

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

May 18, 2009

Members of Community Development Committee present: Leslie Kelly, Doug Joseph, Barth Cotner. Councilwoman Donna Shirey was absent.

Other members of Council present: Ron Stake, Fred Deskins, Jr., Mel Clemens, Council President William L. Hills.

Mrs. Kelly: I'll call the Community Development Committee meeting to order at 7:31 p.m. Item No. 2 on the agenda is approval of agenda. Are there any additions or deletions to this evening's agenda? Hearing none, it will stand approved.

Item No. 3 is approval of the minutes of the Community Development Committee meeting held April 20, 2009. Are there any corrections or deletions to those minutes? If not, do I have a motion to approve the minutes? Mr. Joseph moves to approve the minutes; seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Thank you.

Item No. 4 - Discussion: Authorize agreement with ODOT - construction of multi-use path in Civic Park. Mr. Shamblin or Mayor.

Mayor McCloud: Thank you Chairwoman Kelly. You have Item No. 3 before you and a host of Legislative Requests relative to the construction, potential construction of, I guess, the trails in Civic Park and I do have Jason, and Jim Miller here to answer the specific questions you have.

Mrs. Kelly: Yes, I have a couple questions for you. As we're looking at this Civic Park here, Jason can you kind of talk to us a little bit about how we got here, how we got to this point with the Civic Park Project and how we received the opportunity to participate in this program?

Parks and Recreation Director Shamblin: Certainly. Thank you Chairperson Kelly. The, in January, I believe it was January, we submitted projects to MORPC that were, we considered favorable for funding - this project specifically was in the CIP since 2002 or 2003 actually, I believe - the, at that time, they went through the process of selecting it. They had several open meetings, and they notified us that we would be funded in April, that at least it's available. At this point, we still have not accepted the funding so, the, we have met with ODOT and MORPC, because MORPC had sub-allocated the money, but ODOT originally was the, allocated the money from the National Highway Funds. The, and at this point, we're still going through the process of, of determining the exact project and the layout and going through this legislative process tonight, so I hope that gives you somewhat of an answer of the....

Mrs. Kelly: And my understanding is, we received a maximum of \$425,000....

Mr. Shamblin: Yes...

Mrs. Kelly: ...as the contribution.

Mr. Shamblin: Yes.

Mrs. Kelly: Okay. Are there any questions for Mr. Shamblin about No. 4? Okay, then I would like to move this forward to Council, make a recommendation to move this forward to Council for it's first reading; seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Okay. On to No. 5.

Item 5 - Discussion: Authorize MOU with MORPC - construction of multi-use path in Civic Park. Again, Mr. Shamblin. I understand that there is a small, minimal revision that will need to happen to the MOU. Could you kind of walk us through this, and then maybe, and kind of talk about why some of these revisions are coming up, kind of last minute, and what might be the cause of that?

Mr. Shamblin: Well, and I think, we learned on Friday that, that there would be a minor, I think just a cosmetic change to that, to the MOU. I had raised a question and because of the question I'd asked, they, I believe are making a revision to that. There are so many different entities involved with the stream of money on this, that I think they're learning as they're going as well and are passing along some of these changes and revisions to us as they, as MORPC and ODOT both learn about them so, it's a bit frustrating on our end to try to pin them down on hard answers and make final revisions to get all the information to all in a timely manner.

Mrs. Kelly: Okay. Are there any questions for Mr. Shamblin regarding this MOU? Okay.

Mr. Hills: Ms. Kelly, I guess

Mrs. Kelly: Mr. Hills.

Mr. Hills: ...this is the second time I've heard minor cosmetic changes. Anybody know what those minor cosmetic changes are? They usually bring lawsuits about is the reason I'm asking that.

Mr. Shamblin: Yes Sir. If I'm....

Mr. Hills: What are they going to be changed to?

Mr. Shamblin: I will have the final revision to Mrs. Frazier next week.

Mr. Hills: Let me clarify this. You're just sending this forward for first reading?

Mrs. Kelly: No and actually I'm going to have to go back and change because I'm not sure, No. 4, did I send it through as an emergency?

Mr. Hills: You sent it through as first reading and that's.....

Mrs. Kelly: Okay, I need to send it through, No. 4 should have been sent through as an emergency, so that's my fault. I'll have to back that, No. 5 I'm sending through as an emergency.

Mr. Hills: And I guess I would ask, then let me ask a question, if we're sending it through as an emergency, you look at Item 2b, complete and acceptable plans with ODOT by December, 2009 and it can obtain Federal Funding obligations for the project by March 2nd, 2010, but you're standing here telling us, we've already obtained those Federal Funds in the amount of \$425,000, right? Did I misunderstand what I'm reading there?

Mayor McCloud: We have been approved. We don't have the money, Mr. Hills.

Mr. Hills: You see what this is saying, and it can obtain Federal Funding. I mean, basically, if we enter into this MOU, there's \$400,000, \$425,000 set aside for Reynoldsburg, is that correct?

Mr. Shamblin: Correct.

Mr. Hills: Has, has, and Jed has signed off on this as to form?

Mr. Shamblin: Yes, Sir.

Mrs. Kelly: Okay. Any other questions?

Mrs. Frazier: Mrs. Kelly.

Mrs. Kelly: Yes.

Mrs. Frazier: Mr. Miller, would you explain, or clarify, what we talked about a little earlier, on that 10%. She's going to back up and change her motion, but before she does that, I'd like for you to make that clear.

Mr. Miller: Absolutely. On the agreement with, this would be the first piece of legislation that was just discussed previous. The, the....

Mr. Hills: Chairman Kelly if I could ask, are we back on Item No. 4 now, not on Item 5?

Mr. Miller: Yes.

Mrs. Kelly: Yes. We're back on Item No. 4.

Mr. Hills: I don't know, I wasn't trying.....

Mrs. Kelly: I know, I'm sorry.

Mrs. Frazier: She's going to change the motion, but before she does that, I want him to explain this.

Mr. Miller: The ODOT agreement, if you look at attachment #1 on page 16, states that the, the \$425,000 is broken into two pieces. One for the construction contract of \$403,750 and Construction Engineering, which is inspection, for \$21,250. What MORPC and ODOT is saying

currently, which is contrary to what they have in the agreement, is that they will pay up to 5% to be contributed to construction inspection and administration. That's what the numbers in attachment #1 say; however, the verbiage within the agreement from ODOT says that they will fund up to 10% of the project's construction costs for construction inspection and administration and that is another change that is going to be worked out this week and updated in these documents and forwarded to Nancy this week as well. So, as it stands right now, what MORPC has told us is that they're going to contribute up to 5% of the construction cost towards inspection. So attachment #1 would be accurate.

Mr. Hills: Accurate at.....Chairman Kelly if I could.

Mrs. Kelly: Absolutely.

Mr. Hills: Accurate as it states here at \$425,000 which is less than 5%, more than 5%, \$21,250 is more than 5% of \$403,750 but that's no big thing, it's within \$1,000.

Mr. Miller: Well, it's 5% of the \$425,000.

Mr. Hills: Is that what it is, 5% of the \$425,000?

Mr. Miller: Yes.

Mr. Hills: Then is that, is that going to become \$440,000? I mean, is that the change you're going to make? Making it \$440,000 for the 10% or 440 whatever thousand?

Mr. Miller: If, if we're allowed to, yes. My construction estimate for the multi-use path that we're currently planning is about \$412,000. What this is saying is that they are going to give us up to \$21,250. Now when we get to construction, under this agreement, we will be paying some money towards the construction inspection and administration for this project. It is only partially covered by the grant money that the State is giving us.

Mr. Hills: Maybe I've got a cold and it's a little slow today...

Mr. Miller: And as I say...it looks like I'm not answering your question.

Mr. Hills: When you use construction engineering and you, in essence, we find that as inspection, because we've gotten another ordinance here for over \$60,000, or roughly \$60,000 in engineering costs.....

Mr. Miller: Um hum.

Mr. Hills: Being an Engineer's a lot like being an Attorney, I've learned, just use the term and write the bill.

Mr. Miller: I understand. The construction engineering is the services on the back end of the project during construction and a.....

Mr. Hills: These would be administration, or whatever that means, inspector, go check this and the inspector going out there to work, that's what this construction engineering is referring to.

Mr. Miller: Correct, President Hills.

Mr. Hills: Not the \$60,000 in determining.....

Mr. Miller: Correct.

Mr. Hills: What the dirt looks like or whatever they got to determine as to how to build the path.

Mr. Miller: That's correct.

Mr. Hills: Okay. Thank you Chairman Kelly.

Mrs. Kelly: You're welcome. So I would like to, Nancy, kind of got me through this; I'd like to go back and revisit No. 4 and move to authorize agreement with ODOT for construction of multi-use path in Civic Park, and recommend that we move it to Council as an emergency for adoption. Is there a second. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Okay, motion carries.

Now on to No. 5 which we talked about. I would like to move to authorize the MOU with MORPC for construction of multi-use path in Civic Park. I'd also like to move this forward as a, for recommendation for adoption as an emergency, to Council. Is there a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Okay.

Item 6 - Discussion: Authorize contract for engineering services for preparation of construction documents - multi-use path in Civic Park, and appropriation of funds. Mr. Miller.

Mr. Miller: Okay. This, this request is for the up-front engineering. This is for doing the environmental studies, the archeological studies, the soil evaluations, and preparing the construction plans and the bid documents to bring this project to construction. I want to note to you that when I brought this legislation forward, it was, I don't remember the day exactly, it was either Wednesday or Thursday of just last week, we were informed by ODOT that there were much more stringent archeological requirements associated with this project than originally anticipated and on Friday, that would have been the 15th, we met out at Civic Park with ODOT and the, and their archeological team and they informed us of what the requirements were for us to meet their requirements for the archeological study, and I learned just this afternoon that we need to increase our scope of services with GPD Group another additional \$9,000 from what you see before you now, and I'm going to have that update made, and I'm going to have an updated proposal delivered to Mrs. Frazier certainly before the end of week, incorporating those additional requirements.

Mrs. Kelly: I have a question. Could you kind of talk to us about why all the things associated with Civic Park that we're talking about tonight, will be needing to go through as an emergency. Even with the changes that are coming up very quickly from the agencies that are kind of supplying this, what is the urgency behind the emergency?

Mr. Miller: Simply put, it is to meet the funding requirement schedule. We have to have environmental clearance by July 1 and if authorized on the 26th, a week from this Tuesday, we will have approximately one month to do about two months worth of work. So we're moving this forward as an emergency, again to meet the Federal requirements, to meet the Federal deadlines, the most important of which is December 1st when we have to have the environmental clearance complete. We have to have the archeological clearance complete, we have to have construction documents and the bid books complete and ready to advertise by December 1 of this year.

Mrs. Kelly: I have a question for the Auditor. Is there, currently looking at the Budget, is there money in the budget that we could utilize for this project?

Mr. Harris: The Cap, the unappropriated Capital Improvements Fund has approximately \$1,600,000 in it. Only about \$400,000 of that is promised, I believe, for the Street Program so there is money there to do it. It sounds to me like everyday this, the cost on this is going up so, I mean, I guess it depends on what the final numbers of engineering and stuff's going, and there is money if Council chooses to spend it in that way, understanding that this will probably curtail street improvements over the next couple years as well by another \$100,000.

Mrs. Kelly: Okay, good. So there's money there for us to do that. Does anybody else have any other questions? Mr. Stake.

Mr. Stake: Thank you Chairwoman Kelly. I know with these, because with what I've been seeing in the news, with these Federal Stimulus Programs is strings attached that people don't find out about until later. Do you have any concerns with that?

Mr. Miller: I certainly did when we started. As we've gotten to this point, I feel that's all been ironed out, certainly by this coming Tuesday.

Mr. Stake: Really?

Mr. Miller: Yes.

Mr. Stake: I mean, things are moving fast here. I, I got to say I have reservations in regards to this, especially after what the Auditor just told us. I don't think I can be supportive of this. I know it's nice to get \$425,000 from somebody, but it's coming from us, the taxpayers. We're putting our children and our grandchildren in debt. I frankly don't feel comfortable with it and then to add to that, the price keeps going up here just in the last five minutes, it went up \$9,000. I would have appreciated knowing about this prior to your getting up in front of us.

Mr. Miller: I understand and if I had known sooner, I certainly would have informed you.

Mr. Stake: When did you find out about this?

Mr. Miller: I received the email at 4:45 p.m. this afternoon.

Mr. Stake: Okay, okay. I've expressed my concerns so...

Mrs. Kelly: Any other questions?

Mr. Clemens: Yes.

Mrs. Kelly: Mr. Clemens.

Mr. Clemens: Yeh, get back to the services. On the back page, they have exclusion of, you know, the scope of services.

Mr. Miller: Yeh, right.

Mr. Clemens: We're not going to get into some of those, are we, and then have to come up with extra money.

Mr. Miller: You know, I will say no. That's why they're excluded at this point....

Mr. Clemens: How about the, how about the wetland situation, and the environmental site assessment, these two.

Mr. Miller: Wetland mitigation design, that is a, required, if we destroy wetlands. We have enough open space at Civic Park where if we identify a wetland which is part of the scope, that we can modify the alignment slightly to avoid it....

Mr. Clemens: (Inaudible)

Mr. Miller: So I'm not anticipating any....

Mr. Clemens: Phase II, Environmental Site Assessment, that doesn't mean anything either?

Mr. Miller: We do have to do a Phase I for this project.

Mr. Clemens: Right, right. You don't have to do a Phase II though?

Mr. Miller: It's not complicated enough for a Phase II.

Mr. Clemens: The only thing, I don't want to get into any more after tonight, because we're talking about close to \$70,000 now for engineering.

Mr. Miller: I understand Councilperson Clemens.

Mr. Clemens: And I know how that always goes up. I mean, you know, you feel that you've got it tied down now, I mean, that's what I'm trying to say...

Mr. Miller: Based on....

Mr. Clemens: ...way over, you know the percentage you usually pay engineers...

Mr. Miller: Yes.

Mr. Clemens: ...to start with.

Mr. Miller: Yes. Yes.

Mrs. Kelly: Any other questions? I'd like to add, and while I share the concern that with the changes, I understand too how some of the Grant programs can work and the changes that can happen, I think that this is a good project. I look for it to create a greater sense of, foster a greater sense of Community, especially in the Parks, you know, the thought being with the bike trails, especially ten foot wide, that's a pretty wide space for people to ride bikes, and walk, and the more people we get out into the parks, the greater sense of Community we'll be able to develop. Also looking at the CIP, Capital Improvements, I'm sorry, Capital Improvements funding, while it is, it will take some money out, I think there is, personally, I see that there is, like the Auditor said, about \$1,000,000 that is not unencumbered at this point. So, I look at it being a good investment for our Community. So, if there, are there any other questions or comments? Okay. If not, I would like to move this forward for recommendation for adoption as an emergency and refer it to Finance for funding. Do I have a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Okay, No. 7. Item 7 - Discussion: Authorize advertisement for bids, etc. for construction of multi-use path in Civic Park, and appropriation of funds. Mr. Miller.

Mr. Miller: This goes on the back end of No. 6. Come December 1, when we get clearance from ODOT to advertise for bids, we will be advertising that project. We'll be making and distributing the copies and selling them to the contractors, and to do that I'm asking for \$2,000 to cover the cost, basically of printing copies and also the cost for advertising the project to meet Federal requirements.

Mrs. Kelly: Are there any questions for Mr. Miller regarding No. 7? Mr. Hills.

Mr. Hills: Jim, I would ask, often times, especially when we're talking, how long it's going to be before the engineering's done, three months, two months, five months?

Mr. Miller: It'll all be said and done come December.

Mr. Hills: If, right now, \$2,000 is just put over into an account from the CIP, is this just to sit there 'til December, so you know you've got the money, or are you just trying to come to Council one time, and I don't blame you, if that's what you're trying to do.

Mr. Miller: Yes, I'm trying to keep it all together; and yes, that \$2,000 will sit there until after December 1.

Mr. Hills: And if for some reason this fell apart, the \$2,000 goes back.

Mr. Miller: I, I would, yes it would.

Mr. Hills: There have been times that Council has been desirous of seeing what it is these plans are going to be, like Street Programs and see, we wouldn't approve this this way on a Street Program, because we'd want to come back and see the streets before we authorized the bidding of it. I don't know, I, there may be a consensus that we only want to talk about this thing once so, I, I guess we're just not real consistently on when we're coming up with the advertising for bids, because that's not going to be until late '09, right?

Mr. Miller: Correct.

Mr. Hills: Okay.

Mr. Clemens: I mean, I'd like to see it before you bid it out.

Mr. Miller: Absolutely.

Mr. Clemens: (Inaudible)I went down the Main Street route and didn't see them; I want to see these.

Mr. Miller: Okay.

Mr. Hills: The way we've done that in the past is to hold this ordinance until it, I believe, am I incorrect, Mrs. Frazier?

Mrs. Frazier: Well, I need to know what you're going to do in the end, first, before I answer that question. You could do that; the other thing is that he's got Miscellaneous Engineering (account), and the City Auditor has said that you could use that; you wouldn't have to move money; so, he can surely bring it in before he puts it out to bid; we've told him to do that before. I mean, you can authorize him to do it, but then, you know, if he's got money, then all he has to do is come back before he does that. We can put that in a Motion as well, but if you're going to move money, then it becomes an Ordinance.

Mr. Hills: Well, this is, this Ordinance is to authorize the supply of bid documents for distribution, which, we're not ready to do that; advertise for bids, we're not ready to do that; review bids received and preparation of bid tabs for the construction, so, and here's, I want \$2,000 to do that so I guess my only question is, until the engineering's done, we would not be doing any of this and what we have done in the past is not appropriate the money for the advertising of bids until you've seen what the draft of the project is. I want to see what streets you're going to pave. I want to see what construction you're going to do. I mean, I, I can certainly understand only do it one time. It's just, I certainly wouldn't want you or Administration to say, well, we don't have to bring those back to Council because, we already got our money, go bid and we're just going to go bid it.

Mr. Miller: And if I may, President Hills, in the past when a, prior to having your own on-staff Engineer, you would authorize engineering, preparation of bid documents and advertise for bids all as part of the same piece of legislation. You're seeing two pieces of legislation now, because

now that you do have an Engineer, the engineering firm in this case, GPD, they're preparing the documents; and we, the City, are advertising and preparing the documents for bidding and so before you had always paid EMH&T to do that for you. You actually did all of this at the same time, it's just that you were paying one person and appropriating one sum of money to do that where now since I'm taking on some of the responsibility of bidding this project, I need \$2,000 which requires the appropriation to do that. If I wasn't, this would all be on the GPD legislation moving forward and you know, that cost would have been included in their engineering fee and I believe that's how it's been done in the past.

Mr. Hills: Well, I, we're not going to go back and dig through that, because I know that it changed with EMH&T after a while and they didn't always get their monies up front and that way we got to see the projects before they got ready to be let, but bottom line here, you're not going to spend any of this \$2,000 until the end of the year.

Mr. Miller: Correct.

Mr. Hills: So why do we give it to you in May? Not that I care, just don't come back again, but the concern I have is by Mr., Councilman Clemens, we want to see what it is you're going to be doing before it goes out. Chairman Kelly, thank you.

Mr. Clemens: Bring 'em in before you bid them out, that's all I'm asking.

Mr. Miller: And if I can do that in the form of perhaps a report showing the design process...

Mr. Clemens: Just so we can see, I don't care about the money part of it...

Mr. Miller: Okay.

Mr. Clemens: ...I want to see them before you bid them out.

Mr. Miller: Absolutely.

Mr. Clemens: It's liable to be twenty-foot wide for all I know. I want to make sure of what it is, all right?

Mr. Miller: I, I understand. I understand and I will do that.

Mrs. Frazier: Mrs. Kelly.

Mrs. Kelly: Yes Ma'am.

Mrs. Frazier: In response to Mr. Hills, and depending on how you end up doing this, we can, we have done Motions that authorize everything to be prepared, whatever project we're doing and in that Motion, it tells the engineer to bring them in here...

Mrs. Kelly: Before it's bid.

Mrs. Frazier: Yes, so that's one thing. And Mr. Harris, does he have \$2,000 in Miscellaneous Engineering or not? Because he still has to be authorized to do that part, because GPD isn't; so whenever he does it, he could do it, but he has to be authorized; whether he needs \$2,000 additional is, makes it the difference between an Ordinance and a Motion.

Mr. Harris: Miscellaneous Engineering, he has about, according to this, as of the end of March, there's about \$48,000 in there.

Mrs. Frazier: Now, if you want to use his money, you can just simply send a Motion that says you can do what he's requesting here, but before any bidding's done, it comes back to Council. That's the end of it. It's a Motion. If you use money taken out of CIP, like he's requested here, which is additional, then you need an Ordinance; and if you want to hold that, you can certainly hold that and do it later.

Mrs. Kelly: Mr. Miller, how would that effect what you're trying to do?

Mr. Miller: It, it wouldn't. You know, taking the \$2,000 from General Engineering in lieu of , let me make sure I get this right, I had that coming from the CIP Fund if I'm not mistaken.

Mrs. Kelly: Yeah, you had it coming from 410.

Mr. Miller: Right, um, you know that's just \$2,000 out of, out of my budget that I, you know, that I wasn't planning on spending, but it doesn't create any hardship or extra steps for me.

Mrs. Kelly: Okay. Okay.

Mr. Miller: Um, if I have to.....again, I can come back and introduce the project before construction and.....

Mrs. Kelly: Okay.

Mr. Hills: Chairman Kelly, if I could ask, these monies aren't going to be spent before the end of the year wherever they come from are they? You're not going to spend these monies until the engineers, your other \$60,000 has been spent drafting up the information, correct?

Mr. Miller: That will be spent this year, um.....

Mr. Hills: Not just this year. I, the engineering that we have already said was what, \$60 - 70,000, you can't spend the \$2,000 it is to do the bids and advertise for bids until that work is done.

Mr. Miller: Correct.

Mr. Hills: Right, so if it was \$2,000 out of the CIP today, if there was \$2,000, either one of them is just earmarked dollars. They're not going to be spent until the end of the year.

Mr. Miller: Correct.

Mr. Hills: With, so, we're sitting there talking about \$2,000, it's not the matter of where the \$2,000 is, it's just, I think there's some assurances that I'm hearing from Council that we want to see these things before we advertise for a bid. We have, historically we have advertised, not in this Administration but we have advertised for bid because we attached it to the engineering project on things we really didn't want to do very bad.

Mr. Miller: And, you know, I'll, I envision sharing with you what it is we are going to do out in Civic Park during or at the conclusion of our Phase I plan preparation which would be sometime in August. I, I hope to be able to come to you, show you a nice picture and you know, you'll, you'll know then, you know, how we're moving forward with this, certainly before December when we're ready to advertise for construction.

Mrs. Kelly: Mr. Clemens.

Mr. Clemens: Bring it in and show us before you bid it out. That's all I'm asking you to do. I don't want to listen to any more of this stuff.

Mrs. Kelly: Okay.

Mr. Miller: I completely understand.

Mr. Clemens: It's that simple.

Mrs. Kelly: Does anybody have any other questions. Okay, then at this time, I would like to, and Nancy you need to help me, I would like to move forward and authorize the, move to authorize advertisement for bids for construction of multi-use path in Civic Park, this is where I'm going to need help, and appropriate funds from the General Engineering Fund and I'd like to move that forward to Council for first reading. Did I say it right?

Mrs. Frazier: You don't need to appropriate. He's got the money in his account.

Mrs. Kelly: Okay, well then good. Authorize.....

Mrs. Frazier: It's just a Motion.

Mr. Hills: Just do it in a Motion.

Mrs. Frazier: It's a simple Motion and then you also want to include in that for him to bring it back to Council for

Mrs. Kelly: Okay. I'd like to move to authorize advertisement for bids for construction of multi-use path in Civic Park with request to bring it back before Council before bidding.

Mr. Hills: Right.

Mrs. Frazier: With recommendation for adoption.

Mrs. Kelly: With recommendation for adoption.

Mr. Hills: You're saying Engineer, once we have the information, you can bid it. It is a Motion, bring it back in so we can see it.

Mrs. Kelly: Yes.

Mr. Hills: That's when the \$2,000 or whatever would be dealt with.

Mrs. Kelly: Yes.

Mr. Hills: And that's the Motions that are just one reading items, so it goes forward.

Mrs. Kelly: Okay, perfect and I would also like to thank Jim and Jason for the work you've been doing on this project. I know it's been ever-changing and I know it's got to be frustrating so thank you very, very much and with that I adjourn.....

Mrs. Frazier: No, no.

Mrs. Kelly: No?

Mrs. Frazier: You need a second.

Mrs. Kelly: Oh, do I have a second? Mr. Cotner seconds. I'm sorry, I thought I was
Thank you. All those in favor say "Aye". (All voted "Aye") Opposed. (No response).
Motion carries. I adjourn the Community Development Meeting at 8:06 p.m.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
May 18, 2009
(Transcribed/S. Cochran, Ass't. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES

May 18, 2009

Members of Service Committee present: Mel Clemens, Doug Joseph, Barth Cotner.
Councilwoman Donna Shirey was absent.

Other members of Council present: Ron Stake, Fred Deskins, Jr., Leslie Kelly, Council President William L. Hills.

Mr. Clemens: I'll call the Service Committee Meeting to order at 8:07 p.m.

The first item on the agenda is approval of agenda. Are there any additions or deletions?
If not it'll stand approved.

Item 3 - Approval of minutes of the Service Committee Meeting held May 4, 2009. Are there any additions or deletions to the minutes? If not, they'll stand approved.

Item 4 - DISCUSSION: Amend 1171.06 "Accessory Use, Accessory Structure" to add Subsection (d) Portable On-site Deliverable Storage Units (PODS). Aaron.

Planning Administrator Domini: Thank you, Councilman Clemens. I'm bringing this before you today because I guess with the development of PODS, which is portable on demand storage units, we're seeing more and more of them, and I don't think we had the appropriate language in our code to regulate these in a very clear manner. As of recent, you know, just doing some work in Olde

Reynoldsburg, I counted four at one time that were put down without any requests. I don't, and they're being used as permanent structures, which I don't think is the intent of how these structures, or these portable storage units, are to be used. People are using them as sheds and actually as accessory structures and I don't think, the way we interpret an accessory structure is something that is temporary and moveable. So I thought it would be appropriate to bring something before you to deal with this issue. The amendment that I have brought to you today basically says that these types of units need a zoning certificate which would be received through myself, or the Planning Administrator, and they would be permitted for a period of thirty days. Again, the intent I think is that these are temporary. Obviously, that time period is negotiable if you feel something else is more appropriate, less or more. And that there is an exception for calamity. I think the development PODS was actually for instances of calamity, hurricane, tornados, when these things were brought in, sometimes used as living quarters, sometimes used for storing personal items, so I think that it's appropriate that we have that exception in here for them as well. Councilman Clemens.

Mr. Clemens: So you're wanting to put a thirty days requirement.

Mr. Domini: Thirty days.

Mr. Clemens: Why would you want to do it that long?

Mr. Domini: Like I said, I'm agreeable to a shorter or longer period. I just felt like thirty days.....

Mr. Clemens: I would more favor two weeks and then they could ask for an extension. I mean, thirty days is a month, you know, unless it's something really, unless they tore their house apart or something like that, putting it back together, but....

Mr. Domini: I mean, I had it....

Mr. Clemens: I'd rather see.....

Mr. Domini: At fourteen days, and I felt like after thinking about it, if somebody has one of these for the purposes of construction, that they may need thirty days.

Mr. Clemens: Thirty days is a long time.

Mr. Domini: I would be.....

Mr. Clemens: That's the way I look at it.

Mr. Domini: I would certainly entertain fourteen days with you know, one extension.

Mr. Clemens: With an extension, I mean, you could give an extension.

Mr. Domini: Would you.....

Mr. Clemens: I don't think anybody wants to see one sitting in their driveway and have to look at it for thirty days if you're next to it and they are sitting them around town like you said. I've seen them too.

Mr. Domini: Yeah.

Mr. Clemens: Well, think about that, you know, what you think about it, I mean, you don't have to make a decision tonight. See what the Mayor thinks about it. I don't know, what do you think about it Mayor? I mean thirty days is.....

Mayor McCloud: Yeah, we just had to start somewhere Mr. Clemens. I think our discussions were that sometimes with a construction project, they're on site a little bit longer. I think fourteen days is reasonable and we can start there and certainly have the opportunity if Council so empowers in this legislation that we can give an extension under extenuating circumstances. I think fourteen days is fine.

Mr. Hills: Mr. Clemens.

Mr. Clemens: Mr. Hills.

Mr. Hills: The fourteen days may work and what it, it seems to make sense, either fourteen or fifteen extended upon your approval, but then I seen in here we have calamity or extensions would then go to BZA. If it didn't get to BZA until after it had already been there thirty, there's going to be a debate about whether it's going to sit there before you can get it on the next BZA meeting and could you get it on the BZA meeting when you make that extension if the guy's saying yeah, I'll give you another fifteen days or fourteen days but he says I think I've even got to go more, do you think you could get it on the BZA then? I mean, I think maybe that short of period of time would work to your advantage if it's going to be extended by BZA for some, for some reason.

Mr. Domini: I agree. I think if there's calamity instance, we'll know before even issuing the certificate in the beginning so we'll be prepared for that, but I would be agreeable to amend this to fourteen days.

Mr. Clemens: That's fine. Are there any other questions for, yes.

Mr. Joseph: Thank you Mr. Chairman. A couple questions I have. Number one is, what's the penalties for, for people who might violate this, because I think a lot of people will be ignorant of the

law if this is enacted and people are going to go out, they'll get them and obviously, we can go out and find them after the fact but by that point, it's there. The education program, again, what's the penalty for people who do it and don't know they have to go through the permitting process?

Mr. Domini: Right now, you know, there is no real penalty, I think the Zoning Code under Section 1155 talks about penalties, different types of penalties, which I can look up for you now but typically, we just look for conformance, people that conform and it's like enforcing any of the section of the Zoning Code and usually it's up to me to see these types of things when I'm out doing my job. Contact the person that's leasing the unit because it has a big number on the side of it or the owner/operator of the business, tell them to come in and get a permit. Ninety-nine percent of the time they come and get the permit, you know and with the exception that they didn't, then we go down the violation road and pursue, pursue penalty under 1155.

Mr. Joseph: So basically, as long as they come in and get the permit after the fact, then they're in the clear? Is that how it works?

Mr. Domini: Yeah, I mean, if I notice it right away and if it hasn't been there for 14 - 30 days already, then I'm not going to issue them a zoning certificate, using my best judgment.

Mr. Clemens: Are there any other questions for Aaron, members of the Committee, Mr. Cotner.

Mr. Cotner: Excuse me, I'm sorry. Just to double-check that on the claim and the exception. Are we looking at any kind of time frame on that as a maximum?

Mr. Domini: I mean, I....

Mr. Cotner: (Inaudible).....taking advantage of that situation, dragging their feet, getting their repairs done.....(inaudible).

Mr. Domini: You know I think I didn't even go down that road because I figured, you know, if there's a calamity, I'll know it and see it and we'll all know it. It shouldn't be something that I feel I would need to regulate. I think that kind of skirts the definition of kind of what a calamity is. I don't think we can be prepared to anticipate what that may be so I felt being open-ended may be better. But again, I would entertain something if you felt we needed something in there.

Mr. Clemens: Any other questions from members of Committee, members of Council? With the change then, you want it sent to Council....

Mr. Domini: Okay.

Mr. Clemens:for first reading and then you'll make the change to fourteen days?

Mr. Domini: Change to fourteen days, will do.

Mr. Clemens: I'd like to send this to Council for first reading. Do I have a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries. Thank you.

Item 5 - DISCUSSION: Amend 1131.02 "Definitions" listing entitled: "**Child Day Care, (State-licensed day care facility)**" Terms relating to:" by repealing and replacing the listing.

AND ALSO

Amend 1175.01 "Permitted Uses and Special Exceptions" "All Districts" to include "Type B Home Child Care with a Home Occupation Permit" under "Permitted Uses"; and to include "Child Care - Child Care Centers, Type A Homes, School-age Centers (Except all R Districts)" under "Special Exceptions"; and to delete the reference to "State licensed day care facility" under "Special Exceptions". Explain that one out.

Mr. Domini: I think it sounds like a lot more than it is.

Mr. Clemens: It's not too much of a change really.

Mr. Domini: Basically, what I'm proposing here is deleting the definitions that we had in the Code for Child Care and we're replacing them with the definitions that the Ohio Department of Jobs and Family Services uses to regulate child care. Our Code, I don't think did a very good job of that and it caused some confusion as of recent on the part of the applicant and some of the elected and appointed officials. So to provide a certain level of clarity, I thought it best be that we have the same definitions as what the State is using and that is why I'm suggesting this replacement of the definitions. In terms of the, of regulating these types of uses, after some discussion with some Council members, as well as members of the Board of Building and Zoning Appeals, I think there was an attitude that having seen a recent application for Type A, that, that, you know, they may not have been prepared for that and it may or may not be appropriate for some of the residential districts. Certainly, that application did not pan out to be favorable for the applicant. I find it best to provide a certain level of clarity and if we don't intend to permit a certain type of use, I don't think that should be an option in the Code, to waste an applicant's time and the City's time, so I'm throwing this out here to you today to see if that's something you'd be in favor of, would be to remove Type A, and other types of Child Care Centers from residential districts. That's with the exclusion of Type B home day care and again, Type B home daycare is six or less children in the home. Those types of home care facilities are not required to be certified or licensed unless they're accepting funds from the County or State, in which case, they have to be licensed. There certainly is a large need for that in our community. I hear about it every day and I talk to people who are doing it every day. So I'm suggesting that be a permitted use in all districts, Type B home day care with home occupation permit and that's regulated by our code and the fee for that is \$50 and the other uses, I'm simply saying any other type of child care, whether it's a child care center or Type A home or school-age center that, that be permitted in any district except for residential districts and that it will include the multi-family

districts as well. That's, that's my way of trying to explain to you why both the change in definitions and the change in permitted uses area, that this would be a permitted use or special exception.

Mr. Clemens: Are there any questions from members of the Committee? Members of Council?
Mrs. Kelly.

Mrs. Kelly: Aaron, I just want to clarify. Centers would be allowed where?

Mr. Domini: In any district other than a residential district.

Mrs. Kelly: Type A homes other than residential?

Mr. Domini: Correct.

Mrs. Kelly: Type B residential.

Mr. Domini: Type B would be permitted in any district.

Mrs. Kelly: Pardon.....

Mr. Domini: In any district.

Mrs. Kelly: In any district. Okay.

Mr. Domini: And the reason I left it that way, is because there are some single family homes in Commercial Districts.

Mrs. Kelly: Right, okay and then school-age center not residential.

Mr. Domini: No.

Mrs. Kelly: Okay. Thank you.

Mr. Clemens: Are there any other questions from members of Council? Yes, Fred.

Mr. Deskins: Clarification. Did I hear you say Type A homes would no more be in residential areas?

Mr. Domini: Yes.

Mr. Deskins: So you're only allowed to have six kids to babysit for child care in a residential area.

Mr. Domini: Correct.

Mrs. Kelly: Do we have, do you know, do we have any Type A now currently?

Mr. Domini: No.

Mrs. Kelly: I didn't think so.

Mr. Clemens: Are there any other questions, members of Council? This is no different really than what we did by not allowing the last Type A in residential. This clarifies it and we do have Type Bs. Like you say, some are licensed, some aren't licensed, but if they're licensed, they're taking State funds, Federal funds. If they're not, then they don't have to be licensed.

Mr. Domini: And at that point, you know, without redefining this then that would become a State licensed day care facility and would be a special exception which kind of complicates the situation if you didn't do this.

Mr. Clemens: Right. Any other questions? If not, I'd like to send this to Council for it's first reading. Do I have a second? Seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries. Thank you, Aaron.

Mr. Domini: Thank you.

Mr. Clemens: Item 6 - DISCUSSION: Authorize preparation of documentation, and advertisement for bids for the 2009 Sanitary Sewer Televising and Cleaning. Mr. Miller.

Mr. Miller: Thank you Chairman Clemens. Like last year, we are wanting to televise and clean approximately 45,000 lineal feet of sanitary sewers this year in the Huber subdivision. My estimated cost for this work is \$85,000 and I anticipate that it will start in July and extend into November, before it's all complete. This work is being completed not only as part of our yearly maintenance program, but also in part to meet the requirements and provide us valuable data that's needed to satisfy the Director's Findings and Orders.

Mr. Clemens: And this is something we've done every year and it comes out of the Sanitary Sewer Fund.

Mr. Miller: Correct.

Mr. Clemens: Which is a standing issue that we, that we do.

Mr. Miller: Correct.

Mr. Clemens: Are there any questions for Mr. Miller pertaining to this? Members of Committee, members of Council? Mr. Hills.

Mr. Hills: Chairman Clemens, just one question because that I, we normally, this is the only time of the year we get to see Mark Kipp come in with tie on, but are you doing them now rather than Mark, I mean, is that an Engineering function now? He used to put them together.

Mr. Miller: He did wear a tie today. I spent most of my day....

Mr. Hills: And then you told him he didn't have to be here, huh.

Mr. Miller: Um, yes, Mark could have done this. I am the one preparing the books. I'm the one doing the cost estimate. I was asked to, to bring this together and present it to you tonight.

Mr. Hills: Okay, but Mark certainly has had some input on what's.....

Mr. Miller: Absolutely.

Mr. Clemens: I talked to Mark.

Mr. Miller: Mark was the one who selected the sewers that you have on the list in front of you.

Mr. Hills: I thank you.

Mr. Clemens: Yes, I discussed the issue with Mark and certainly he wouldn't come to Council with a purple tie on anyway. I'm sorry Jim, I didn't see that, but do I have any questions for Mr. Miller from members of the Committee, members of Council? If not, I'd like to send this to Council for it's first reading. Do I have a second? Seconded by Mr. Joseph. I'm sorry. Is there any questions?

Mrs. Frazier: Just a Motion.

Mr. Clemens: I didn't hear you. Motion?

Mrs. Frazier: Just a Motion.

Mr. Clemens: Send it to Council for it's reading for passage. Do I have a second? Second by Mr. Joseph for passage. All those in favor say "Aye". **(All voted "Aye") Opposed. (No response). Motion carries.** Jim, I'm going to wear a purple shirt that color next week anyways. It's nice. All right. Next item on the agenda.

Item 7 - DISCUSSION: Accept unrecorded Deed of Easement - Sidewalk (Reynoldsburg Investment Company) (0.041 acres). Mrs. Boratyn please.

Acting Safety/Service Director Boratyn: Thank you Chairman Clemens. This is just a very straightforward deed of easement for a sidewalk for Family Dollar. It's our standard deed drafted by our City Attorney's Office. It will go through it's standard readings.

Mr. Clemens: Okay, are there any questions of our Acting Safety/Service Director. Members of Committee, members of Council? If not, I'd like to send this to Council for it's first reading. Do I have a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Item 8 - **ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR BROAD STREET WATER TOWER RECONDITIONING**- -second reading 5-11-09. We'll have to amend this at the final reading at Council. There'll need to be an amendment to include a funding reference so we can do that at the final reading. Are there any questions for Mr. Miller pertaining to this or Mr. Harris either one, members of Committee, members of Council? If not I'd like to send this to Council for it's third reading with recommendation for passage. Do I have a second? Seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries. Thank you.

Item 9 - **ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR CONSTRUCTION ADMINISTRATION AND INSPECTION FOR BROAD STREET WATER TOWER RECONDITIONING**- -second reading 5-11-09. This also will have to be amended to include the funding reference at passage, when we put it up for passage next Monday night. Are there any questions for Mr. Harris, Mr. Miller pertaining to this from members of Committee, members of Council? If not, I'd like to send it to Council for it's final reading and motion for adoption. Do I have a second? Seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

That ends the meeting at 8:28 p.m.

Service Committee

- - -Nancy C. Frazier, Clerk of Council

May 18, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

May 18, 2009

Members of Finance Committee present: Ron Stake, Mel Clemens, Fred Deskins, Jr., Leslie Kelly.

Other members of Council present: Doug Joseph, Barth Cotner, Council President William L. Hills. Councilwoman Donna Shirey was absent.

Mr. Stake: I'll call to order the Finance Committee Meeting at 8:29 p.m.

Item 2 is approval of the agenda. Are there any additions or deletions to the agenda? We do have one addition, funding for the Civic Park multi-purpose trail. I'll make that 3a. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Item 3a is the funding for the Civic Park multi-purpose trail. I guess that grew by \$9,000, oh I'm sorry, yes.

Item 3 - Approval of minutes of Finance Committee meeting held May 4, 2009. Are there any changes to those minutes? None being heard, they'll stand as submitted.

Item 3a - Funding, the appropriation for the professional engineering for the multi-purpose trail at Civic Park. Mr. Miller, what's the exact amount we're going to need there, \$68,885?

Mr. Miller: Yeah, the, the, the \$9,000 figure that I gave you a moment ago was a very close approximation from our design professional. I'm going to have an updated proposal and an updated number in writing to Mrs. Frazier by the end of the week, but yes, the number's going to be approximately \$9,000 more than what you see now.

Mr. Stake: Okay. Just to back up a little bit, I know we talked about money in the CIP. What I'm showing here for the first three months of money going into our CIP fund is \$46,686.38 is that correct, Mr. Harris? The last fund report I have is dated 4-16-09 and it's for the first three months, I believe.

Mr. Harris: Yeh, there's also passed in April that won't show, doesn't show you that the \$500,000 doesn't show as revenue but there's \$500,000 also moved over from the General Fund with the passage of the Budget. Um, in that, there's also going to be a \$250,000 approximately increase when we get all the bills paid for Rosehill Road and we can ask for OPWC reimbursement for the engineering that's already been paid out of there as well.

Mr. Stake: But as far as our collections and/or deposits to the CIP Fund from our Income Tax allocations, it's about \$15,000 a month?

Mr. Harris: Ah, yeh.

Mr. Stake: Okay. Just want to share that with everybody.

Mr. Harris: It's between \$150,000 and \$200,000 a year basically what it's been running.

Mr. Stake: Okay. I think everybody gathered I'm not supportive of spending money here for this. I prefer to spend it on more important things. I think we have street needs and other kinds of needs so I certainly won't stand in the way, but I'm not going to make a motion.

Mrs. Kelly: I have a question.

Mr. Stake: Yes, go ahead Councilman Kelly.

Mrs. Kelly: Mr. Harris, looking at the um, CIP, Capital Improvements, our Capital Improvements ending balance for the end of 2009, I'm showing that it says that our ending balance \$1,943,485. Is that correct, am I reading that correctly?

Mr. Harris: We're not at the end of 2009. I don't know what.....

Mrs. Kelly: Is that projected?

Mr. Harris: Yes.

Mrs. Kelly: Okay. Well, I would like to move that we approve funding.

Mr. Stake: Okay. Councilwoman Kelly moves to approve the funding. Seconded by Mr. Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (Mr. Stake voted "Nay"). Motion passes.

Item 4 - Discussion: 2010 Tax Budget and I believe, Mr. Harris, you're presenting this to us. I imagine you're working with the Mayor for next year's budget on this?

Mr. Harris: We are started, the Mayor and I have had a couple of discussions on, as to when they are going to want the budget documents and the fund projections that go along with them. I think the original thing that you had sent out called for an October 1st deadline to have it to Council. I don't know if that has changed or not but this is really the beginning of the budget process with this, with this. This is a statutory requirement that we have to inform all three counties to which we have in of what our available resources are, our estimated expenditures so they can issue us a certificate of available resources and this must be filed with Franklin County which is the controlling county by July 18th.

Mr. Stake: Okay. So when would you be providing documentation for this? So I, I think it's important that we get started working on next year's budget as soon as possible.

Mr. Harris: I'll be on vacation next week but certainly I can have my estimates of available resources in June and then I can prepare the documents to go ahead and start, if you want to start doing stuff for the individual departments. I can also have the, all the payroll numbers together sometime in June, if that's when you prefer to start. It takes me about 8 - 10 days of computer, of time on a computer to get those things all put together, but I can certainly go ahead and begin that and we can

have a, set up a meeting to go over the estimated resources and then at that point, you can go ahead and start having meetings.

Mr. Stake: Okay, so you'll be working with the Mayor and the Directors on the Budget here shortly?

Mr. Harris: I'll get the budget documents all together and then it's the Mayor's budget to prepare and certainly I'll be providing whatever additional information that any of the Departments or Council would need.

Mr. Stake: Okay, and I see you're requesting an emergency on this.

Mr. Harris: Three readings and an emergency.

Mr. Stake: Okay.

Mr. Harris: That's what we've always done is we've presented it at this time. That gives everybody a chance to certainly look over it and I think, don't we have to have a hearing, a Public Hearing on this too Mrs. Frazier? So that gives you time to set the Public Hearing and then go ahead and get the three readings. Past the 30 days is the problem at the end of the last reading is why I need the emergency on it, but certainly we have plenty of time for the three readings.

Mr. Stake: Okay, thank you. Are there any questions or comments for the Auditor, members of the Finance Committee, members of Council, President Hills?

Mr. Hills: The only question is, not so much on this. We're kind of jumping back and forth and using the Tax Budget leading in to the other budget. I will a, I think I need to clarify. I, our last budget was passed just recently. I have received comments and concerns from a number of Council people as to they didn't get to quite participate or understand exactly what was going on and I think it will be the goal of the 2010 budget that won't happen because I'm seeing, because of it not happening, questions are raised like the CIP and everything else. Leslie Kelly's making a very good point. There is money in there. Mr. Harris is making a good point. It didn't come from tax dollars but you've got to see the budget to understand that. There are, and the Mayor and I have talked and we, there are, money needs to come in from the taxpayers to long term debt, into the CIP. We've been very fortunate in projects where Streetscape, Rosehill where there are monies that come in and you do a good job of getting it done. You don't spend as much, you can use those funds then to pay part of that long term debt. You have some money that you didn't spend in a budget. That's why people wonder, why are you so worried about a tight budget because the monies we don't spend, we've been moving to the CIP account to put in there because the taxpayers aren't putting money in there. These percentages are determined so I, I appreciate Mr. Stake saying that we, we will start and I, for those that haven't been through this before, it can be a long boring process so those who wanted to participate are going to get to see it as the whole nitty gritty and that's what, then you'll be more familiar with what people are doing and how they're doing what they're doing and I don't think there's any great opposition to that because the

three or four that have told me they want to know more, we're going to give them the opportunity to know more. Thank you Mr. Chairman.

Mr. Stake: Thank you President Hills. Are there any other questions or comments from members of Council in regards to this? Then I'll make a motion that we send this item on to Council for it's first reading. Seconded by Mr. Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Mr. Harris: Thank you.

Mr. Stake: Thank you Mr. Harris.

Item 5 - Discussion: Authorize "Office and Industrial Incentive Program" and this comes from our Development Director Lucas Haire.

Mr. Haire: Thank you Chairman Stake, Council members. The proposal before you this evening is authorization to create an industrial, an office and industrial incentive program and the goal of this program is the use and reuse of some of the vacant office and industrial space that we have in the city. We currently have more than 150,000 square feet of vacant office and industrial space in the city that's not being used and hopefully this will assist in tenanting and re-tenanting that space. The program will create a yearly cash incentive payment to businesses that choose to locate in Reynoldsburg if they meet the specified criteria as set forward. The incentive amount will be calculated based on a percentage of the local income tax the employees of that company pay to the City of Reynoldsburg and a negotiated percentage of that local income tax will be granted back in a payment the following year after it's paid so it's similar to the job creation tax credit that I know that this Board has approved in the past for certain companies in the City but that's a credit based on taxes that they owe. This would be a payment based on taxes that they've already paid at a negotiated percent. It will be negotiated up front for a certain term. All the program guidelines are set forth in the documents that you have so I'd be happy to entertain any questions that you have in regards to those.

Mr. Stake: Okay, thank you Mr. Haire. Are there any questions for the Development Director from members of the Finance Committee, members of Council? Councilman Joseph.

Mr. Joseph: Thank you Chairman. Looking at, you say Gahanna, Dublin and downtown Columbus have used this type of program. By what measure do they deem it a success? I mean, how do they measure that?

Mr. Haire: Well, it's basically this, this incentive program is unique in that the employer only gains the incentive by employing the target number of people. The more people they employ, the larger the incentive can be so there's incentive to create jobs and to grow. There's no penalty I would guess for not growing because we're only saying that you have to meet the minimum criteria. If you meet that minimum criteria we'll, we'll basically give you the incentive that we negotiated in good faith with you.

Mr. Joseph: Would you say these communities have, they believe that they've seen job growth because of this program?

Mr. Haire: Significant job growth, especially with downtown Columbus and Dublin. Downtown Columbus has seen significant job growth in some of the vacant office spaces that they've had because of this program and that's, the difficulty is that the majority of incentives that are available through the State of Ohio are geared to new buildings or new businesses, not necessarily, you know existing businesses within the State. So this allows people to move from community to community and still have an opportunity to gain an incentive and these aren't huge numbers. They're not huge incentives to get companies to go there unless you're creating an enormous amount of jobs, but they help offset some of the relocation expenses, moving expenses that companies incur by changing locations.

Mr. Joseph: Do you happen to know if they saw any type of jump the first year they did it or did it take time. Did they have to have this program on the books for awhile before it really took effect.

Mr. Haire: I know in Dublin, the first time that they used this program was when they relocated about four hundred positions from Nationwide Insurance to Dublin.

Mr. Joseph: Okay, thank you.

Mr. Stake: Any other questions for the Development Director? Lucas, who's going to enforce this? I guess, I guess the company has a requirement to show you that they've complied.

Mr. Haire: The company will, will submit documents each year requesting a certain amount of incentive based on income tax that they've paid to the city and that will be cross-checked with the Auditor's office and most likely with RITA, I would imagine, to make sure it's valid what they've submitted so that'll be audited and then it will be paid based on that.

Mr. Stake: But the burden, in order to get that credit, is on the company to come forward with that information, not like we got to go to them and pry it out.

Mr. Haire: They need, they need to submit it to get a payment. They need to submit all the required documentation.

Mr. Stake: Okay, good. I think it's a good program. Mr. Cotner.

Mr. Cotner: Mr. Haire, I just wanted to double-check. It says up to a period up a maximum of eight years. What's that, how's that determined? Do they apply for it each year and automatically maintain it for eight years?

Mr. Haire: All that will be negotiated up front based on the application that's attached to the back and then as, as, on the second sheet, there's a program oversight which is, which says there shall be created an incentive advisory board so that board will approve the application and that board's composed of myself, the Mayor, the City Auditor and two members that are appointed by Council so up front, we'll determine, you know, up to eight years and that's typically, I think I set forth in there the eight year terms for two hundred or more new employees so there's significant job growth required for that, for that type of incentive to be granted.

Mr. Cotner: Thank you.

Mr. Stake: Councilman Clemens.

Mr. Clemens: He, he, got the question.

Mr. Stake: He got the question for you? Okay. Any other questions, comments, members of Committee, members of Council. And just regular three readings on this? Okay, then I'll make a motion that we send this forward for it's first reading. Seconded by Mr. Clemens. All those in favor say "Aye". **(All voted "Aye") Opposed. (No response). Motion carries.**

Item 6 - Discussion: Authorize creation of account in the Safety/Service Department to pay for mowing; and transfer of funds, and this comes from Pamela Boratyn.

Mrs. Boratyn: Thank you Chairman Stake, members of Council. This is something that we kicked around, myself and the Auditor and Jason Shamblin trying to determine a better way to handle some of these costs that are coming from having to mow grass and having looked at what happened in 2007 and 2008, we knew we were going to have quite a bit of expenses and we've come and gotten more money in the budget to do, to handle mowing and grass and boarding up buildings but we thought this would be a, we could come up with a better way and cost us less so that's what we've done. We decided we would hire a seasonal employee that would come through the Parks and Recreation but I fund the paying of that because I, my budget has the money to pay for the mowing and so that's basically what we're here to do is to create an account because there's not one for seasonal employees so that we could transfer this money out of the line item where I have it for mowing grass into that, \$5,000 into that to pay for the seasonal employee. This is the process that the Auditor indicated that we should follow so that's what we've come to do, is just simply ask you to create that account and then transfer some of the money that's already in the line item over.

Mr. Harris: This is something, Mr. Stake, that was normally handled through hiring a company to go out and pay these things and we were paying like \$50 or \$75 and obviously, they feel in-house they can do it with a seasonal employee. They can do this more easily and a heck of a lot cheaper. Also, that would take care of the residential and then if we end up with a big field to mow then the Parks and Rec people would do it. We would have a place to transfer the time and we use the same dollar figure for the equipment that what FEMA allows so that we have a standard to work off of.

Mrs. Boratyn: Right, and last year, we ran out of money so we wound up doing it in-house with some of our employees anyway. So we figure that by doing in-house employees and doing a seasonal employee, we should get through the season and we'll see how we go. Particularly, since we're probably, I know we're going to have more vacants. We're already seeing more vacants for the mowing.

Mr. Stake: And the grass is growing fast.

Mrs. Boratyn: The grass is growing fast. It's hard to keep up with it.

Mr. Stake: Okay. Any questions or comments from members of the Finance Committee? Councilman Clemens?

Mr. Clemens: Yeh and I agree with what Mrs. Boratyn's doing and this is the first year in quite a few years that I've actually seen anything done and I want to compliment her on the job she's doing and it looks much better and if you have a problem, call her. That's the one you want to call. I can guarantee you that.

Mrs. Boratyn: Thank you, thank you.

Mr. Stake: Okay, any other questions or comments from members of Finance Committee or members of Council? Three readings.....

Mrs. Boratyn: Yes.

Mr. Stake: Okay, then I will make a motion that we send it on to Council to create account 110-448-5141 in the Safety/Service Department entitled "Seasonal Employees" and to transfer \$5,000 from account 110-448-5398, Trees and Grass to account 110-448-5141 to pay the cost of part time seasonal employee to cut the grass and weeds for the 2009 mowing season. Seconded by Mr. Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Mrs. Boratyn: Thank you Councilman Stake.

Mr. Stake: Item 7 - Discussion: Adoption of Bond Ordinance - maintenance of the Broad Street Water Tower. Mr. Harris.

Mr. Harris: Thank you Councilman Stake. Mr. Kipp informed me several weeks ago that they were not going to be able to, they were not funded with the grant money to do the Broad Street Water Tower. We then had to scramble to find some kind of financing for the project. I sent out an RFP

to five banks in order to secure the money. Heartland Bank was the successful bidder. We are doing a General Obligation Bond Ordinance like we have done on some of these smaller projects in the past like the Broad Street Water Line and the sewer line on Taylor Road. This will be a five year bond, not to exceed \$650,000. This will take care of the contract and the contingency and the engineering to complete the project.

Mr. Stake: Okay. Any questions or comments for the Auditor? President Hills.

Mr. Hills: Just one question, and I guess I'll bring it up because I didn't do it in Service but, I take it we're here because the EPA did not fund what we thought was presented to Council, was pretty much a sure thing, we got it there and they're going to give us the money....

Mr. Harris: Ah.....

Mr. Hills:sliced bread.

Mr. Harris: The letter that I got, all it said was, that it wasn't funded.

Mr. Hills: Okay. I guess we spent a lot of time getting it together to go there. About the same as the salt trucks, right?

Mr. Harris: Absolutely.

Mr. Hills: So we end up with Civic Park.

Mr. Clemens: In other words, we were dumped.

Mr. Harris: We didn't, let's just put it this way, according to what it said, we didn't make the cut.

Mr. Hills: I, I just wanted to bring that up because I, we had some very viable projects and this one, there was no, it was ready to go. All the work was done.

Mr. Harris: Absolutely, and it has, unfortunately, it has to be done. It's probably a couple of years beyond.....

Mr. Hills: The dump trucks were needed, the documentation was there and we just didn't make that short list and I guess we thank EPA for one, my favorite agency and who's - Development on the other one?

Mr. Harris: Yeh, it did come from the Department of Development.

Mr. Hills: On the salt trucks?

Mr. Harris: Yeh.

Mr. Hills: So, I, it's nice to note those things. We had a good try guys and it didn't work.

Mr. Harris: But it looked, you know, as with all those things, they always look good at the beginning, but when it comes time to pass out the money, ah gee, we're sorry, you didn't make the cut.

Mr. Hills: It's government, trust me, right?

Mr. Harris: Yes, absolutely.

Mr. Hills: Thank you....

Mr. Harris: It's a beautiful thing.

Mr. Stake: Are there any other questions for the Auditor? Will this effect our Bond rating at all?

Mr. Harris: No. As a matter of fact, Moody's is looking at raising our Bond rating and some other Municipal Bonds because they now feel that for years they've been undervalued so I would think by the end of the year, we're probably going to see a 1 - 2 spot jump in our Bond rating. We pay off approximately \$2,000,000 and we've taken out less than \$1,000,000 for the last three years so we are, our debt has gone down. Unfortunately, our problem is that most of our debt because of Streetscape and the Police Building is out for another 10 - 15 years so we've got a ways to pay it down.

Mr. Hills: Councilman Stake, could I ask, is that his pitch for more money going into the long term Debt Retirement Fund?

Mr. Harris: We'll get to that one in September when we've got to start moving money.

Mr. Stake: I'm looking at a negative \$1,000,000 on the Fund Sheet in Debt Retirement so I think it probably.....

Mr. Harris: Yes, it's something we're certainly going to have to have some serious discussions on, there is no question about it.

Mr. Stake: As I said earlier, I think we have other priorities, but anyways, okay, any other questions in regards to this and you want an emergency on this? How many readings?

Mr. Harris: Just this one. We have to have this in place before they can issue the contract. We have to know how it's going to be paid for.

Mr. Stake: Okay, then I'll make a motion that we send on to Council with recommendation for adoption as an emergency the attached Bond Ordinance, which will allow the city to borrow up to \$650,000 for the purpose of paying for the maintenance of the Broad Street Water Tower. Repayment of this loan will come from the Water Fund 710. Seconded by Mrs. Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Mr. Harris: Thank you.

Mr. Stake: Item 8 - Discussion: Amend Section 160.02 "Authorized Positions, Personnel, Classification and Pay Grade" Subsection (a) "Administrative" to change the full time position of Data Entry Operator to part time; thus resulting in two part time Data Entry Operators in the Clerk of Courts Department.- -*held 5-4-09*, and the Mayor's back ready to address this again.

Mayor McCloud: I'm here to answer questions.

Mr. Stake: Any questions for the Mayor in regards to this from the Finance Committee for the Mayor? Councilman Kelly.

Mrs. Kelly: I have a question, I'm sorry. I was not able to attend. I did read through the minutes. I have just a question, I guess clarifying for myself. This was a full time position and the person left so we have an open full time position and you want to get rid of that, or change that position, instead of a full time position, a part time position, so kind of half the person?

Mayor McCloud: That is correct.

Mrs. Kelly: In a nutshell.

Mayor McCloud: That is correct.

Mrs. Kelly: Thank you, that was my only question.

Mr. Stake: Councilman Clemens.

Mr. Clemens: Let's get back to the meat of it. This was a full time position that was emptied, it was not going to be filled. The Mayor now wants to have a part time position, is willing to do away with the full time position for a part time position. He can hire a full time if he wants to right now. So we might as well go to the part time, if it doesn't work, we'll eliminate it the first of the year. That makes it fine with me. We'll go with part time, eliminate the full time, everybody's happy, we go home clapping and all that and that's the way I look at it.

Mrs. Kelly: You're playing nice.

Mr. Clemens: He can appoint a full time and there's no sense in going through that.

Mr. Stake: Yeah, and that's fine with me. But what I would like to do, I imagine, well I don't imagine, I believe that the full time position was funded, correct?

Mayor McCloud: That is correct.

Mr. Stake: In the budget, so we can return the excess money back to the General Fund then.

Mayor McCloud: That is correct.

Mr. Stake: Okay, are we able, Mrs. Frazier, are we able to do that in this Ordinance or would that have to be a separate Ordinance?

Mrs. Frazier: You can do it.

Mr. Stake: Okay. All right and you want an emergency?

Mayor McCloud: Yes, please.

Mr. Stake: Passed next week?

Mayor McCloud: Yes, please.

Mr. Stake: Okay. Then I'll make a motion that we change the Personnel Policy and Procedure Manual - 160.02(a) to eliminate the full time Data Entry Operator position and replace that with a part time position and return the excess funds back to the General Fund as an emergency. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Mayor McCloud: Thank you.

Mr. Stake: Item 9 - **RESOLUTION ADOPTING THE REVISED CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF REYNOLDSBURG, OHIO FOR THE YEARS 2009 THROUGH 2013** - -first reading 5-11-09. This also came from the Mayor. Are there any, we addressed this last week, we discussed this last week. Are there any questions or comments in regards to this item from members of the Finance Committee? Councilwoman Kelly.

Mrs. Kelly: I have just a couple questions again from reading through the minutes. There was a project that was taken out of the CIP in regards to Rodebaugh Road Sewer Project. My understanding, I've done some checking and talked to a number of people, my understanding that at one point in time, there was, the project was pretty much ready to go. There was some several snags or some, several issues that came up and it kind of got, um, undone so to speak. I think that the people on Rodebaugh have a legitimate concern in having sewer and water. Especially, I think it's fresh in some of their minds after the windstorms and they were without, spent some time without water and sewer. After speaking with, I've spoken with Mr. Miller, and again talking to some other folks about it, I would like to see as a minimum, having the project put on some form of an exploratory addendum and I'd like to see us engage those residents in conversation much like we did with the pond around Civic Park in looking at those easements and engage those, the residents there on Rodebaugh as to what possible solutions and, and what those projects might look like to, if we can move forward, to maybe avoid some of those snags and I'd like to see if we can do that with some form of a time line so it isn't something that sits on an exploratory for, you know, for an extended period of time. Just a suggestion.

Mayor McCloud: We'll do that. What would you like to happen first?

Mrs. Kelly: I would like to get it put back on either, somehow attached to the CIP, if as Engineer, Mayor, if you're not comfortable having on the CIP, attached to the CIP, so that it is still something that we are looking into. I understand, you know, if we're going to hit the same snags that occurred the last time, let's find out if we're going to hit those or not and help mitigate maybe some solutions, whatever those solutions may be and see where those residents are in regard to that.

Mayor McCloud: We can put this back in. I'm fine with that.

Mr. Stake: Councilman Clemens.

Mr. Clemens: You know, that's not all that's to it. We have an Ordinance that's costing the City all kind of money that we have to change before we get in these sewer projects and I would, not that's not, it wasn't done by Administration. That was done by City Council. I wasn't in favor of the mother when they did it and I don't think Dick Harris was and a few other people but we do have that \$2,900 deal right there. Now, we got other projects coming up. That's something we've discussed. Either if Administration wants to come up with something or if you'd rather have Council work on it with the Committee but that's something we got to get changed before we get into these projects where it cost us \$10,000 or \$15,000 for the City to do it.

Mrs. Kelly: Absolutely.

Mr. Clemens: So I mean, and I have no problem with the Rodebaugh or anything like that looking into it and things like that but this Ordinance that we have, we have to do something with that because

that was done for a purpose at that time and that purpose has been eliminated, it's in the Service so, as a matter of fact. Anyhow, I think we got to change that Ordinance.

Mr. Hills: And that offer was held open for a number of years.

Mr. Clemens: That's right. It's been, how long has it been Brad? It's been....

Mayor McCloud: It's been ten years and.....

Mr. Clemens: Ten years.....

Mr. Hills: And the citizens have chosen not to exercise that so.....

Mr. Clemens: And everything's went up since then and, and we need to accomplish that, now however it wants to be handled. Whether it wants to be handled with a Committee of, run it through my Committee to get it changed or a Committee of Council for Bill to appoint or if Administration would rather draft up an Ordinance to get it changed.

Mr. Hills: We want to talk about that and come up with whatever. It was sort of a conjunction of both Administration and Council last time around so.

Mr. Clemens: Because we're liable, we're liable to have people come down and oppose and so forth but it is, the way the finances are with the City now, we just couldn't handle some of these things.

Mrs. Kelly: Well, and if I could, go back to.....

Mr. Stake: Yeah, Councilman Kelly go.

Mrs. Kelly: Basically, what I would like to see is, I guess maybe a more compacted or cleaner, this is what we're going to do, this is what we can't do, this is what it will look like so that the people that are there understand, this is what the new deal will look like because if where we are, this is what would have to happen. It's not a project you can do for this house but then this house doesn't want it and this house does want it. So, and again, I think we need to engage them so that if we do, if we do end up taking it out, that there's a very clear understanding why that, that is not there.

Mr. Stake: There's a couple things that we were talking about in regards to this. We were talking about a water line on Rodebaugh Road and a sewer line. And then we're talking about another, we're talking about the a, fee to hook up, correct is what you spoke about Councilman Clemens.

Mr. Clemens: I'm interested in the fee before we.....(inaudible)

Mr. Stake: To hook up, now without a sewer line there, people don't have the opportunity to hook up, at this point and the Capital Improvements Project Budget is a planning document, I mean, some of these things go out to 2013. So, I mean, all and I brought this up last meeting, what I'd like to see is those two items back in there and whatever happens after that is fine with me, but I would like to see those in there so that they're still on radar and people are aware that, that's something that we, I think we should do in the future. Mr. Harris, I see you standing up.

Mr. Harris: Yeah, a couple of things I think that should be noted was the reason that Council stopped the sewer line project, and the water line project was kind of put on hold. There's like twenty people in that area. Twelve of them live in the City, nine of them live in the Township and the cost of running water - sewer to those people's around \$60,000 a household and we only get \$4,000, \$2,900 back. The tap fees we have to share with Columbus so I think that was the reason when the problem came up with the cost of getting easements added to that, that's why the project was abandoned several years ago. I mean, it was ready to, it was ready to go. There had been Resolution of Necessity drawn up and other things and it was made a decision that \$60,000 per household was beyond the scope of what was reasonable at that period of time. So the problem with the whole project was money. Most of these houses, when they were built, you had to have very large lots to put a septic system on. The other problem is, you have a number of people that didn't want to attach but State law says, "once sewer's available, you must abandon your system" which means pull it out or fill it full of gravel, which either one is very expensive. So, I think you will run into some problems as you go forward and you're going to have a number of residents who probably want it and a number of residents that don't, but the cost per household is extremely high.

Mr. Stake: Well, and I think we're talking about two different things again. You're referring I think mostly to the sewer part of it. I don't think the cost for the water is, is.....

Mr. Harris: It's about \$400 a piece.

Mr. Stake: As much as that and I can tell you that I know several neighborhoods where the water line goes right down the road through the Township and goes to Reynoldsburg incorporated area.

Mr. Harris: Sure.

Mr. Stake: So I mean, this is not something new.

Mr. Harris: No.

Mr. Stake: This is something we've done in the past. Okay. So, Councilman Kelly, what's.....

Mrs. Kelly: I would like to, and again, I, tell me which is the best way I'd like to see it somehow added back to the CIP whether it's by an addendum or it's in the CIP and I'd like for us to look at

engaging the community again to come up with a plan and make sure they're educated and to what exactly that would entail and what that would mean for them. Because it is going to be different than it was ten years ago.

Mayor McCloud: Right. I am fine with just putting this back in the CIP as astand alone projects; I have no problem.

Mr. Stake: Okay, and I mean you, as far as I'm concerned, you can put it out to 2013 if you'd like. If there's some reason that when you engage with these residents, they want to do it sooner than that, there's always next year so. So then, I guess you'll come forward with revised Capital Improvements Project document with those two added in there.

Mayor McCloud: And there will be other updates as well in there.

Mr. Stake: Okay. All right then, are there any questions or comments in regards to this item from members of the Finance Committee, members of Council? Councilman Clemens.

Mr. Clemens: Only one thing and I think Dick brought this up and the Mayor would have brought this up before. We do have to be changing our Ordinances getting more money in Capital Improvement Fund and also Debt Retirement Fund so we might as well understand that, that when we do that, that's taking, going to put less money in the General Fund. If we do have to start paying off, if we do have to start paying, putting money in that Capital Improvements Fund and also in Debt Retirement, that's the way, it's just as simple as that.

Mr. Stake: And I imagine we'll have a lot of discussion about that when the budget is discussed for next year.

Mr. Clemens: I mean, the Capital Improvement Fund looks good but like I said, it's not tax money going into it. It's us switching money around.

Mr. Stake: Right.

Mr. Clemens: And so, you know we're just going to have to do it.

Mr. Stake: Okay. Then I'll make a motion that we send this item on with the revisions that we just discussed, on to Council for it's second reading. Seconded by Mrs. Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Item 10 - ORDINANCE TO AMEND ORDINANCE NO. 2-09 PASSED JANUARY 26, 2009 TO REFLECT CORRECT CONTRACT AMOUNT- -second reading 5-11-09. Are there any questions or comments in regards to this item from members of the Finance Committee, members of Council? Hearing none, then I'll make a motion we send this item on to Council with

recommendation for adoption. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Item 11 - ORDINANCE MAKING APPROPRIATION FOR REIMBURSEMENT TO MORPC FOR ADMINISTRATION COSTS INCURRED FOR THE COORDINATION OF ROUND 22 of THE SCIP/SGF, AND/OR THE LTIP (Rosehill Road Reconstruction)- -second reading 5-11-09. Are there any questions or comments in regards to this item from members of the Finance Committee, members of Council? Then I'll make a motion we send this item on to Council with recommendation for adoption. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

I'll adjourn the Finance Committee at 9:06 p.m.

Finance Committee

---Nancy C. Frazier, Clerk of Council

May 18, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)