd rather see an educational effort telling people they only need an inch of water to keep their yard green, asking them to conserve, and if that fails, then enforce the temporary restriction of this sort. I have some problems with this and I'm sure Mr. Hill's concerned about unequal enforcement on the same water system. And if Columbus needs to generate a revenue, they should start charging for trash pickup.

Mr. Kipp: Westerville does do selective enforcement. Only when it is high water demands do they bother to enforce there. We would be very general about it and put it out in the paper. It's pretty much up to you guys, if you want to pass it or what you want to do with it.

Mr. Gilbert: Mr. Kipp, who will do the enforcement?

Mr. Kipp: Generally, it just depends on when they do it. We would work initially with the, we know, most of the places that have irrigation systems have them on timers. They all have auxiliary water meters or water only water meters. So it's easy to send them a letter and ask them to set it up for every other day.

Mr. Gilbert: But is it your department, code enforcement, police department?

Mr. Kipp: The education part of it we would do. If it requires enforcement, it would be either the code enforcement or the police department. Or if it got, generally we're not going to charge anybody with it unless it became abusive. We would knock on their door or leave them a door hanger. We had once before when we had watering restrictions on, and when people weren't abiding by it, somebody would just go up to the door very nicely, knock on the door, make sure

that they're aware of it. If not, we would leave a door hanger asking them to restrict their water usage.

Mr. Gilbert: Mr. Hills.

Mr. Hills: Mark, I assume you know, I don't off the top of my head, but is Westerville a sole provider, or Columbus water contract? They have Delco and...

Mr. Kipp: Westerville has their own...

Mr. Hills: They have their own system.

Mr. Kipp: Yes.

Mr. Hills: And they know how much water they're going to pull out of Hoover and wherever they're pulling it from, how much they can process and what their demands are. Is their water restricting not because of their own internal capacity plans? They're not playing two community type system.

Mr. Kipp: No. With them it's just a matter of, again you're supplying it in demand, creating more demand at one time and you can keep up with it. Also if you can keep your demand down, they don't have to increase the size of their plant and stuff. Now they do have a partial connection to Columbus for water but most of their...

Mr. Hills: It's emergency water supply if I remember right or something like that.

Mr. Kipp: I know they have that, but I think part of the area may be Columbus.

Mr. Hills: This line that's being brought down from _____ which is up off Morse Road and the 30 inch line, I'm going to ask the common sense question. Certainly water out of that line will go to Columbus before it comes to Reynoldsburg. So they're building that line, protecting their own services. So our only way to assure our current geographic Reynoldsburg citizens of no loss of water, is with additional tankage at Rosehill or Taylor Road. Because when they pull and Columbus still gets their water north of Broad which pulls us dry south of Broad, the only thing you can have to keep you from going dry on that pull that's going north is more water to force back in the south of Broad area which is Reynoldsburg. Correct?

Mr. Kipp: It's also, there's a 16 inch water line in going down Broad Street to our tower. Now, there's going to have to be some reinforcement of that line to be able to fill both tanks at the same time. If they both can be filled, it will give us more storage to draw a pond but during the peak usages until, of course they need the 30 inch line to come up, help provide the feed to fill both towers at the same time.

Mr. Hills: Well the purpose of above tank water storage is to continue to serve the community above the line demand rate. Right? It's like natural gas puts it in the ground, water sticks it

above the ground and it's to offset the deficiencies.

Mr. Kipp: That's where our pressure, also where we get our pressures that the system rides on. We've also talked to Columbus about a joint additional line coming down to where the second tower will be.

Mr. Hills: So they can fill their tank with Columbus water so we can sell it for them to our customers of which they make the profit.

Mr. Kipp: Well, once we went, we're kind of in it together.

Mr. Hills: We sure are because they are a party to the Columbus contract that says that they will provide our citizens water. Yeah, we're all in it together. But it sounds like the answer, I appreciate the fact that you got the tank moved up and I'm not so sure that we knew we had the problem that you're saying we have. But I guess my concern sitting here is with all the steps being taken to bring in additional resources to the whole eastern part of Franklin and western part of Licking County, Columbus is getting the service first on this. We're not, and we're the ones that are deriving the potential for shortness of water. The only alternative that you seem to have presented is more tankage. They've moved it up, but we're still going to face the potential shortage until the tanks are in. My concern is if it is in that situation, they need to move the tanks up even quicker.

Mr. Gilbert: Mark, was the agreement on moving the tank to 2005 contingent upon us adding some restrictions between Memorial and Labor Day?

Mr. Kipp: No. They have not asked us to issue any restrictions whatsoever.

Mr. Gilbert: Okay. That was just based on your experience with the boil alerts and seeing the figures as far as the 5 million gallons.

Mr. Kipp: Yes.

Mr. Gilbert: I agree with Mr. Hills in terms of the objective. You had mentioned in regards to enforcement we weren't going to charge anyone if they're in violation of this. If that's the case, I'm thinking the better route on this is more of an education program, and asking the residents to voluntarily participate on the odd and even program. Because at first, we have enough problem enforcing the number of codes that we have on the books right now. I'm not comfortable with adding another one that's in relation to a service that the resident's paying for. So I'm inclined to hold this for two weeks and maybe you can get with the Service Director and members of your department, and put together what type of an educational package we could present that requires some funding. I'm more than willing to entertain it and move it on to Finance. But in terms of an actual ordinance, I don't know, and I'm not inclined to forward that at this time. Other members of Service? Other members of Council? Do you have a problem with that consideration over the next two weeks?

Mr. Hills: I appreciate it being held two weeks. It gives us some time to see if we can't work out something.

Mr. Gilbert: Okay. We'll hold this for two weeks.

Mr. Hills: Think about something any way. It was new.

Mr. Kipp: If you have any questions, call me.

Mr. Gilbert: Sure. Thanks, Mr. Kipp. Item number 6 is a discussion, The Ordinance to amend the official zoning map of the City of Reynoldsburg. This item was before us once before last fall. I had added it to the agenda for consideration, and at my request and having a discussion with Mr. Dugger that things might be ready at this point to move forward. This is regarding the Kroger, potential Kroger development on the northwest corner of Taylor Road and Main Street. Mr. Dugger, welcome.

Mr. Dugger: Thank you, Mr. Gilbert. It's nice to be here. This ordinance has, as Mr. Gilbert pointed out was, went through the process all up to prior to the third reading in late last fall, last November, December. When it was about ready for its third reading, we ran into some issues relative to the traffic improvements that would be necessary at the corner of Main and Taylor Roads to accommodate the construction of the store. In conversation with Mr. Gilbert and others at the time it was, I think the shared belief that we shouldn't proceed with this ordinance to Council until, unless those issues were resolved. We have spent the last five or six months trying to work through those issues with our own traffic consultants, with the office of the Development Director, Mr. Brandt, with your own City Engineer, EMH&T as well as with some significant discussions with ODOT Division 5 in their downtown office. To a certain extent I have, not necessarily been involved in some of those issues _____ than I have been, but I guess the short explanation for it is that we've become a little bit of a political football between the various divisions of ODOT in terms of their analysis of the project. The reason I'm here tonight is that this legislation, with my consent, was taken off the agenda at some point last December, and in conversations with the City Clerk as well as with Mr. Gilbert, I wasn't entirely sure how to get it restarted because I didn't know if I needed to refile it, or whether we could just bring it back before Council as it is today. So what I'm asking you to do, and unfortunately we're not in a position to, because of continuing discussions and analysis and review that's going on at ODOT, we have not got the traffic issue resolved. As soon as ODOT is able to give it its blessing and we think that preliminary that probably occurred Thursday or Friday of last week, at least we hope that's the case, but _____ there before, that if ODOT does in fact provide us with written confirmation that they have accepted our proposal, we'll then be able to put the traffic solution in a package with other components of this application, including this component which is the zoning component, and bring that to you as the Council in kind of one grand, nice package with one nice bow on it. We have been working with your Development Director throughout this process. Mr. Gilbert requested some, sort of a quick brief update which we provided in terms of the status of the traffic application and ODOT. I think what I really want to do tonight is get this kind of back in the hopper legislatively, so that if and when we do get approval from ODOT as to the proposed traffic improvements, that we could then attach or include this with the other things that need to be

done in order for Council to evaluate the package as a whole. So, really I think what I'm asking to do here tonight is to bring it out of sort of this legislative never, never land where it was, and have it brought back before Council and probably, I think it's most appropriate for it to be put in your Other Legislation to know that at some point within the next couple of weeks, we hope to have the ODOT issues resolved, and be dealing with Council on the more _____ issues which are the traffic issues. I don't have any of my traffic engineers tonight. We really aren't prepared to discuss the traffic issues because of the bit of a moving target with ODOT. What I really, this is more of kind of a notice thing I think from my standpoint that we think we're getting close with ODOT, and when we do, we're going to have to bring that whole package to you, and we just wanted to make sure that this was in line and in place to be able to be attached to that package. If there are any questions, I'm happy to answer them. Linda Patterson is here from Kroger. George _____ the developer has been working with her. We have been in fairly close contact with the Development Director through this process, and it has been to the extent that this has been a time consuming process. I think that that's a function of the review process that we've been in at ODOT too. This has taken significantly longer than we hoped. Does that make sense?

Mr. Gilbert: Any questions from members of Service? Other members of Council at this time? Thank you, Mr. Dugger.

Mr. Dugger: Thank you, Mr. Gilbert.

Mr. Gilbert: I would just note that I had requested some information from the City Engineer, and he was kind enough to provide that in your packets this past weekend. One item that he did point out is, that there was a letter drafted for the Mayor's signature in relation to the ongoing discussions with ODOT, that identified the city's role or what type of improvements would be provided over a certain period of time, and that there was other pertinent information that had been returned to his office. If we could, just for the members benefit, as this discussion goes forward, if we could get a copy of that letter, because it's my understanding that the traffic agreement will need to be incorporated into the zoning ordinance.

Mr. Dugger: Mr. Gilbert, I think that's one way to do it. I haven't even gotten to the point of talking with Mr. Brandt about how we would attach some of the financial components of this relative to the traffic improvements.

Mr. Gilbert: I think it was just a general outline. I'm not talking about the financial components.

Mr. Dugger: Okay. I understand. I really think that was the intent, at least of tonight, was to just kind of get this in place so that when we get the approval with ODOT, that we could put all of those components together. Yes.

Mr. Gilbert: Well it was my understanding there was some sort of time commitment problem in terms of the contract?

Mr. Dugger: Yeah, we're running out of time and we hope that the ODOT issues can be resolved in

the time frame. That was really the reason for my asking Council to bring this back again, was because in fact we are running out of time. If we had to start the zoning over again for instance, we would be out of time. So we were quite pleased that the City Attorney determined that we could bring this back before you at this time without having to go all the way back through the process that we went back through in November and December.

Mr. Gilbert: So Mr. Brandt, would you be able to provide that information that Mr. Parkinson had noted in the memo that the Administration has just for the members? I believe you were copied on the memo.

Mr. Brandt: You're speaking of the letter that we sent to the ODOT high commanders?

Mr. Gilbert: Correct.

Mr. Brandt: Yes. We can send you one. It's kind of a routine perfunctory letter that just outlines what was in their vision for 20 years down the road, which we would all be happy to be able to share with, or at least understand what the vision is in 20 years from then. But, we'll certainly send you a copy of it, to everybody.

Mr. Gilbert: I'd appreciate it.

Mr. Brandt: And it was done in the spirit of this process or project that has been, I think Miss Patterson and Mr. Schuliger can attest to one of the longer ongoing things quite frankly, that I've ever been involved in. There's been times when it just gets put away for a couple of weeks at a time because it's, as Mr. Dugger I think aptly put it, a ping pong ball between various divisions of the ODOT high command.

Mr. Gilbert: Right. And I think my interest in that is just based on your original memo several weeks ago, in regards to a dollar amount potentially that the city would have to contribute in this process, and I think Council just wants to be aware of, in moving this forward, what type of commitments the city would be making. So, I appreciate it. And we'll, do you want this held for two weeks, Mr. Dugger? Or, what's your...

Mr. Dugger: Yes, sir. I mean, clearly it's not, we're not in a position based on our ODOT approvals to bring it to Council next Monday night because that would, I think entail a great deal more than can reasonably be expected. I think that if we have it in the Other Legislation pile, for lack of a better term, that hopefully in two weeks we'll be able to come back to Council with number one, a formal ODOT approval, and number two, a better understanding of the financial package as a whole on the traffic side.

Mr. Gilbert: Great. Thank you. We'll hold this. Mr. Hills.

Mr. Hills: Mr. Gilbert, just trying to clarify, because this was around, and I think maybe the communication, somewhere if we didn't, the updates didn't get to it (Tape change) as many rumors as there are right now in Reynoldsburg, I just want to _____ it before it even

starts that certainly, the problems you're having with the bureaucratic system are, when you're saying the deals are, the time frame's about up and everything, there still is a concern and effort trying to work out all the problems of this growth and development _____.
Correct?

Mr. Dugger: Absolutely. Mr. Hills, that's why we're here tonight. We have the time that's necessary to get done what needs to be done assuming ODOT makes an expeditious decision. And it's our intent to go forward with the project. I think everybody understands that what this ordinance is, which is just a simple zoning ordinance for the northwest corner of Taylor and Main, in and of itself is not a complex ordinance. Should that property be zoned commercial? The answer is of course, yes. It's the intersection of two very major arterials in the city. And would that be an appropriate place for a grocery store? And the answer to that is obviously, absolutely. The larger questions are, if that is to happen, ODOT being the controlling mechanism for Main Street wants to see a number of things happen. And this last 6 months has been about how we go about that process, Mr. Hills. So, what we hope to get in the next week or so, at the most, is a final approval from ODOT as to what is their level of expectation. And at that point then, we have to work those issues out with the Development Department and bring that traffic improvements package back to the city. This zoning ordinance would then be attached as a part of that so you have a global improvements package including the zoning as a part of that. What I was concerned about, we were concerned about, when I contacted Mr. Gilbert and Mrs. Frazier was that we would have to go all the way through the zoning process again, which is a two or three or four month process, and obviously wouldn't enable us to complete the project in the time that we have remaining. So, by bringing this back out of the legislative hole and into the Other Legislation, enables us to at such time as the ODOT component is ready to bring this zoning legislation forward and companion with that traffic improvements package. Does that make sense Mr. Hills?

Mr. Hills: Thank you.

Mr. Dugger: Thank you.

Mr. Gilbert: Any other comments? Mr. Beougher.

Mr. Beougher: Where does this sit with the pending legislation Council rule where it says, "all ordinances in event postpone in excess of 6 months must be reintroduced as new legislation"? Are we going to have to waive that rule, or what's the consideration?

Mr. Gilbert: I don't believe it's been 6 months, has it Mrs. Frazier?

Mr. Beougher: It was placed in Other Legislation on December 2, which is exactly 6 months from tonight.

Mr. Gilbert: Well I've introduced it as just a regular piece of legislation assuming it would take the full three readings for approval.

Mr. Beougher: Is that what's going, that's what you're going to make the motion?

Mr. Gilbert: Um hum.

Mr. Beougher: Okay. Very good.

Mr. Gilbert: Any other questions? None being heard, we'll hold this item for two weeks.

Item number 7 is, the Ordinance approving the Final Plat of Quarry Park Section 3 Part 3. This item had its first reading on May 27. Are there any questions or comments from members of Service? Other members of Council? I just would like to thank Mr. Hills and Mr. Parkinson for their clarification and informative presentation in regards to some of the questions that arose in regards to these next four items. None being heard, I'll just make a motion that we forward this to Council on the Consent Agenda for its second reading. Do I have a second? Second by Mr. Hills. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 8 is, the Ordinance approving the Final Plat of Taylor Woods Section 9. Any questions or comments from members of Service? Other members of Council? None being heard, I'll make a motion that we forward this item to Council on the Consent Agenda for its second reading. Do I have a second? Second by Mr. Beougher. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 9 is the Ordinance approving the Final Plat of Summit Ridge Section 5. This item had its first reading on May 27 as well. Any questions or comments from members of Service? Other members of Council? None being heard, I'll make a motion that we forward this to Council on the Consent Agenda for this items second reading. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 10, Ordinance approving Final Plat of the Park at Waggoner Section 2, Part 2. It had its first reading on May 27 as well. Any questions or comments from members of Service? Other members of Council? I make a motion that we forward this to Council on the Consent Agenda for this items second reading. Do I have a second? Mr. Hills with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 11 is, Ordinance accepting two unrecorded scenic/conservation easements (Maronda Homes). This item had its second reading on May 27. Any questions or comments from members of Service? Mr. Beougher.

Mr. Beougher: Thank you, Mr. Gilbert. Just a question of how this was initiated. Was this set in the overlay text that they would dedicate an easement to the city or how did this come about? Was this a negotiation?

Mr. Gilbert: I'm not exactly sure. I don't recall that it was in the overlay text that was incorporated in the zoning with the initial developer. I don't know if the Safety/Service Director recalls. I think Mr. Mussi brought this forward prior to leaving.

Mr. Beougher: It's just interesting because this is certainly the right thing to do, and it just seems odd that it happened by accident. I just wondered how...

Mr. Gilbert: It might be a question for the Administration. This was presented from the Administration from Mr. Mussi and then he had indicated Mrs. Reichard, if we could maybe find out before Monday's final reading.

Mr. Beougher: I don't place a, it doesn't have to be before the final reading. It would just help inform the Ad Hoc Zoning Review Committees discussions. Because this is certainly something that we'd like to do again in the future and it would be helpful to know how to legislate the requirement.

Mr. Gilbert: And we'll just maybe ask the Safety/Service Director if they could just forward that information to the Ad Hoc Committee members and you could take it from there. Anything else from other members of Council? None being heard, I'll make a motion that we forward this to Council for its third reading with the recommendation for adoption. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I'll adjourn Service at 8:47

- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
June 2, 2003

FINANCE COMMITTEE MEETING MINUTES

June 2, 2003

Members of Finance Committee present: William Hills, Mel Clemens, Eric Gilbert, Sarah Cannella.

Other members of Council present: Lane Beougher, Council President Bradley L. McCloud. Councilmen Ron Stake and Jim Wade were absent.

(Meeting was called to order at 8:47 p.m.)

Mr. Hills: I'll call Finance to order following Service, and ask for approval of the minutes for the Finance Committee meeting on May 19, 2003. Any additions or deletions to those minutes? Hearing and seeing none, they will stand as submitted. Approval of tonight's agenda. I do have one item, item 3a to add coming from Safety. The ADA curb ramp appropriation. So I would move to amend the agenda and add that as item 3a. Are there any other things to be added or deleted from tonight's agenda? Seeing and hearing none, I would move that we amend the agenda to add item 3a. Second by Mr. Gilbert. All in favor state aye. (All voted "Aye"). It will be amended.

Moving on to item 3a. Authorization for EMH&T to submit proposal for professional services. Bottom line, I need to appropriate \$10,000 from the unappropriated CIP Fund to account number 420.030.5653. Mr. Clemens, this comes from you. Do you have any questions or anything to add to that?

Mr. Clemens: No. Other than, this comes from the Safety Committee with recommendation for approval.

Mr. Hills: Okay, then I'd move that we send this forward with appropriation of \$10,000 from the unappropriated CIP Fund to the above previously stated account number. Is there a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). It will be taken care of.

Moving on to item number 4. Request for professional engineering services/NPDES Phase II and appropriation of funds. Mrs. Reichard or Mr. Parkinson, whoever wants to address this.

Mrs. Reichard: Mr. Chairman and members of Council. This is twofold. I'm learning about this just like some other folks are, but had the opportunity to sit in a meeting as we went through all the specific items about what's needed for this permit. And EMH&T has been very helpful in educating me and some of our staff. So what I've done is, I've asked Mr. Parkinson to give you a background, bring you up to date on it, and then Mr. Ward who will be heading up the committee for this, to tell you a little bit about where we're going to go from here.

Mr. Parkinson: My portion is basically a rehash of something we've been talking with you for a year, a year and a half on now. In March of this year, the Mayor submitted on behalf of the city and with our assistance, notice of intent to be covered under the State of Ohio's NPDES Phase II Storm Water General Permit for rapidly developing water sheds in Blacklick Creek. The EPA surprised me, to put it mildly, and processed the paper work and issued your permit in two or three weeks. It was fabulous. The permit is broken down into six minimum control measures. We've talked about them here. I won't go into all of them. Public education, construction site, runoff, things like that. The permit specifies within these six minimum controls, tasks that you shall begin and/or complete within the first year, within the second year, within the third year, the fourth year, and the fifth year of the permit. We met with the Safety/Service Director at length to discuss all of the tasks that you have before you in year one. In where she felt our assistance might be of value, and where she felt that her staff could capably undertake some of those assignments and we struck a balance. We're not doing it all but we are involved to help. And this proposal here is a result of those discussions.

Mr. Ward: I'm in the process of setting up a committee with several of the departments. Planning and Zoning and Building Department. One of the six measures is good housekeeping which includes all the city departments, and there will be additional training for each of those departments on things that we can do to eliminate pollution into the creeks. So through these committee meetings, we'll be discussing each of those six areas. The things that we will have to get completed this year, and then we'll be looking ahead for the next five years and discussing things that we're going to have to be doing. We will be coming to you later, because of the first two years we have to take into consideration some legislation, some other measures, to control, elicit discharge from construction sites and from other areas. Through the EPA permit we must have some type of enforcement and inspection procedures. So, those are things that we will be discussing and trying to take approach that Council would want us to take. We'll have to have you involved at some point to see which way you may want to go as far as some of the enforcement and some of the issues. But we should be getting the first meeting within the next week or two and just get this process started. With the help of EMH&T, they have the expertise in a lot of areas that we just don't have the personnel to handle. We've seen it coming for several years, and now it's here and we've just got to take the ball and run with it and get things going. Any questions?

Mr. Hills: Questions for Mr. Ward, Mrs. Reichard, or Mr. Parkinson. Mr. Clemens, do you have a question?

Mr. Clemens: No.

Mr. Hills: Good. I thank you all and we would appropriate \$21,100 from the unappropriated Storm Water Fund into account 740.737.5331 which is Miscellaneous Engineering, to move forward with our NPDES Phase II Storm Water Program. Is there a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). So it will go forward. There is no emergency requested, so we'll just be sending it forward for first reading.

Moving on to item number 5, is Discussion: Amendment of Table 1155 Zoning Code Fees (Plot-

Grade-Utility Plan Review). This is the other, the first time I've heard or saw it is when we got it in the packet. So, Mrs. Reichard, do you want to explain this one to us or if somebody here from...

Mrs. Reichard: This didn't come from me. I'm not sure where it did come from. (Inaudible).

Mr. Hills: It's the plot, grade, and utility. It has your name on it.

Mrs. Reichard: (Inaudible)

Mr. Hills: We could say George did it.

Mrs. Reichard: I'm sorry. I beg your pardon. (Inaudible).

Mr. Hills: You don't want to say George did it?

Mrs. Reichard: No, we can't say George did this one. One of the things that we've been looking at is, and we will be coming to you from time to time to upgrade some of the fees that we've been charging. And, but this one in particular has to do with the engineering fees. It's a pass through and this is a deposit, and what we're looking at here is just asking them, the applicant to place on deposit, the \$1,100 rather than the \$550. Because consistently, there's not enough money. And we spend a lot of time going back to the applicant saying, we need more money for the fund and so, what this is, is to sort of ward that off and help speed up the process and not have to constantly go back every time they overdraw in that account.

Mr. Hills: There is data available that says we're consistently overdrawing?

Mrs. Reichard: Yes. Mrs. Hall is the one that is, which is my secretary, is the one that consistently has to go back to the applicant and ask for that, and sometimes there's a big delay and it's really quite a hassle. But it is happening consistently which is why we decided to bring it to you, and maybe even Mr. Clemens could speak too.

Mr. Clemens: This is something that was happening five and six years ago. A lot of times we've always come up short of the money and have to go back and ask for more. So, I agree that it should be raised. It's just a pass through any way. If it's not used, it's refunded.

Mrs. Reichard: That's right. If it's not used, they get the money back. But it would certainly speed the process.

Mr. Hills: The developer puts up the money. If it's not used, it goes back to him.

Mrs. Reichard: That is correct.

Mr. Hills: If it's used, he gets a detail of how it was used. Is that correct?

Mrs. Reichard: Yeah. But what happens is, if you've only got \$550 and then they overdraw by \$50, then you have to ask them for more money. And then they overdraw it again. And then

they overdraw it again in some cases. And internally it's a nightmare to handle and we're just trying to streamline the process.

Mr. Hills: Certainly, if Mr. Clemens is saying it's been around for a few years and been a problem and you've got an emergency on it, the only problem is, this is part of the zoning code and it'll be a Public Hearing. So, it won't be going anywhere as an emergency.

Mrs. Reichard: Okay.

Mr. Hills: But certainly, and that way I guess everyone gets to participate and say whether they like the fact that you're going to charge them more money.

Mrs. Reichard: No, we're not charging them more money.

Mr. Hills: But making them put it up - up front.

Mrs. Reichard: There you go.

Mr. Hills: Since it's part of the code, it requires a Public Hearing if I understand it right. Mr. Clemens.

Mr. Clemens: I have one question, and it doesn't pertain to the \$1,100. It pertains to the site plan review, major site plan review for \$50. Now is this the Major Site Plan you're talking about as far as the B&Z Commission is concerned?

Mrs. Reichard: Umhum.

Mr. Clemens: Can the Major Site Plan be reviewed for \$50? And I didn't think it can be.

Mrs. Reichard: No.

Mr. Clemens: So, can you incorporate that in with, while we're thinking about changing instead of coming back?

Mr. Hills: Should we not do a full review of where other fees need to be changed and then do our Public Hearing?

Mr. Clemens: The reason I'm bringing this up, I know we've got in a problem with this, discussing our last two issues that came from the B&Z that were turned down and we discussed last week that, and I had talked to Mr. Parkinson about the Major Site Plan. It can't be done for fifty bucks. And if it can't be, let's get the fee set where it can be, because I think it's important that the engineers do look at that Major Site Plan to make sure that it meets all of our restrictions. Because I do know, pertaining to the one on Main Street, the 40 foot setback in front, nobody knew there was a 40 foot setback on Hentz Drive. I came in and looked it up with Stephen because I knew it was. I wanted to make sure before we came to that meeting that night because in

commercial districts, you have the 40 foot on both streets. But that was not brought up at the B&Z Commission and I think if it would have had time to have been checked thoroughly by the engineers, that might have been brought up in the process. They wouldn't have been caught off guard and we wouldn't have been caught off guard. But I know that the \$50, that's not..it should be increased. I know that one.

Mrs. Reichard: Okay. May I suggest then that we take another look at this and look at some of these other fees and bring them back to you in two weeks.

Mr. Clemens: I have no problem in raising fees. I think we're cheaper than most cities any way. But to make sure that we're covered...make sure that what we're doing that we're covered for the work that we put into it. We're not here to make money off of them, but we're here to be covered by the work that we put into it.

Mr. Hills: We've got another ordinance or two coming up that is asking for fee increases. But I think maybe this is a good point. As you see this one here and another one comes up, why don't we hold this for two weeks, let you look at this whole package so that we can have one Public Hearing on all of the increases that may be done so we don't run into the multiple Public Hearing process. Do you think two weeks would give you adequate time to look through this?

Mrs. Reichard: I think so. Yes. We'll make it a priority.

Mr. Hills: How does that sound to everybody on Finance? Alright? Well then, we thank you for your information and we'll hold this for two weeks.

Moving on to item number 6, Creation of Federal Emergency Management Agency Fund, FEMA number 201. Mr. Whitney. I guess you all would like to have another little place, another little savings account. Is that it?

Mr. Whitney: (Inaudible). No. This is purely a way to handle the funds that Larry requested and got. We have to create a fund for it. For the snow reimbursement we're getting.

Mr. Hills: For the NPDES and on the permits? Those monies will go into that fund? Is that what we're saying? Okay.

Mr. Whitney: Humum.

Mr. Hills: Okay. Try me again so I understand this.

Mr. Gilbert: It's the money they're getting back from FEMA for the snow emergency.

Mr. Hills: For the snow emergency? Okay. Okay.

Mr. Ward: Yes. For the President's Day snow storm since...

Mr. Hills: Have you already received those funds?

Mr. Ward: We've received a little bit over \$16,000 from the federal government and we are still waiting for about \$2,400 from the state.

Mr. Hills: I know we had applied. We have got it back now?

Mr. Ward: Yes.

Mr. Hills: That's nice that we're informed of it. I appreciate that. Now you just want the account to put it in.

Mr. Ward: Well, the federal government requires a special account for auditing purposes and...

Mr. Hills: Well, if you've got the money and you're sitting here and you need the account, you probably need an emergency on this. Don't you? Or is this just _____.

Mr. Ward: Well, it would be nice, because what it will do is reimburse us for the expenses for the salt and overtime, and for equipment use for that weekend. Some of my accounts are getting pretty short, so it would be nice to get the money back into the accounts.

Mr. Hills: I don't know how it'll be used. I'll just have to look at the restrictions that came with it. I'm sure that you all were watching that closely I hope.

Mr. Ward: No. The whole reason is so that when the State Auditor's come in, that they can come in and see where the money was deposited in the specific account, and then where it's transferred back out into our accounts.

Mr. Hills: Right now, are we sitting here with a check or a PO or something that we haven't deposited anywhere?

Mr. Wade: That's correct.

Mr. Hills: Okay.

Mr. Ward: We have a check for a little over \$16,000.

Mr. Hills: I think we need to establish this fund then as an emergency. Then as you get it, we need an accounting to how those funds are used. It'd be nice to, we didn't know you were getting them. But now that you're getting them, just let us know how they were spent.

Mr. Ward: I was shocked how quickly the process went. State Emergency Management Association came out, and with us keeping accurate records on our overtime and salt usage and all that, they put the information into their computer in just over an hour, and a couple of weeks later we got an approval from the state, and it was just a couple of weeks after that the check came.

Mr. Hills: Well, I think that's great. It's nice to be, once it gets all put together, somebody can come forward and give us, so everybody can get their _____ as they're deserved. Because certainly, monies that do come down to the local level that reimburse for the emergencies need to be noted on who did it, because I guarantee it was yourall's tax dollars that generated this in some way, shape or form. So, as this all falls in place, it would be nice as you finish this up, to let us know how, would it be through Administration, Bob, or whomever, Sharon, to let us know how all this was used? Does this raise any questions from anybody? Then I would certainly send an ordinance forward establishing the FEMA Fund 201 to account for the federal grant money, and add that as an emergency. Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Thank you very much. Opposed? (No response). Hearing none, it will go forward as an emergency.

Item 7, discussion only, Amendment of ordinance regarding Selection of Design Professionals. I'd asked last time for questions or comments from anybody on Council and I did have Mr. Stake call, and had some discussions with City Engineer and most of the Council people I've talked with. This is something that probably, if we're doing it, we should have been doing it, not probably, we should have been doing it much earlier in the year. We're now halfway through the year in June. And I do know that it was portrayed, it said the City Attorney had signed off on it and he did. I talked to Bill and this is a way to do it. Is it "the" way to do it or is it the recommended way to do it? Not necessarily. Certainly, we've always used, selected three different firms and now we're talking about doing some things differently. I'm looking at this, and I'll be honest, I have some concerns. I've expressed them to Mrs. Reichard and others, and I think we're so far into the year that what we ought to do is to look at all of those people we have existing contracts with. The consulting design engineer, the architectural engineer, structural engineer. Each of those will have a provision in our last two year contract that allows for the mutual agreement upon the extension of another two year period of time. I would hope the Administration would look at those. Either exercise that extension and talking with the entities, or let's go do these one by one. Whichever one needs to be done in the normal pattern. Now, that's sort of a different way. It's certainly not doing quite what's asked here. This may be a great design and system but I think we're about three months late in getting it started if we're going to make it work properly for the next two years. I don't know if there's any other comments or feelings from other Council people, and I'd certainly be happy to let everybody have a couple of weeks to digest what I've just suggested if they want. But, I certainly think that's the more appropriate way to handle this and to assure ourselves with as many different things going on in this city, that there continues to be consistency in what we're doing. Mr. Clemens.

Mr. Clemens: Since you brought that up, I think that we should at least give the Administration two weeks to look into, get their feelings on it and see whether they feel it's acceptable or whether to pursue the other issue. And also, a discussion possibly in two weeks with Mr. Underwood and have him give his opinion. This is completely different than what we've done before. My understanding is if it's legal to do, we should have done it before. That's the part that bothers me. Any how, I think if you let it sit for two weeks, maybe we can get an answer from everybody.

Mr. Hills: I would suggest again, anyone that I know we have had some concerns and comments

among people, try to get them addressed in that two week period of time. And certainly, Administration if you feel strongly one way or another, please _____ convince us why it needs to be that way, because obviously, it didn't come out better than sliced bread when we first started reading it. So, it's a couple of week period of time to see if we don't have a solution that we can remedy out of it. Any questions from anybody else on finance? Mr. Beougher, did you have a question?

Mr. Beougher: No. I don't have a question. I will comment that I learned today that the Legislative Services Commission had redrafted some language relating to this, taking out a loophole that had been used by several state agencies to rank qualifications equally and then using price as another consideration. That loophole is about to be closed by the legislature. So it might effect our ordinance at some point in time.

Mr. Hills: If they make their change you mean?

Mr. Beougher: Yes.

Mr. Hills: I can tell you right now, everything downtown, if it doesn't say budget, nothing's going to happen to it until July.

Mr. Beougher: I believe that's part of 95.

Mr. Hills: Part of the House Bill 95? These will be in the conference committee. Okay. Then we will hold this for a couple of weeks and see if we all can have some conversations. See what we can work out.

Moving on to item number 8, Resolution adopting the Tax Budget of the City of Reynoldsburg, Ohio for the fiscal year beginning January 1, 2004. We do have a Public Hearing next week. I believe it's at 7:00, Mr. President. Is that correct?

Mr. McCloud: 7:15.

Mr. Hills: 7:15. And at that time we will be having second reading on the item. Is there anybody that has any questions or comments regarding it before that time? If not, have them ready for the Public Hearing. I'm sure Howard would be happy to deal with whatever comes up. Right Howard?

Mr. Whitney: (Inaudible).

Mr. Hills: So, with that, we'll just move it forward for a second reading after the Public Hearing next week. Is there a second on that? Second by Mrs. Cannella. All in favor, state aye. (All voted "Aye"). Opposed? (No response). It will go forward for second reading.

Item number 9, Ordinance returning remaining funds to the Storm Water Utility Fund from the originally appropriated Broadwyn Storm Relief Sewer Project (CIP #46) and approving the

payment of services performed prior to the Auditor's Certification of availability of funds. Any questions, comments on this? If not, I would like to note that I think we need, it would be appropriate to add emergency language on this. Once we do pass it on the third reading, to have it go into effect immediately. Are there any comments or concerns on that? Mrs. Reichard.

Mrs. Reichard: Comment. I wanted to let you know that the five thousand and change that we spent on the pipes that we're not going to use for this project, the City Engineer has informed me that there's a possibility that we'll be able to sell those for another project, and be able to recoup some of that money. So I just wanted to let you know, and then it can go back.

Mr. Hills: Good. If we were Columbus, we'd do it at a profit, wouldn't we? Okay. Thank you very much, Mrs. Reichard for your comments. I recommend we send that forward with recommendation for adoption as an emergency. Is there a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Hearing none, that will go forward and I believe that does complete Finance.

We will adjourn, unless somebody has anything, at approximately 9:10.

- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
June 2, 2003