

SAFETY COMMITTEE MEETING MINUTES

May 7, 2007

Members of Safety Committee present: Ron Stake, Antoinette Newman, Donna Shirey, Brett Baxter.

Other members of Council present: Doug Joseph, Mel Clemens, Preston Stearns, President of Council William L. Hills.

Mr. Stake: I'll call to order, the Safety Committee meeting at 7:30.

The second item on the agenda is approval of the agenda. I have one addition to the agenda. Request from the Mayor to bring back up from Other Legislation, Discussion: Revisit legislation that authorized three additional police officers. I'd like to add that as item number 7. Are there any other changes to the agenda? (No response). I make a motion that we add item number 1, Other Legislation, to the regular agenda item number 7. All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 3 is approval of the minutes of the April 16, 2007 Safety Committee meeting. Are there any changes to those minutes? (No response). None being heard, those minutes will stand as submitted.

Item number 4 is Authorization of two contracts. One, the Main Street curb ramps (ODOT 2008 Urban Paving Project). This was brought forward to us by the Safety/Service Director, Steve DeBolt. Mr. DeBolt, do you want to enlighten us a little bit on this please?

Mr. DeBolt: Basically as you know, the program that we're promoting to pave Graham Road using the monies available from the License Fund for the county, allows us to do this project and get that street done since it's one of the six roads that we can use those funds on. So we'd like to move forward to get this project started here this year. And the other project is basically the paving of the road, and then the curb and ramp repairs. So we have to do that in order to get the job done as well. Questions?

Mr. Stake: Are there any questions from the Safety Committee for Mr. DeBolt? (No response). I don't know if I have any questions. I just want to make sure we clarify this. And I'm having a little trouble, I'm getting older and my eyes aren't as good as they used to be. Everybody else's legislation was pretty small here. You've got to be a little kinder to us and give us a little larger print in the future please.

Mr. DeBolt: You're right. Since I noticed that with my glasses myself. And I just decided to put them on today. But I can't read with them. I can see far away. The breakdown, in order, because the monies were coming from different funds, it had to be broken down that way because as you know, we were taking some of the money from the Main Street contingency. And the other money was coming from the fund with the county. Therefore, we had to break it down specifically in those amounts.

Mr. Stake: Okay. So on Main Street, the construction amount is \$85,738.50. Engineering is 10,000. Contingency, 7500. And that would come from the Main Street Fund, correct?

Mr. DeBolt: That is correct I believe. Yes. Again, the monies that were left over from the project.

Mr. Stake: Right. And this would be two separate ordinances. So let's just stick on Main Street at this time. But those monies would be appropriated to the CIP account 410.114.5659 if I read that properly.

Mr. DeBolt: That appears correct. _____ small print.

Mr. Stake: Okay. And we, I think we've all agreed that we're going to do this. And you do need an emergency on this?

Mr. DeBolt: Please.

Mr. Stake: Okay. Any questions from anybody on Council? Or comments for Mr. DeBolt or anybody else in regards to this project? (No response). Okay. Well then, none being heard, I'll make a motion that we appropriate those monies to CIP account 410.114.5659. Or I guess what we're doing here is authorizing the Mayor to enter into a contract with Newcomer Concrete Services for the construction of Main Street curb ramps in this portion, or in this ordinance. We'll do the appropriation to, we also, we need to send this to Finance for the appropriation. So I make that motion. Do I have a second? Second by Councilwoman Shirey. Any further discussion? (No response). Then we send this forward with recommendation for adoption as an emergency. And I imagine you still second that, correct?

Mrs. Shirey: Yes.

Mr. Stake: Okay. All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes. Thank you.

And then the second part of this is the Graham Road Repaving Project. And so people know, I believe, correct me if I'm wrong, but we bid this out together so that we could get some better numbers that way. So that's kind of why they're all coming in together. And that's why we're authorizing the same contractor to do both projects. And in this case, Graham Road construction's going to be \$183,527.45. The engineering is \$20,000. The Graham Road contingency is \$12,500. And I believe this would come from the Capital Improvements Project Fund.

Mr. DeBolt: That's correct.

Mr. Stake: Okay. So we're not putting any more money into that for this project? It'll come out of that?

Mr. DeBolt: This is coming out of the Permissive Tax Fund.

Mr. Harris: Permissive Tax Fund.

Mr. DeBolt: Yes. Thank you.

Mr. Hills: Which is not the CIP Fund.

Mr. Harris: No. It=s being paid for out of the Franklin County Permissive Tax Fund.

Mr. DeBolt: Thank you. Yeah. It=s one of the six streets that we can use it on.

Mr. Stake: Okay. What fund number is that, Dick?

Mayor McPherson: It=s 440.002.5659, it=s coming out of. And it=s going into the unappropriated CIP Fund 410.114.5659.

Mr. Stake: Okay. Thank you.

Mrs. Frazier: Mr. Stake?

Mr. Stake: Yes.

Mrs. Frazier: I thought you were going to do Main Street from the 440 and you were going to do Graham Road from CIP.

Mr. Hills: It would be nice if we had a title to what these numbers are.

Mayor McPherson: The numbers that I just gave you are for the Main Street. Okay, the Graham Road will be coming from the unappropriated General Fund only. Not going from the Permissive Tax Fund. I don=t know if we have numbers on the Permissive Tax Fund or not.

Mr. Harris: We don=t have the, the Permissive Tax Fund will have to be sent from Franklin County, and it will go into the CIP Fund. To be paid out of the CIP Fund. We don=t have a fund number for the Franklin County. Nor do we have one from the Licking County or the Fairfield County Permissive Tax Fund.

Mayor McPherson: Just so you understand. It will go into the CIP Fund. And it will be paid from the unappropriated CIP Fund.

Mr. Harris: Right. It will actually be a revenue source for the CIP Fund when it=s done. And then it will be paid for out of the CIP Fund.

Mrs. Frazier: For which one? Graham Road?

Mr. Harris: Graham Road.

Mayor McPherson: For Graham Road only.

Mrs. Frazier: But the other one, 440.

Mr. Harris: Main Street is being paid for out of the same number as the Main Street Project. All they did with Main Street is extend the termini.

Mrs. Frazier: Thank you.

Mayor McPherson: Right.

Mr. Stake: Okay. So, Mr. Hills.

Mr. Hills: Now that explanation makes more sense.

Mr. DeBolt: We did get a letter this week from the county saying that once the final construction costs are known, then they would let us know what that amount is. And then we'll be able to....

Mr. Hills: Keep in the back of your mind that usually you need a piece of legislation to say do that too. This cutting the, I don't want to say cutting the side deals, that's not the best way to say that, is it? But I believe, to release the funds from Franklin County, they need a piece of legislation from this Council saying, release them. It just encloses the paperwork loop.

Mr. DeBolt: Okay.

Mr. Stake: So I guess what the President is saying, that in the future when we do these, come forward with legislation requesting that they release the funds. Council passes that and we're good to go.

Mr. Hills: I think once we award the contract then you'll send the notice down there to get them to release it I believe and they'll attach it with that.

Mr. Stake: Okay. Any questions or comments from the Safety Committee for the Mayor, Safety/Service Director? (No response). Council? (No response). Then again here, we're authorizing a contract for the repaving of Graham Road. And this will come from the CIP account 410.114.5659. And we also refer this to Finance for funding. But in this case we're authorizing the contract. Do I have a second? Second by Councilwoman Shirey. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes. Thank you.

Item number 5 is Authorization of engineering service for the 2007 Street Program and appropriation of funds. We received in our packets, an authorization to direct EMH&T to obtain the necessary field data, measurements, prepare bid documents, estimate of construction costs, apply bid documents for distribution, advertise for bids, review bids, receive and preparation of bid tabs for the 2007 Street Program, and request appropriate \$20,000 from the unappropriated CIP Fund to account number 410.115.5651. And I know there has been, we talked about, I did attend some of the CIP meetings, or all the CIP meetings, and we talked about a different program there than we're talking about here. And maybe you'd like to explain why you're coming forward with this project and not that one.

Mr. DeBolt: Thank you Mr. Chairman, members of Council. Earlier in the year when we talked about a potential Street Program for this year, based on the budget situation that we had, and the fact that we anticipated hopefully paving some of the other major streets in town, we were satisfied maybe just going forward with maybe a \$200,000 budget perhaps to do some crack seal and perhaps maybe some slurry seal, a couple of other streets, if as needed. Therefore, it wasn't going to be a major program in terms of doing street paving as we would have hoped. However, a couple of factors changed that. One, the fact that we had a severe winter, probably more so than we had recently, and the damage that it did to certain streets. On an inspection later in the Spring, made us rethink the idea of perhaps just doing a limited program. Secondly, in talking to EMH&T in terms of the escalating cost of doing pavement projects, because asphalt is oil based and we all know the cost of oil is going up. Therefore, if we continue to delay projects to pave that are out there to be paved, we would be getting less street paving for our money in essence. And the fact that some of those streets that are out there that are damaged are pretty much damaged to the point that they would need repaving. We have been filling them with cold patch but again, that's only good for a certain amount of time. I think I pointed out an example in the memo that Main Street has gone beyond the point of needing paving as we all know. And fielding calls from residents that had damage to cars and wheels that we have a certain amount of immunity on that. But at the same time, we have to fix it right away. So we don't want a number of streets in town that are to that point where we can't keep up with fixing them. Therefore, we wanted to try to promote a program that we could be responsible in paving as many streets as we could with again, limited resources. So we thought that we would put something together that would allow Council to consider moving forward with paving some streets with the resources that we felt collectively were available. And to try to address the needs that we felt came up since we first talked about this here a number of months ago. And in essence, that's what we're trying to do. One point is is that some of the streets that again, we didn't do a Street Program last year. And in '05 we had a very limited Street Program of a couple hundred thousand dollars mainly targeted at Lancaster Avenue. Therefore, if we went this year without doing those as well, the lists of those streets that would actually need paving would be going up year to year. And with asphalt costs is again going up. In essence I think would be collecting on bills that we haven't been paying. And then when it comes time that we would have to do the work, we definitely probably wouldn't have enough money to keep up. So this is somewhat of a stop gap measure to keep up with the roads that are out there that we feel are in serious condition. And then we provided some pictures to you to maybe not keep ahead, but

maybe keep up. And maybe catch up a little bit since we haven't done anything for the last couple of years. I would point out, in the memo that I gave you, a couple of minor changes in that some of the, the one that I just gave you today dated May 7 is in essence the same as the one that we gave you dated May 3. Except that some of the street footages, a couple were maybe omitted. A couple were transpired on the second page. So those have been corrected. Also, on Merchants Drive and Officeview Place, those will be roads that would have to have concrete reconstruction in talking to our engineers rather than just mill and fill like the other streets that are listed. Again, that would be a more expensive incumbrance for those to be done. But we wanted to make sure you knew that that wasn't just a standard mill and fill. As far as the funding, again, that's an issue in talking to Mr. Harris. We feel there's, there are monies available. The amount would be a matter of discussion. But we think there's enough money to at least move forward. We'll try to pave as many streets as we can this year.

Mr. Stake: Okay. Are there any questions for Mr. DeBolt from members of the Safety Committee? Councilman Baxter.

Mr. Baxter: Councilman Stake, the question, we've already spoke on this Mr. DeBolt. And I want to depreciate, and make sure the citizens know, that you've actually gone out and looked at these streets.

Mr. DeBolt: Oh, definitely.

Mr. Baxter: You take pictures of them. And one of the things we've asked some time ago back was to put a priority on what needed to happen. And I see you've done that. The only question I have is based upon the concrete. And I'm sure if the cost of going concrete was more than putting in asphalt top to bottom, you'd go with the asphalt.

Mr. DeBolt: If it was an option. Again, it depends on.....

Mr. Baxter: If it is an option. Let's look from a cost respective. Because it is so much more for concrete. I don't know if it's more than having to put a whole new street in for asphalt. But I'm sure you're looking at that possibility.

Mr. DeBolt: These streets that we mentioned, the two that are concrete reconstruction, they technically are concrete right now. I thought maybe we'd just pave over them. But that doesn't seem to be the optimal. Based on the conditions of the streets, it's not.

Mr. Baxter: Also, one of the things to note is, that we are paying attention to an area that needs as much assistance as we can give it to try to revitalize that area. And taking care of the streets is one way of making it look a lot better. So I'm glad to see you have those on there. Thank you.

Mr. DeBolt: We also tried to look at a geographic areas of the city to try to have some balance. And you may notice that one area that doesn't have one listed right at this point is the northwest

quadrant. Again, I think I mentioned in the memo that we were looking at Rosehill as a high priority earlier this year. The fact that we're going to go for the grant warranted, we felt taking it off for any additional expenditures right now and looking to try to get a major project done next year. So that's why there isn't a street there. There was one other street that was on last years Street Program. I think it was Knob. And that street along with the others that were on last years program, in evaluating them, for whatever reason in the winter, they didn't fair as worse as some of the streets that weren't even on last year's program. So maybe it was materials, age of those particular streets, but it just warranted not addressing those streets that they could get through another year without having to be resurfaced. Again, if we were going to go just with the crack sealing to try to extend life, I'd say they would be probably candidates for that. But again, if we're trying to get the most out of our dollar to get the paving done before costs get any higher, those streets can probably wait at least another year or two.

Mr. Stake: Okay. And it's been a few years since we've done a serious Street Program I believe. I just wonder if anybody knows how much the price of asphalt has gone up in two or three years. Mr. Parkinson, I see you smiling. You should probably know that answer.

Mr. Parkinson: I'm told, in the last 5 years it's doubled.

Mr. Stake: Doubled?

Mr. Parkinson: It's doubled. We used to be able to get it for about \$30 a ton. And it's going 60 to \$65 a ton right now competitively. So it's pretty expensive. And it's not stopping.

Mr. Stake: And another question I have, what would be the comparison asphalt to concrete?

Mr. Parkinson: They're very comparable.

Mr. Stake: That's what I had heard.

Mr. Parkinson: And I think the industries do it that way on purpose. There was a time probably when the full depth flexible, the asphalt was a little more competitive than the concrete. And with this recent last spurt in prices, they're very, very comparable. And so it's a matter of which kind of street do you really want to have and to maintain.

Mr. Stake: Right.

Mr. Baxter: Doesn't concrete last longer though?

Mr. Parkinson: Actually, no it doesn't.

Mr. Baxter: Really? I'm surprised.

Mr. Stake: Councilwoman Newman, you had a question for Mr. Parkinson?

Mrs. Newman: Yes I do. What about the actual installation cost though of the two different materials? Is it more expensive to put in concrete? Because you have to have all those forms and gravel underneath and all that. So is it actually more expensive, the labor costs?

Mr. Parkinson: Well, when I was comparing costs, I was comparing the installation costs.

Mrs. Newman: Just the materials?

Mr. Parkinson: No. The actual cost of building the road in that fashion.

Mr. Stake: The total cost.

Mrs. Newman: So it was the whole thing then.

Mr. Parkinson: It=s the whole thing.

Mrs. Newman: Okay. Thanks.

Mr. Stake: Well, I can also attest that concrete doesn=t always hold up as well as asphalt. Because I=ve got a little of both in driveway. President Hills.

Mr. Hills: Mr. Stake, just if I could kind of, and David don=t leave, because ____ wind down to you. You are correct Steve, and I think the way you explained it, that certainly this year we had talked about a program that was Main Street in conjunction with ODOT.

Mr. DeBolt: Which is a _____. Yes.

Mr. Hills: Which is somewhere in the process of doing what you=ve done now. And then Graham Road, which now we=re getting ready to award the contract on that. Graham Road had to be done because we basically tore it up with the detour on Taylor. And then it was slurry seal. I read, Lancaster, the first, I was in the meetings. We were going to do the slurry seal. But then Waggoner Road came up because the county said, and you=ll notice what the county=s done already. So that means, when the county says, we=re going to do it, they go do it.

Mr. DeBolt: Hopefully by tomorrow. Yeah.

Mr. Hills: So we needed to do that because it=s a combination road. I don=t disagree with the roads at all. But as you talk about material, I think one thing to note, and that=s why I always like having the engineer when I say this, we=ve got two areas here that are east of Taylor Road. Those roads are only what, six, seven years old? Now maybe that=s why the price of asphalt is up double what it used to be. Because what they put down wasn=t that good. I don=t know. But

I think that=s something, as we look at our roads, we need to consider that. There=s some. I mean, this one on Kingsley, Crestview Court to Morningdew, that one I will comment, just sure everybody knows, I=ve asked about that one for 5 or 6 years. We had two Street Programs that didn=t bother to come together by about 1,000 feet. And so, does it need to be done? Yeah. You=re driving on a road, then gravel, then road again. That one looks like, where did we miss it? And I didn=t even use the engineer=s name on that one, did I?

But the next question I have is for the engineer. Ideally, these type of things would come to Council on January and February. We=re sitting here now in May. Realistically, if we have a cold snap in October, are we even going to get these projects bid and started? I mean, when you look at the, if it goes through three readings, the answer=s no. but I mean, are we even going to be able to, starting this late in the year, which what concerns me, the bidders we may get, will be those that have been thrown off other jobs and we=ll be looking at this 3 or 4 years from now to fix again. I think it=s something we need to consider. And that is a question.

The other question=s going to be, of the total expenditures from here, how much money do we have coming in in >07 dollars to pay for that expenditure? I=d like to be able to look at, out of the dollars coming in this year, that this is going to be our Street Program, are they covered or are we going back into monies that have been in reserve in accounts for a while? So as we go through the process, I think those are things we=ve just got to think about over all when we=re evaluating this program.

Mr. DeBolt: Your first question=s a point well-taken. And again, in an ideal situation, if we thought we were going to move forward with this we would have done it in the beginning and not had the problems with the bids. Again, it=s a situation now where it could be an issue. But we just felt it was worth looking into. Again, the money that we=re asking to spend at this point is for the engineering to actually go out and test the roads. And that won=t be money totally wasted if we didn=t move forward completely. Because we would have to do that work any way if we do it this year or next year. It=s just a matter, the monies that would be spent for the bidding that we hopefully can get done this year. And again, frankly, I=ve heard different schools of thought, if we, with the bidding, as far as this year, I rely hopefully on EMH&T to do the best job we can. And I think it=s worth a chance. Again, I=m looking to save money in the long run and try to expend it in the short run. So I thought it was worth a chance to at least explore it with engineering services.

Mr. Stake: Mr. Parkinson, do you want to address that? The fact that we=re into, we=re approaching summer now.

Mr. Parkinson: They=re very valid points. The issue of the bidder is, we can get good bidders, we can get bad bidders. That can usually happen at any time. We=re usually more successful at getting the good bidders in the colder weather at the beginning of the year as everybody=s setting up for their project. And that=s a given. If we as a city move forward with this quickly, we can have a contractor, or we can have a contract to you by July. If you can move quickly then, we can get the contractor started in August. And with that, we have pending weather. I can=t predict the weather in October or November. But you know, with good luck, we can get the job

done. With a little bit of bad luck, if we don't, if we have a hiccup in the bidding to where we can't get to you before your August recess, we have some very rainy days in the Summer, late Summer, early Fall, or the cold comes in a little early, then we are not going to complete the program this year and we'll have to push some of it out until the Spring. And if we see that coming, we'll manage the project accordingly so that we don't open some area up and leave it as a scar over the Winter. We'll just kind of say, okay don't do this until April. And you know, we'll just manage it as best we can.

Mr. Stake: Financially, how would we look? I mean, going into it now versus if we started the bidding in January? I mean, do you think we would....

Mr. Parkinson: Now versus this coming January?

Mr. Stake: Yes.

Mr. Parkinson: That's another good question. My guess is, the asphalt prices will continue to increase. But they competitively, we might get better prices. It may be a wash.

Mr. Stake: So one might offset the other.

Mr. Parkinson: It might. But I certainly know that asphalt, well I don't know that. I have every expectation that asphalt and gas are going to continue to rise. But I can't tell you which side of positive you would end up on if you made that decision.

Mr. Stake: Okay. And I guess what I'm hearing here, if we're going to do this, we ought to do it as an emergency to save time. I know there wasn't an emergency requested here. Anybody on the Safety Committee have a problem with that? Or anybody on Council? (No response). Are there any other questions or comments for Mr. Parkinson? Councilwoman Newman.

Mrs. Newman: I just had one question about the concrete. I heard that the best month to pour concrete is July. Now do we have different concrete compounds nowadays that it will cure properly if the temperatures aren't quite what they used to have to be?

Mr. Parkinson: July's a good month to pour concrete. But the real issue with concrete is, the biggest issue with concrete is cold weather. Keeping it warm when you're battling freezing weather. The real, real hot weather, you can, you worry about the concrete drying out too quickly. You can manage that much more easily than you can manage the cold weather of the winter. So I have no reservation about concrete between now and the time that this project would be completed.

Mrs. Newman: Okay. So you think we could get that concrete....

Mr. Parkinson: Yeah. The issue with these programs are the asphalt plants. The asphalt plants

tend to close down around November 15. As the work tends to wind up, they don't stay open. And once they're closed, you're done.

Mr. DeBolt: Mr. Chairman, if I could add one more point.

Mr. Stake: Yes, Mr. DeBolt.

Mr. DeBolt: I just wanted to clarify. President Hills' point is well-taken on the age of the streets. Especially east of Taylor Road. In talking to Superintendent Ward about that, I think my drawing with streets 1 and 3 on the map that I provided you, isn't exactly to scale to what would be paved. But since you brought that point up, I wanted to mention that the part that would be paved would be the part that's the oldest section. Because there's the break in that section of which the, I think, prior '95 paving, or prior '93, and then after that. So it would definitely be the older section but it would not go all the way as far as my black line, I can't see the road, all the way up through both Taylor Woods and Kingsley. It would just do the footage that's listed on the memo. That's the accurate amount. But it would be the oldest part of the street. And that's again, why it's probably contributed to the deterioration that is the most oldest part of that section. So I just want to clarify that. We wouldn't be paving all of Kingsley or all of Taylor Woods. We would be paving the part that's the most disrepair. That's the oldest section. It wasn't intentional but Larry clarified that. I thought maybe that did take it to the end. But I found out that it did not.

Mr. Stake: Okay. Thank you. Councilman Baxter, you had another question?

Mr. Baxter: One other question. Not so much a question, but I want to make sure _____. As part of this program, we spoke about streets that weren't within the city's responsibility that are part of the county's responsibility that are falling apart like Rodebaugh, and as the area of Rodebaugh, which is owned by the county, and it's in very poor repair at this point. And I'd like to see a list of those streets go to the county and let them know that these things need to be added to their list to be looked at in the next couple of years. Rodebaugh's just awful at this point.

Mr. Stake: I believe that's Truro Township's responsibility.

Mr. Baxter: I thought we saw it was the county's. But you may be right. I don't know whose it is. When we looked at it, it showed....

Mr. DeBolt: True. And I guess they had a Street Program, a levy that did not pass in recent past that would have addressed that at the time.

Mr. Baxter: Right. But you know, we have to do something. We can't let this road completely fall apart. It is a major east/west connector between Waggoner and Reynoldsburg-New Albany. And the only one if I remember correctly. And it is very much falling apart. Especially the little

hair pin curve through there and right before that.

Mr. Stake: Believe me, as much as I'd like to see that road fixed, I don't think that we have any jurisdiction over that. I mean, I live on that road. I drive it every day and it is, it's in very, very bad shape.

Mr. DeBolt: We can keep conversations with the county and initiate it just to see the status. And again, I know they're concerned with it as well. Again, down the line, if there's ever any, you know, we have, we've had state and city partnerships that's in part, paving a road. We've had a county and a city partnership that's help paving a road. You know, it would maybe require a little different arrangement, but I don't see why we couldn't roll out putting something together to do a road that we felt was in mutual interest, monies being available.

Mr. Baxter: And I think those types of partnerships we need to forge more often and maybe give our citizens a better understanding. That's not all our belongings. We can only do what is in our purview, but we can work together with these other agencies.

Mr. Stake: Sure. Councilman Clemens.

Mr. Clemens: We can work together with them, but we can't extend the money to them. We've got too many streets here in Reynoldsburg to do ourself. Township's township. County's county.

Mr. Stake: Okay. I'd just like to point one other thing out. I happened to see this in your new memo Mr. DeBolt, that the engineering would increase to \$25,000 from 20,000.

Mr. DeBolt: Right. The reason that it went from, it was originally 25. And again, we try to do everything we can to keep cost down. In talking to EMH&T, based on the original scope of the work, we basically negotiated a \$20,000 rate. Now we're going back to a higher rate of work. And we felt that the \$25,000 would again, be warranted with that.

Mr. Stake: Okay. Are there any other questions or comments for anybody in the Administration or Mr. Parkinson? Councilman Baxter.

Mr. Baxter: One last question is, what is our life span on these roads we are going to put in? We're just doing a slurry on these. We're not actually repairing them completely, correct?

Mr. Stake: Yeah we are.

Mr. DeBolt: No. We would be doing a mill and fill.

Mr. Baxter: We are just mill and fill then.

Mr. DeBolt: Yes. That=s correct.

Mr. Baxter: And the life span of that is what?

Mr. DeBolt: I=m glad you brought that up because the original proposal to do a slurry seal on Lancaster would hopefully expand the life of that road by 5 to 7 years in general. And again, to pave that road, I think we=re talking anywhere I think between 500 and \$700,000. We=ve invested a couple of hundred thousand dollars a few years ago. We proposed another couple of hundred thousand. We could keep it in repair until the time that it needs to be paved. But if we didn=t slurry seal it now, that=s our option. If we=re going to just extend the life, we should go ahead and do that now. And again, once we look at the conditions of the road, money being available, I would say try to pave what we can and extend the life. And I worked up some numbers again. Totally just based on what was done last year. If we got \$50 per foot paving rate which was proposed, factor in a 20% increase which is going to Mr. Koch with EMH&T might be appropriate for this year, then, and with the monies that I assume would be available through Mr. Harris, we could do all three. Pave the roads and slurry seal. But I think that=s kind of a rosy scenario. So I didn=t want to promote that without at least trying to get at least the paving done. But if it came in that we=re able to do it, we could move forward to do it. But I don=t think that=s likely this year.

Mr. Baxter: But we=re still looking at the opportunity though. We haven=t discounted it at this point.

Mr. DeBolt: Well, the problem is, if we didn=t slurry seal it now, according to Mr. Koch, we might loose the opportunity. Because then it has a limited effectiveness, if you get, once it=s past a certain point of repair. So that puts us in kind of a situation now that if we=re going to do something about it, we might should do it this year. So I think we=re sacrificing that road in terms of long-term extension of its life to short-term repairs, and then bettering the other roads that we have listed at this point. So it is a trade-off. Something we thought about. But at the same time the road condition in the short run is not to the point that it=s in disrepair that would need paving where these other roads are.

Mr. Baxter: Thank you.

Mr. Stake: Any other questions or comments from members of Council? (No response). Okay, then I will make a motion that we send this forward, request authorization for the Service Director to direct EMH&T to do the engineering on this. And we will send the appropriation of \$25,000 to the Finance Committee. But I make a motion to send this forward to Council with a recommendation for adoption as an emergency. Do I have a second? Second by Councilman Baxter. Any further discussion? (No response). All in favor, please state aye. (All voted Aye@). Opposed? (No response). Motion passes.

Item number 6 on the agenda is ORDINANCE TO AMEND THE CODE OF

ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING AND REPLACING CHAPTER 741 SOLICITORS. It had its first reading on 4-23-07. And I know the City Attorney has provided us with an updated ordinance based on our discussions of the last Safety Committee. Mr. Hood.

Mr. Hood: Thank you, Chairman Stake. That is correct. On the 4th, I did supply in your packet, an amended ordinance. Based on the comments that the Council of the Whole and the Safety Committee made at the previous meeting, I know that a major concern of the Council was the times. And I amended that to 7 p.m. being latest, and I left the holiday and Sunday hours the same - 12 to 6. So if that meets your approval. There is one correction. I do apologize. In reading this again, and again, I did miss. On 741.03, Subsection (f), the last sentence. Instead of the Mayor, that should be the Safety/Service Director, to be consistent.

Mr. Stake: Okay.

Mr. Hood: But the other major concern was the appellate body being the Council. This amendment does reflect that concern.

Mr. Stake: Okay. So getting back to the hours. Monday through Saturday would be 10 a.m. to 7 p.m., correct?

Mr. Hood: Yes.

Mr. Stake: That=s what you revised it to.

Mr. Hood: Yes.

Mr. Stake: Then we had a discussion about that last week. And then Sunday=s and state and federal holidays, noon to 6.

Mr. Hood: Yes, sir.

Mr. Stake: Okay. Any questions or comments from members of the Safety Committee or members of Council? Councilman Baxter.

Mr. Baxter: The only question I have is based upon the penalty. And it=s just because the fact, it happened to me this last weekend. And I was approached by a roofing company looking at if you have storm damage. Okay? And the first question I asked them was, where=s your permit? The response was, I think the boss has one in the office. We=re going to require that they have the permits with them at the time they=re soliciting. Correct?

Mr. Hood: That was also discussed. If you choose to do so, we can add that language in there. It=s not in this draft.

Mr. Baxter: I didn't see it, right.

Mr. Hood: It is not. It's not a requirement as of yet. But we can absolutely amend this to make that part of the ordinance as we talked about at the last meeting. I didn't know if there was support for that at the Council. If you choose to do that, we can absolutely do that.

Mr. Baxter: Well I don't know how the other members feel but.....

Mr. Stake: Well, I'm in agreement with that out here. Councilwoman Newman down here and Mrs. Shirey shaking her head.

Mr. Hood: They're also in my neighborhood, Councilman Baxter as well. I had the same issue this weekend.

Mr. Stake: Because you never know. I mean, people say they have a permit but unless they have it, they need to have maybe a copy of the overall permit on their possession.

Mr. Baxter: All I saw was a rickety old truck and a couple of guys driving around. And my concern is that, I just did the, I said, go take a look at my house. Tell me what I have. And sure enough, to my surprise, I've got hail damage. Not according to my insurance company though.

Mr. Hood: We can absolutely do that. And I'll have the change made for your new packets.

Mr. Baxter: Alright. Thank you sir.

Mr. Hood: Yes.

Mr. Baxter: Thank you.

Mr. Hood: And as far as the penalties go, to go a little farther, we did make subsequent violations misdemeanors of the fourth degree. Whereas before, they were minor misdemeanors. Only a payable citation. There is a possibility of incarceration for a misdemeanor in the fourth degree under our city code. So the subsequent offense would be a more strict penalty for repeat offenders.

Mr. Stake: Thank you. Any other questions or comments from the City Attorney? (No response). Mr. Hood, I just have one other. And of course, being on the street a lot these days, I notice a lot of doors that say >no soliciting=. Are we able to, and I guess, what's the rule on that? If somebody would say >no soliciting= and somebody would go up to the door, I mean, are we able to put anything in here that would....

Mr. Hood: I would say they're maybe trespassing.

Mr. Stake: They would be trespassing in that case? Maybe?

Mr. Hood: Absolutely. You're warning the public not to come upon your property. They may be trespassing depending on the facts, it would be a factor of scenario. But they may be trespassing. And of course, as we said before in our meetings, that you always have the option not to answer your door. If you see an unsavory person in front of you, don't answer the door would be my advice.

Mr. Stake: Okay.

Mr. Baxter: That would not be part of the city's responsibility though to enforce.

Mr. Hood: Absolutely not. That's just a piece of advice.

Mr. Baxter: As a private ownership issue.

Mr. Hood: Yes.

Mr. Stake: Okay. Anything else for the City Attorney? (No response). Okay. And you'll be making a couple more corrections I guess based on what we just discussed.

Mr. Hood: You'll have the changes before Friday. Absolutely.

Mr. Stake: Thank you. Alright then. Then I'll make a motion that we send this forward for its second reading. Do I have a second? Second by Councilwoman Newman. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Thank you.

Item number 7 is Discussion to revisit legislation and authorize additional Police Officers. The Mayor has requested that we revisit this due to the need of additional police personnel. We received quite a bit of information in our packet over the weekend. And I would just say for purposes of tonight because of discussions I had with the Safety/Service Director a little while ago, that they are not prepared this evening to talk about the forensics personnel...

Mr. DeBolt: Technician. That's correct. Correct.

Mr. Stake: ...forensics technician in our packet.

Mr. DeBolt: Some, I guess we'd call, expert personnel we'd like to have available. And due to medical situations, I know one of them can't be here. So we'd like to table that part of the discussion.

Mr. Stake: Okay. And I know that there has been some interest from some Council members in

bringing this back to the table. And I know last year we talked about adding several more Police Officers although we did not get the public to go along with the funding for those. And I believe the Mayor would like to discuss funding some additional officers. Mayor.

Mayor McPherson: Thank you. The memorandum that I sent down to you outlined some of the basic _____ that we looked at when we decided to move forward with trying to get three new additional Police Officers. I think one of the things that was very instrumental in our decision was the amount of money that we turned back in last year from monies that we had appropriated in our General Fund. That was in excess of \$900,000. When I look back through the years, we have consistently turned money back in at the end of the year. And that is a direct result of how frugal our department heads are. They only spend what they have to spend. They spend what they need. Not necessarily what they want. And I would see the trend of carrying that money from one year to the next, not being any less than what we turn back this year. We also looked at the Police Department itself, and looked at the reduction that they have had. Over the past couple of three years, they have managed to reduce their overtime significantly. So far this year we're down I think three hundred and some odd hours of overtime. You add that to what we were down last year and it does, it's accumulative. We're up about 1350 hours less overtime this year than we were using two years ago. So you try to put some money with that. I also looked at the revenue stream that the Auditor gives to us every month. And as Council remembers, I told everybody last year when we were talking about budget, that I was going to look at the first quarter, see how we were doing, and then make a decision on whether or not to at least move forward with some personnel. You know, I'm not bringing forward to you all the personnel we talked about. We are only in this situation requesting three additional Police Officers. I looked at the unencumbered amount still remaining in the General Fund. As of the time of this memo, we had \$2,200,000 still unappropriated for the year in that fund and we still have 9 months of collections coming in yet. And of course, we still have 9 months of expenses too. So you know, we have to look at both sides of that. I tried to look back at our investment portfolio. And as everybody knows, the Auditor invests monies every year, and every day, and every month. So I went back to March of >04. No I'm sorry, February of >04 which was about, let me see here, no it was March of >04 and we had about the lowest rate of return that we've had and we were getting about a 1.67 return on our investment. And we had about \$25,000,000 that the city had invested in >04. So I moved forward. I went through >06 and I went to >07. I thought well, let's see where we are in >07. Well, right now, as of the last report that you've got on your desk, we invested \$24,263,000. So we're down slightly, but pretty close to what we were investing in >04. However, our rate of return is now on average 5.01%. So we've gone up from 1.67 to 5.01 and yet our investment dollars are still the same as we were investing in >04. So given all of those scenarios, I looked at the paper work that the Auditor gave us last year on their projections, and I just determined that we really have the money available. And we've had that money available. If you look at how much we've had at our beginning balance every year since I've been here, we have always had money that we've had available at the beginning of the year. And we project that out. It's been as low as probably 3 2 million and as high as I think 6 2 million. And right now we're looking for this year. At the beginning of this year we were a

little over 4 million dollars. And I'm still projecting that next year, we're still going to go into next year with this balance, beginning balance next year of a 4 million dollar, not a carry over, I don't want to refer to it as a carry over, but it's money on hand, revenue on hand. It is not a part of the revenue stream. And everybody needs to understand that. We still have a revenue stream. That's a separate issue altogether. This is monies that we carry over at the end of the year. So given the scenario that we've had, say for the past 7, 8, 9 years, I think that there's no question, Council agrees that we need to hire Police Officers if we can. And what I have tried to do, is go back through everything that the Auditor's given us last year and this year, look at the monthly reports that we get every month, the same ones you get. Our revenue stream is up 46% plus. Now you're going to probably hear somebody say, well yeah, but you know, we may have to give a refund. Well we can't live on >may.= We have to live on what we have. We can project out that, you know, every year since I've been in office we've had this money that's been coming in, and that we've had at the beginning of the year. And when I looked at the projections that were handed to us last year, it showed us going down over a 4 or 5 years to \$70,000. In my opinion, that's not realistic. But that's, you have to understand, that's my opinion. But that's based on 20 years of doing budgets here. And so I really feel, based on all the numbers that I've shared with you tonight, that we have the funding available to hire at least 3 new Police Officers. And that is my recommendation. That we start legislation forward. You know, I didn't put legislation with it. I didn't request legislation. This is discussion. But I think that the time is here that we need to bring legislation forward to City Council authorizing us to hire and fund at least 3 new Police Officers. Now you need to understand one other issue. Even if Council authorizes this, we're still talking, probably August or September before we actually get anybody on board. It'll be at least August because that's when the next school starts. Now if you put them in in August, you're looking September, October. Get them in in November. We're only going to have maybe 3 or 4 months of expenses this year. The expenses are going to come out next year. So again, you know, the monies that we keep adding in every month, and I can only hypothesize how much money we're going to put in every month between now and the end of the year. But you know, you have to look at the numbers that we have in front of us. Not the numbers that we think we're going to have 6 months from now or a year from now. So that's why I brought it forward. (Tape Change). And I based all my thought processes on the numbers that I, that the City Auditor gave to us. And then I did notice that he gave another memo to you today that I really haven't had a lot of time to read it. But you know, I did notice in there, you know, when we were talking about CIP, I should have brought it out then. But it looks like our ending balance in our money, Permissive Tax, Street Fund, Highway Fund, Permissive Tax, Capital Improvement Fund, even after we spend all those items that are (shown) in the red there, it still looks like we've got three million, four hundred and sixty-five dollars in that account. And that's more than I thought we had. So you know, we might be able to do that slurry, Mr. Baxter. Because I just noticed that when I was reading through here. But again, I can't comment on this tonight because I really haven't had time to read it. But I felt that you should know where I got my numbers. And I got my numbers from the same guy that gave you these numbers. I got them from the Auditor's figures that he gives everybody every month. So I really think it's time we move forward with these three officers. I think we all realize, and did realize back, you know, last year that we needed to hire safety forces in the City

of Reynoldsburg. And I think the time is now to get them moved forward. So that=s why I brought it to you and I=ll gladly answer any questions. The Chief=s here tonight to answer questions. Steve=s here tonight. Be more than happy to answer any questions that you may have about it, the three officers and what they=ll be doing, where they=re going, and time lines and things like that. But we appreciate your considering this. And we would, based on our conversations, like to bring some legislation forward you know, in the next 2 to 4 weeks. Thank you.

Mr. Stake: Thank you, Mayor. Are there questions or comments from members of the Safety Committee? Councilman Baxter.

Mr. Baxter: Councilman Stake, I have a couple of comments first off then a couple of questions. First off, the need is there. There=s no doubt in our mind that we have a need. Now what I would just want to make sure we have come in front of us, is what are the Police Officers we=re talking about? Are these officers in the street?

Mayor McPherson: These are street officers.

Mr. Baxter: These are going to be street officers. Do we have vehicles for them? Do we have, this total dollar, is this going to pay for the full outfitting? What else is going to come? Is this a total package? I think we spoke about this, Mr. DeBolt and you were going to come as a total package.

Mayor McPherson: Right. When I bring it to you, it will be a total package. Not only the equipment they wear, but the equipment they drive. Any PC=s they might need. We=ll be bringing everything to you.

Mr. Baxter: Okay great. And just for discussion later, not for now, but I would like to see the cost of formulating this forensic laboratory and the unit crime, to the crime unit here, formulating an electronic crime unit. And what are the possibilities we might look at with sharing some of that with other communities? Maybe pulling some of their resources in and having a larger community based type of forensics rather than just Reynoldsburg having their own that may make some more sense to work with Gahanna, and Pickerington, and maybe some of the other suburbs close to us. I don=t know how that would work but I think it=s worth discussing.

Mayor McPherson: Well, it=s worthy of talk. And when we bring that forward, that=s one of the issues that we=ll address. Again, the officer and the civilian that helped put this together were not able to be here tonight and I didn=t feel we should move it forward without their expertise. And I think you=ve even talked to one or two of them. And I=m in no position to talk about computers and things like that. So we=ll bring it forward again in two weeks or four weeks or whenever we can get everybody together. And in the meantime, if anybody has any questions, please feel free to either talk to Bobby Smathers, or talk to Brian Marvin, or the Chief, or me, or Steve, or all of us. You know, we=d be more than happy to set any meetings up on that. But

again, that=s a kind of a separate issue from the three officers and I=m kind of glad we were able to separate it out tonight. Because it really isn=t a part of the three officers that we=re requesting.

Mr. Baxter: Then lastly, I think the point you made is that they=re not coming on board until later in the year. We only have so many resources to train officers. Maybe not all three of them can come at the same time. You may not even be able to get them all at the same time.

Mayor McPherson: That=s correct.

Mr. Baxter: I know speaking with the Chief, you can only train, how many Chief? Is it one or two at a time, max?

Chief Suci: I would not be comfortable with probably training more than two at once.

Mr. Baxter: Okay. That=s what my, I knew we had issues on training.

Chief Suci: The reason for the legislation, or the proposed legislation as it is, and as the Mayor alluded to, the next academy class does not begin until the end of August. So they would not graduate from the academy until December if they were not certified already.

Mr. Baxter: And my last point is, we lose people and unfortunately people move on, they have you know, retirement and things like this happen, and we may end up still needing more officers at the end of the year. So we might have the loss of one of your officers and you know, retirement, or _____, or move on to another position.

Chief Suci: That=s always possible.

Mr. Baxter: And we bring three, and we=re still going to need another one to replace them.

Mayor McPherson: You just can=t tell. You=re right.

Mr. Baxter: We just don=t know. So just keep that in mind. Alright. Thank you.

Mr. Stake: Any other questions or comments from members of the Safety Committee? (No response). Members of Council? (No response). I know in the memo here we received this evening, the Auditor would like to speak. So, Mr. Harris.

Mr. Harris: Thank you Chairman Stake, members of Council. I wish I could stand up here tonight and tell you I totally agree with what the Mayor=s saying. I know it=s very difficult for Council to have to look and say, balance what they feel the city needs with what unfortunately, what the city can afford to pay for. A couple of things that the Mayor mentioned in his note, even though I wasn=t included in the memo, it was not sent to me, was the amount we=re up this

year in income tax. I included in the packet that I gave you, the first page is from the memo that you get from Brenda every month on the revenue. And this happens to be the net profit. And we all know that there=s one major company here in town that pays the vast majority of this. Last year, they got an extension and they paid that money in June. This year they paid on time. So that money was paid in February as it normally would be due. That=s about \$600,000. So of the 900,000 that he=s talking about being up in income tax, 600,000 of it is a timing issue between when they filed last year and when they filed this year. So the actual figures is much, much less. The other thing is, the thing about talking about turning back appropriations. We=ve had this discussion on a number of occasions. Turning back an appropriation is not a revenue stream. If you want to think of it as an analogy, when you go to the store and you write a check, the money does not come out of your account at that moment. The money does not come out of your account until that check is presented to the bank for payment. And then it comes out of your account. When Council appropriates money, they are writing that check. Until that check is cashed, it does not come out of the fund. So when they turn back an appropriation at the end of the year, it would be no different than if that check that you wrote never made it to your bank. That is not money that=s coming back in. It is money that you either spend or you don=t spend it. If you don=t spend it, the appropriation is returned. But it does not in any way affect the amount of money in the fund balance. Thirdly, there=s a lot of talk about, as they talked about this thing with how much money was turned back, the third, the next page on that, Mike and I went back and looked at the revenue and expenditures for the city. And this is not appropriation or anything else. This is exactly what was spent. These are audited figures between >01 and >06 of how much was spent and how much came in. And you can look at it and see how much the fund balances went up, how much they went down, how much expenditures went up, how much debt service went up. And we did this for a couple of reasons. Number one, we want to show you just exactly what came in that year and just exactly what was spent that year. The number at the bottom, the excess revenue, is the money that could normally be used for Capital Improvements Projects. As you look back in >01, there was a million five difference between that. And that=s money we use for things like Street Programs and those types of things. That money has been reduced, as you can see. Right now when you get up to the year 2005 and 2006, basically all the money that we take in in the General Fund is going to pay the operating expenses of the city and the debt service. There is no, there is really no other monies available to Council to do streets other than the ones that were talked about earlier with the Permissive Tax and whatever. We have not paved a street out of the General Fund in this city I don=t believe, since 2004. This is now 2007. So we haven=t spent a lot of money on infrastructure of the city. From >07, the >07 figures are what our estimates were on the amount of revenue coming in and the expenditures that Council appropriated. Now I assume some of that=s going to come back but as you can see in there, we=re looking at a \$252,000 difference between what we are taking in and what we are spending and this is not including the money that has been spent for projects out of the CIP and some of the other funds. As we go to 2008, we tried to put together....

Mayor McPherson: Excuse me. Could I just ask you while you=re on that, where you show debt service there, where does it reflect the refunding that you did last year?

Mr. Harris: We minused it out. This is what we actually take.....

Mayor McPherson: Where did you minus it out?

Mr. Harris: This is what we actually paid. It was going to be a million-eight something, and this is what we actually wrote checks for. This has not got anything to do with appropriations. This is what we wrote a check for.

Mayor McPherson: So this isn't the actual revenue that came in? This is just after.

Mr. Harris: This is the actual revenue up through 2001, 2006. That is the actual revenue. The actual expenditures. The actual debt service.

Mayor McPherson: I guess I'm just trying to understand where that money went then. You said it didn't, it just went out but it didn't....

Mr. Harris: It was going, the initial plan was going to be a million-eight.

Mayor McPherson: _____ go in.

Mr. Harris: We reduced it to what we actually paid which was a million, six seventy-three zero sixty-one. That's what we actually wrote checks for.

Mr. Hills: So the refinancing saved \$100,000.

Mr. Harris: About 150,000.

Mr. Hills: So these are all, these are actual dollars in and actual dollars out.

Mr. Harris: These are actual dollars in, actual dollars out. This is what we turned into the state, and the state has audited. They're finishing the audit right now. These are the actual numbers of what went in and what went out.

Mr. Stake: Up to 2006.

Mr. Harris: Through 2006.

Mr. Stake: 2007 and above are estimates.

Mr. Harris: We're going to talk about those. And I think Mr. Baxter has a question.

Mr. Baxter: I'm sorry. Mr. Hills go right ahead.

Mr. Stake: Councilman Baxter.

Mr. Baxter: The question I have is based upon CIP Funds. They're not in those revenue streams, correct?

Mr. Harris: That's correct.

Mr. Baxter: Also, but you do have the debt service which are going to be paid for out of CIP Funds that were bonded and we push pay back, correct?

Mr. Harris: No. We pay that out of the debt service.

Mr. Baxter: The water, sewer. We have bonds that pay for those things, right? We took it out?

Mr. Harris: No. That comes to come out of, we'll get to the debt services on the next page.

Mr. Baxter: Well, I'm just saying, those debt services are just flat debt services that you pay out. But my point is, that we go out and get bonding knowing that there are going to be other funds that pay those debt services.

Mr. Harris: It's called the General Fund and the Income Tax.

Mr. Baxter: Where is that money coming from though? We get it from water and sewer. For example, sewer projects.....

Mr. Harris: This is just what got paid out of the General Fund.

Mr. Baxter: I understand. I'm just trying to make a distinction that there's monies that we're not seeing here that are coming in and also going out. But the one we see here is a debt service but we don't see the money coming in from that.

Mr. Harris: This is the General Fund only monies.

Mr. Baxter: Okay. And I just wanted to make sure.....

Mr. Harris: General Fund only monies. Because this is where you're looking to pay for Police Officers.

Mr. Baxter: I understand. I'm just saying, it's painting an unclear picture. There's more funds that can pay that debt service out.

Mr. Hills: If I could Mr. Stake.

Mr. Stake: President Hills.

Mr. Hills: How do we clarify the picture? There are funds like when we go do a sewer project, if we do a water project, those are out of what we call the Enterprise Accounts. And they're not in these numbers. These stand on their own.

Mr. Baxter: Debt services are paid for those in there.

Mr. Hills: The debt services are not in these numbers.

Mr. Harris: No. The debt service, anything....

Mr. Hills: These debt services are the building of the police building, the different things where there's a bonding been done. These were Capital Improvements. Not water and sewage. Capital Improvements like buildings, and roads, and different things like that. I mean, they're different entities if I understand this right.

Mr. Harris: Right. Absolutely. And the debt service for the Water Fund, the Wastewater Fund, and all those is paid for directly out of the Wastewater Fund, the Storm Water Fund.

Mr. Baxter: Those funds. And they're not reflected in these numbers.

Mr. Harris: They're not in this. This is strictly General Fund money that I wrote checks for last year.

Mr. Hills: These are our usable _____.

Mr. Baxter: What about the water tower?

Mr. Clemens: You can't use the Water, Sewer, or Storm Water Fund for anything else except the water and sewer.

Mr. Harris: Right. Those have to be stand alone businesses.

Mr. Stake: Right. Okay. Mr. Harris, go ahead.

Mr. Harris: Okay. The 2007 numbers are what was Council appropriated and what the revenues that were projected are. So starting in 2008, we decided to paint the rosiest picture we could paint. We put in a 5% increase in the amount of money coming in from the income tax. Now, how much increase would it take to get to \$450,000? If you look in the bottom, it would take 30 million dollars in additional payroll dollars paid within the City of Reynoldsburg to produce \$450,000 worth of additional tax money for us. So this is pretty aggressive when we say we're going to start picking up that kind of money. We did that through '08, '09, '10, and '11. And if you look, we also did the normal things that we would do on the other funds which is 1 or 2%.

Now, they're talking about how much we're getting right now for the amount of money that's being invested. We also know that interest rates in the next 2 years are going to go down. We're looking probably in '08, instead of getting a million dollars from that, probably 800,000. So those numbers are going to go down even though we've painted a rosy picture here. We then took the expenditures. The debt service is the actual debt service as it appears today. And with the one Main Street, the last part of the Main Street project, which we have not started to pay yet, coming on. There was also something that comes off in 2009. But these are the actual numbers that the debt service are going to be. We took the operating budget and took it up at 3.5%. Which looks, you know, we've had some years where it's gone up more than that. Some years at less. That seems to be a relatively realistic number. If you look at that, that's what you're looking at paying already more, you're going to be spending more than what you're taking in, in those years. Are there any questions on that?

Mr. Stake: Our debt in 2006, debt expense is 1.6?

Mr. Harris: Um hum. 1,673,061.

Mr. Stake: Alright. 2007, 1.6. 2008, 1.8. 2009 it goes back down to 1.6. And 2010, 1.6.

Mr. Harris: Um hum. That's correct.

Mr. Stake: So we're going to be up a couple hundred thousand in 2008 over what we've been used to.

Mr. Harris: Right. Um hum. And then they go back down. These are actual debt numbers as they stand today.

Mr. Stake: Okay.

Mr. Harris: Now Mr. Baxter mentioned the General Debt Retirement Account. If you go into the next sheet, this is from the 5 year plan that we turned in back into last year, October, November of last year. Here again, these are actual numbers through '06. And then '07 is what was appropriated. And then '08, 9, and 10, those are what the current figures are. If you look at the figures that are in purple under receipts and transfers in, that's what we're going to have to transfer from the General Fund to the Debt Service Account in order to pay the debt service. If you look at what's going out and what's coming in, there's 3 to 4 or \$500,000 more going out than what's coming in. So that has to be supplemented. Now in my opinion, before we start looking at adding Police Officers, we ought to take care of funding this thing properly. We've already spent the money. We have to pay the debt. We need to fix this so that we don't have to continue to do this. We should redo the income tax allocation, properly take care of the amount of debt service that we've already incurred. Any questions on that?

Mr. Stake: We can adjust the income tax allocations to be able to direct monies....

Mr. Harris: Absolutely. That=s going to basically take money out of the General Fund. It=s not going to create any more money. The next one is the, I was asked and I had already done this to give Council to be able to look at this prior to going over this because you were talking about redoing streets. Obviously, we need a lot of streets repaired. And if you look at this, there is money in a lot of these places to do streets. But if you look at the bottom, we=re taking in a receipt of 1.6 million. Income tax allocation 175. And we=re spending more money in this than we=re taking in again. If you look at the CIP Fund, 2 million 3 to start, now we realize some of that is Main Street. About 900,000 is still open on Main Street. \$175,000 with income tax allocation coming out of that. And right now, projects with what=s already been done and what=s being proposed right now, \$380,000 worth of projects and \$250,000 that was transferred to the Debt Retirement Fund. So we=re spending a lot more out of that account this year than what we=re taking in. And this is money, this \$380,000, is money we=re spending on top of the 200 and some thousand dollars that we showed on the earlier sheet as not, we=re going to have a deficit on. So here=s another \$400,000 on top of that. So just understand, that when you spend these funds, and I think we need a lot of streets fixed. And I=m glad the Administration is fixing some streets. But we have certain amounts of money here. We have to be aware that that=s not, we=re spending more than we=re taking in. It=s not an endless stream of money.

Mr. Stake: In the last couple of years we have not spent, we haven=t spent any. So I mean, the way government financing works, some times you stock pile money in these funds until you get enough to be able to do projects.

Mr. Harris: Absolutely. The last one is the Storm Water Utility Fund, which there=s been a lot of activity. And here again, we haven=t, we=ve done one project in 10 years and we certainly have other projects that need to be done. Matterhorn Drive=s been discussed, and some other ones. And we need to spend this money wisely as well. And again, we=re going to spend about 500,000 this year. We=ve got \$100,000 worth of debt service to pay for the Bartlett Road. We=re going to take in about 150, \$175,000. Now in my opinion, what we should do before we start looking at these officers, and I=ll tell you, the Police Department needs officers, but we also have to take care of what we=ve got here. Now what I would like to propose that we do, is the Mayor, and the Auditor, and the President of Council should appoint beyond the committee, and appoint maybe some other Council members, we should all work together, come up with a comprehensive 5 year plan because when you start talking hiring Police Officers, it=s not a one year thing. It=s a commitment for a number of years. And let=s take a look at what, where the finances are, what monies we can legitimately expect to come in with, and then you can make the decision of how the best way is to spend it.

Mr. Stake: Dick, on your Street Fund projections here, you put in every project that we talked about thus far.

Mr. Harris: Including tonight.

Mr. Stake: Including tonight. And ending balance is 3.5.

Mr. Harris: 3.465. Yeah.

Mr. Stake: Yeah. Almost 3.5 million dollars. Even after all those projects are done.

Mr. Harris: That=s correct.

Mr. Stake: So, I mean, it=s not like we would be wiping out the Street Funds. We would still have 3 2 million dollars left.

Mr. Hills: We=re spending about 25% of it.

Mr. Harris: You=re spending about 25%....

Mr. Stake: But again, I guess my point I=m trying to make is, in the last couple of years we haven=t done anything. Money has gone into those funds. And just because we, this year, I know people want to say, we=re over spending, but you could say the last couple of years we=ve under spent. So I mean, things catch up. We have projects to do. We=ve got to get them done.

Mr. Harris: And you=ve also spent money on repairing streets with Main Street and Waggoner Road and those kind of things. So we are putting some money in the streets which is a good thing.

Mr. Stake: We need to.

Mr. Harris: And we need to. Absolutely. But here again, we need to be aware that we can=t spend this kind of money every year out of this. And we certainly need to look at the problems that we have with the debt retirement service and take care of it.

Mr. Stake: Sure. I can appreciate that. Can I ask you a question in regards to over time? I=ve had several conversations with the Chief in regards to adding personnel. I know how badly he needs additional personnel. And I know that he has made some changes to managing the Police Department. And he=s cut the over time in the last year by 1,350 plus hours. Can you tell me what that equals in dollars?

Mr. Harris: I=d have to look it up, Ron. You=ve got people who are making all different kind of wages working that. I can tell you that the total between >06 actual and >07 appropriated was around \$250,000.

Mr. Stake: Okay.

Mr. Harris: They appropriated an additional \$250,000 more than what they actually spent in >06. You can=t look at just one thing. You have to look at the whole department.

Mr. Stake: Yeah. I understand that. But I think when we have a Chief who manages the department properly and cuts the overtime down and he wants additional Police Officers, if we have the funding available, because of the reduction in overtime, I think that we certainly could apply some of that money to hiring a new officer or two. President Hills.

Mr. Hills: Mr. Stake, if I could follow up, the Chief=s memo dated May 3, I think does say with the overtime hours in >06 and the same period in >05, I think his memo indicates there is one officer in the overtime savings. And I think maybe that is one thing we all probably should sit down and hammer this out. The clarity it just, it takes a little bit. And this isn=t the best place to try to get it all. But I agree. I think, the Chief has said, I=ve organized the department differently and we have now saved enough to pay for an officer out of our overtime. So I think that=s, you=re up one. I mean when we=re just sitting here looking, and the others I think need to be explained some more. Because it raises a couple of questions. And I really want to kind of stay out of this debate tonight. 100 versus 600,000. Because each is correct. It just depends on which way you=re going to turn it that day to look at it. I do, when I see that we have the CIP Fund on this money for streets, when I look at the CIP it says zero receipts. But yet I thought our allocations of funds was still putting 2% in the CIP. Has that changed?

Mr. Harris: If you look at it, that is not, that=s for transfers. If you look under the CIP, you look at income tax allocation. That=s where the income tax money comes in.

Mr. Hills: Okay. That 175,00.

Mr. Harris: Right.

Mr. Hills: So it=s receipts, you=ve shown it as tax. That 2% of our tax dollars. As tax dollars comes in, 2% is going over to the CIP to fix roads. And if you look at it, that=s not really much trying to fix any roads.

Mr. Harris: That ain=t a lot.

Mr. Hills: Now, I would ask, on this one, there=s a transfer out of the 250,000. Now that was to pay long term debt I think.

Mr. Harris: It was. And it was done....

Mr. Hills: But now, in the budgeting process, for some reason it was coming out of the CIP to go to long term debt rather than coming off the, don=t want to call it carry over, but the unused funds. The General Fund=s going to fund it at 250,000 just as easy as the Capital Account could have.

Mr. Harris: Absolutely.

Mr. Hills: But I guess, you look at the Capital Accounts....

Mr. Harris: My feeling, it should have.

Mr. Hills: The Capital expenditures or something. I don't know why. Magic monies, it all goes kind of from here to there. And the bottom line is, it can't get spent unless it comes out of your office.

Mr. Harris: And you can't spend it more than once.

Mr. Hills: Right. Okay. But you know, I think at least the majority, I'm not going to speak for all of Council, but certainly there is a need for officers. There's a need for roads. We haven't had the officers. We haven't done that well on the roads. Not because of the Mayor's fault or anybody else's fault. There just hasn't been that much money to do it. Now we finally have gotten somewhat organized in putting together, these are all the potential to do it. I just, I do find it kind of difficult to sit here tonight and say this is what we're doing and I appreciate the legislation isn't here to do that. But I do think it needs to sit down and hammer it out.

Mayor McPherson: It needs some conversation. That's why we didn't bring legislation down. It's a discussion item.

Mr. Stake: I don't think I've talked to anybody. Administration or any Council people where we talked about sending any legislation forward tonight. We brought this up for discussion so that we can maybe come to a determination of how many officers we could fund.

Mayor McPherson: If I could just make one more statement. When you read over the memo that Mr. Harris gave you, the one page in there, you need to also, the pages that Brenda sends down to you, look through that. Because this is only one page out of the whole packet. And you go to the final page, the summary page, and that shows you where we're up 46.26%. \$2,891,000 collected this year. It's a total of all these. Not only just the income tax, but profit tax and everything else. So you're only getting a very small view here. Make sure that as you read through this and start looking at numbers, that you get the whole thing.

Mr. Hills: And that's the magic thing on how you look at one or the other. Because it's up so much because somebody paid their tax timely and didn't ask for an extension so it's up.

Mayor McPherson: That's why I pointed it out.

Mr. Hills: And you know that, if you go back 3 or 4 years, and again another one, and I'm not going to get into, that's why I think this debate isn't always good. Especially when we haven't had time to all sit down and analyze it. But this sheet which says, here's how much money we've got in and here's how much money we've paid out. That's a good sheet to look at too. And that's doing it on an annualized basis. Either one says we're not out of money.

Mayor McPherson: Right.

Mr. Hills: But it doesn't have us having much money that is unspent or uncommitted.

Mr. Stake: Councilman Clemens.

Mr. Clemens: Ron's right as far as every Councilman wants new, we want police on the streets. I mean, we've fought that for years. And I'm sure the Chief wants it and the public wants it. That's important. I'm not really interested in the other one you're talking about. But that will come up later. I want people out on the street. I don't want them sitting over there working over in the building. We've got enough over there. I think there was a good statement made. We're not going to gain anything. And we're talking about, and we do this every time this comes up, why don't Bill as President of Council, Ron as Finance Chairman, the Auditor, and the Mayor, get together, and we've got a CPA that we're paying all kinds of money that knows what this is all about, why don't you guys get together and talk this over and work it out. Then come back to Council with a definite program and a definite amount of money that we can spend and how we can spend it. This sitting here arguing like this and talking about this every night, it doesn't do a bit of good. All we're doing is projecting figures. The Mayor, he projects what he thinks. The City Auditor projects what he feels. And we have that all the time. I think we've got to get together. And I think those four people with our CPA get together, have a meeting, work this out, and bring back what we can actually spend so we really know what we're talking about. And we can move on from there. Then bring the legislation up on how we can do it. I can look at the Police Department. In my mind, I know where I could save about \$70,000 tomorrow if I could get the Mayor to agree with me. That would be a patrolman right there.

Mayor McPherson: Talk to me tomorrow. I think we know the same.

Mr. Clemens: You know what I'm talking about.

Mayor McPherson: I know exactly. And you may just....

Mr. Clemens: But I'm interested in....

Mayor McPherson: If I'm awake Wednesday after I come back from some surgery, you talk to me. Because I agree with you.

Mr. Clemens: Okay.

Mayor McPherson: And by the way, I do agree with Dick when we start talking about changing this percentage from 2%. We need to look at that. Dick and I've looked at it. We need to be putting more money in the CIP than that 2%. And I don't even remember what we agreed on. Was it 5 or something like that?

Mr. Harris: Four or five. We have to have something that=s going to make a difference where you can actually, I mean, the streets are falling apart.

Mr. Hills: That=s where we=re going to have to sit down and talk. Because as you do that, as you put it here....

Mr. Clemens: Don=t you think that would work? I mean, you guys get the....

Mr. Stake: Councilman Clemens, I think that=s a great suggestion. I know President Hills....

Mr. Clemens: I mean, I would take whatever you guys come back with. I trust you guys= opinions. If you all get together and work it out, I=ll go with it.

Mr. Stake: I know it will save Council a lot of time here. Does anybody here at the table have a problem with that?

Mr. Baxter: No. There=s just one thing I=d like to add to that if I could.

Mr. Stake: Councilman Baxter.

Mr. Baxter: I=d like to see it go away. Not just for the police, but there=s four things we spoke about here tonight. We spoke about roads, police, and debt retirement. We need a program, and you brought it up more than once Dick saying that we need a program. It=s out there. Pay attention to me. We need to pay attention to that. Put a program together over the next five years like you=re saying and into the CIP and how much we should be funding it. I think that=s a total package for the city. And there=s probably two or three things I didn=t talk about Mr. Clemens.

Mr. Clemens: Well, I think the police are important right now.

Mr. Stake: Yeah. I think we need to focus on the police. And in the budget process for next year, we can incorporate those things Mr. Baxter.

Mr. Baxter: My only concern is, I want to spend too much. We can=t get to his. But I do think you=re right.

Mr. Stake: Councilman Stearns, did you have....

Mr. Stearns: Yes. Thank you Chairman Stake. I agree with you. And I think one of the things is, communication is very important. I had the opportunity to speak with Mr. Harris this morning concerning this. And I had a good understanding of it. But I think what was necessary, what should have happened maybe is that he and the Mayor should have had some conversation about this and then we would know which way to go.

Mr. Stake: Well, the purpose was not to go in any direction tonight. The purpose was to bring this back to the table for discussion and see if there was enough interest on Council to pursue it. And I believe there is. So we will pursue it in the manner suggested by Councilman Clemens. So if there are no more questions.....

Mr. Harris: I=d just like to say one other thing. I think it=s timely to do it now because we=re going to be, here in the next couple of weeks, start to talk about the tax budget and the >08 budget. And if we had something like this together with knowing how much we were going to spend and everything, it=s going to make the Mayor=s job and your job a lot easier in October, November because we=re all going to have numbers we can agree on. And then it should be very quick and easy to try to get the budget done.

Mr. Stake: Okay. And I look forward to that.

Mayor McPherson: Can I say one more thing?

Mr. Stake: Mayor, go right ahead.

Mayor McPherson: Just one more thing. You know, I=ve been hearing now, and I don=t know if this is just campaign rhetoric, or if this is you know, what people really believe. But they=ve been saying that my budget=s, I=m spending more than we=re taking in. I think you need to look at the schedule there that Dick put together from >01, >02, >03, >04, >05, >06, and into >07. There=s only two there out of all those that we spent more than we took in on average. And that was a year after we took in almost 2 million more than we spent. So you know, the people that think that we spend more money out in the general public than we take in, that is a bold faced lie. We do not do that. We have a balanced budget. I work with the Auditor. I work with City Council. And we have a balanced budget. And we strive not to spend more than we take in. And this just shows you that we are actually successful at that. We don=t spend more than we take in. So I just wanted to point that out and thank Dick for putting this together. Because that, you know, is a lot more for people to understand than my just saying it. It=s in black and white if anybody wants to look at it. Thank you.

Mr. Stake: Councilwoman Newman.

Mrs. Newman: I=d just like to ask a question. Are we not required by law to have a balanced budget?

Mayor McPherson: Yes.

Mrs. Newman: There you go.

Mr. Harris: No, you=re not. The only thing you=re required to do is you cannot spend more than what you, that you have available to spend.

Mr. Stake: Then your available resources would be your fund balances.

Mr. Harris: Plus what you take in.

Mayor McPherson: You can't spend more than you take in.

Mr. Stake: Plus what you take in.

Mayor McPherson: In our case it would be like the 4 million that we carried over, plus whatever we appropriated during the budget time.

Mr. Harris: Right.

Mr. Hills: Bottom line is you can't bounce a check.

Mayor McPherson: Yeah. You can't bounce a check. That's the bottom line.

Mr. Harris: That's not good.

Mr. Stake: That would not be good.

Mr. Harris: They won't let you do that.

Mayor McPherson: But any way, I just appreciate you know, seeing it in black and white what I've been trying to tell people for years.

Mr. Harris: Well, and I'll tell you, the reason I did this, Mr. Hills and I had talked about some of this a few weeks ago. And I think we get lost a lot of times with appropriations and encumbrances and all those kind of things. This is what we took in. This is what we spent. Now it doesn't include what we spent in Capital Projects, but a lot of those are funded and have to be paid back later. But it does show you that the city, as we said last year when we were trying to get the tax increase, the city has been pretty fiscally responsible over the years and has not gone crazy on a lot of different things. They haven't. You know, everybody has been pretty fiscally responsible and that's good government.

Mr. Stake: When we lost a couple of million dollars a year in revenue a few years back and then another million the next year, we tightened our belts and since then our General Fund balance has gone up each year at the beginning of the year.

Mr. Harris: Except for those two years, I mean basically, and if you look at the two years you had that one, the one year where they got that extraordinary event, if you spread that out over the three years, basically, we've been spending about what we take in not including Capital Projects.

Mr. Stake: Okay. If there are no other questions or comments, I'd like to make a motion that we hold this for two weeks. Do I have a second? Second by Councilwoman Newman. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). And we will hold this for two weeks. Thank you.

I'll adjourn the Safety Committee at 8:55.

Safety Committee

May 7, 2007

-- Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Lyday)

SERVICE COMMITTEE MEETING MINUTES

May 7, 2007

Members of Service Committee present: Mel Clemens, Doug Joseph, Antoinette Newman, Preston Stearns.

Other members of Council present: Brett Baxter, Donna Shirey, Ron Stake, Council President William L. Hills.

Mr. Clemens: I'd like to call the Service Committee meeting to order at 8:56.

The first item on the agenda is approval of the agenda. I would like to add as item 9, a request for the Mayor to enter into a contract with Riley Contracting, PO Box 258, Norwalk, Ohio 44057, for construction of the Taylor Road 18 inch sanitary sewer extension for the bid amount of \$402,337.75, and for the engineering services not to exceed \$45,000, and the contingency not to, the amount of \$48,000. Project will be paid from the unappropriated Sewer Capacity Fees and appropriated to account 250.116.5622. Do I have a second on that? Second by Mr. Stearns. All in favor, say aye. (All voted Aye).

Also, I'd like to remove from Other Legislation, items 2 (ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 960- STORM WATER REGULATIONS - ADDITION OF SECTION 960.03 Allicit Discharge And Obstruction Of The Separate Storm Sewer System, Subsection (b)(18) and AMEND SECTION 960.03(c)(1) and ADDITION OF SECTION 960.04 AStorm Water Discharges Associated With Construction Activities and ADDITION OF SECTION 960.05 AStorm Water Pollution Control: Inspections And Enforcement), and 3 (ORDINANCE AUTHORIZING E.M.H.&T. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATED TO THE GRAHAM ROAD, FROM PALMER ROAD SOUTH TO BRIDGE STORM WATER STUDY, AND APPROPRIATING FUNDS THEREFORE). Do I have a second on that? Second by Mr. Joseph. All in favor, say aye. (All voted Aye). Thank you.

Also, I'd like to bring up, before we move onto the next, well first, I'd like to have the approval of the minutes of the Service Committee meeting held April 16, 2007. Do I have any additions or deletions to them? (No response). If not, they'll stand approved.

I'd like to also comment that we have four Special Exception Use Permits before us. If there's any comment from members of Council that would like to put it on the agenda, please let me know and we'll put it on for the next Council meeting May 14. It would have to be on by then. I personally have no problems with them. But I want all the Councilmen to look at it. And

if there=s any problem with them, let me know and we=ll add it to the agenda.

Item number 4, Multi-occupancy of residences - listed at request of Chairman Clemens 4-23-07. This has to do with the houses that we discussed on Malone, and Retton, and Rider. Of the occupancy of 8 people in two of them and 7 in the other. This has been handled, being handled by our attorney Mr. Hood. And he has had conversations and discussion and had received information back from reference of Five Seasons Landscaping Management Inc., from their attorney. And I think Mr. Hood has made his opinion on how he feels that the city stands on this. And before I shoot my mouth off, which I probably will, I=d like to have Jed stand up and really explain the situation as he sees it.

Mr. Hood: Thank you, Chairman Clemens. That is correct. At Council=s urging, we did look into this. My office. Although I believe this is an Administrative matter. Since we did get a correspondence from an attorney representing Five Seasons, I thought it proper that I should respond back. In the letter you received just a few weeks ago from Mr. Orlandini, he asserted that the gentlemen living in there, residing in these homes were all blood relatives. And what I simply asked, and I think at urging of Chairman Clemens, was that he provide some documentation to that regard. And that=s what I provided to you in your packet under this discussion item. As you can see, we=ve got correspondence back from Mr. Orlandini. My assistant, Matt who is here tonight, spoke to them, spoke to him directly and asked for this correspondence. He replied in a timely manner. I briefed the Mayor on my interpretation of our Zoning Code and what the ramifications of this assertion are. And after speaking with him, I believe that we are prepared to say that there will be no further city action on these zoning violations. Is that correct?

Mayor McPherson: That is correct. And you know, I commend Jed and his staff for all the work they put into this. And you know, the decision to not pursue was one that we=ve jointly made.

Mr. Hood: And just for information purposes, I do believe once again, I come to the podium saying that this issue did raise more questions than answers. I do believe that this is something that we=re going to need to look into and maybe even propose amendments to our Zoning Code. I understand that our Zoning Code was enacted some years ago where issues such as these did not exist. I=m sure that most of you read the newspaper articles about this. And we didn=t speak about one specific instance, but numerous instances that our code does not provide for. So once again, this did raise some more issues. There is another issue. I plan on following up with these gentlemen who are working in our city and I will continue to do that. But as far as the Mayor and I are concerned, we are not going to enforce any zoning violations. With that, I=ll answer any questions.

Mr. Clemens: The problem is with this, and I=ll get with you in a minute Toni, and I understand your position on it, I understand the Mayor=s position on it, my position on it is that we had asked for information. And certainly Mr. Orlandini sent the information that he felt showed that they were members related. There really is no proof. I mean, this is nothing different than what I

could have done. All he did is list, and it seemed kind of strange that he=s getting 40 people, immigrants, in sections of 8 so he can move 8 related in this house, 8 related in that house, 7 in this house, 8 in that house. So he must apply for them like on Section 8. In other words, he wants 8 combinations of 5 which makes 40. And it=s strange that this wasn=t even brought up until we brought it up that it just happens to be that he=s listed these people, or they=re listed as being first cousins and nephews and so forth. But that=s no proof. Now I=m sure that he feels he=s got proof but I don=t think he presented you any proof. All he did is give you a list of names and said they=re cousins, brother, or whatever they are, second cousins. In something like this, I=m sure that he thinks that this is correct. So he must have other information to prove that this is correct, that they are related. Because you take an issue like this, I was born at night but it wasn=t last night. And things like this kind of bother me when you look at it. Because I don=t see anything here as proof. I mean, it=s no different than the Mayor making out a list and saying these 8 people are related in this house, or me. I don=t see where this is any proof to the city. Now if there=s proof there that they feel that there=s proof, that they can show it, I don=t think they=ve presented it to the city on this. And there=s another thing that we=ve discussed and I feel that=s incorrect, and it=s been in the paper, he says he=s charging each person \$37.50 a week, which is \$150 a month, which 8 of them is \$1200. Now, I can understand it if one person was paying the \$1200 and 7 other relatives moved in with him. But to charge each person per week, that=s like a, that=s a motel or a hotel.

Mr. Hood: Not under the definition of our Zoning Code.

Mr. Clemens: And I understand what you=re talking about. That=s where we fall apart. That=s why we don=t represent the people like they should be. Because we have ordinances and codes that we follow that really don=t mean anything. What we=re doing, is taking a suburban community and turning it into a motel or hotel where you could rent out a room for \$37.50 and have a cleaning lady come in once a week and clean it for you. Then there=s going to be 7 others in there with you. Now, I could understand it if one guy paid the 1200 and have 7 relatives. But to come out and say it in the newspaper, and I think it was in ____ paper, that I=m collecting 37.50 a week off of each individual. I don=t care what we think, that=s a motel.

Mr. Hood: Chairman Clemens, I understand your frustration. And that example did raise other questions in my mind. However, upon examination of our Zoning Code, I do not believe that the use and the occupancy fits our definition, under our ordinance, of a motel or hotel. That=s why I=ve suggested to Council, we may need to take an examination of the Zoning Code and make some retrofitting if you will, to make some changes. Now will it address these specific issues? No. Could it prevent this type of thing happening in the future? Potentially. And that=s why I urge the Council to look at the Zoning Code, read the definitions, and see if there=s things that need to be changed.

Mr. Clemens: And I understand that. And we=ve discussed that. And I understand your position in this. It=s a deterrent to our neighborhoods. I don=t care how you look at it and how you say it. Nobody wants to live there 30 years and have something like this beside them. And I=m not

speaking of the people that=s there. I don=t care who=s there. It=s immaterial to me who=s there. We=re talking about 8 people living in a single house, paying weekly rent, it=s like moving back to the olden days. And I think it does nothing but put us in the newspapers. It does nothing but show people why they shouldn=t live in our neighborhoods. And I=ve got to be honest with you about it, why they have situations like this, why they should move. And I don=t blame them a bit. If there=s no way we can control it and our codes and our ordinances aren=t drafted in such a way, and they have been this way for years, that we can=t, we expected these things to be handled, then they come up and they can=t be handled, I just don=t understand it. So I appreciate your work on it Jed and Mayor.

Mr. Hood: I know you do.

Mr. Clemens: I know that you=ve followed through on what we asked and so forth. And reading the ordinance, I understand what you=re talking about. It=s just that, I don=t know, it=s just hard to explain. Mrs. Newman.

Mrs. Newman: My same objection was yours, Mr. Clemens. That we don=t, this mans letter to us saying that so and so is somebody else=s nephew doesn=t prove anything to me.

Mr. Clemens: That=s the part I don=t understand why we take that as proof.

Mr. Hood: Well, I guess that I would equate that to any other assertion made by another member of the Bar Association. I understand the reputation that the lawyer has, but as one, I don=t accept it. If he makes assertions, I believe him. I believe that they are following through with the federal guidelines that they are required to do and taking advantage of this program. I understand it=s unethical and illegal for a lawyer to make bold face lies.

Mrs. Newman: So you=re saying they never do that?

Mr. Hood: No. I=m saying I don=t accept that. No, I don=t say they don=t ever do that.

Mr. Clemens: If you hear what I said, I think he feels that his, what he=s saying is correct.

Mr. Hood: I think the Mayor and I both accept that as being correct.

Mr. Clemens: But, for him to believe it=s correct, there must be other information there. Because he would not, an attorney isn=t going to look at this and say, just like I said, you=re going to look at this and say, what are you talking about? Now, you=ve got to give me some other information. So he must have other information if the guy is ethical like you say he is. And I=m sure he=s a great attorney.

Mr. Hood: I don=t know that he=d make the assertions if he didn=t. But I don=t know that we need those to make the determination whether or not a zoning violation has occurred.

Mrs. Newman: Well, I think we do. Because they have to be related by blood in order to occupy that property.

Mr. Hood: Excuse me. Not under our ordinances. That is a separate issue.

Mrs. Newman: Devry University tried to do this several years ago with some of their students. They were not allowed to do it under our ordinances.

Mr. Hood: I'm not familiar with that situation. All I can do is, I read the code. What the code says is what it says. Under the interpretation of our current code, the use is not illegal.

Mr. Clemens: I am going to keep this on the Service Committee (Tape Change).

Mr. Baxter:the same type of situation. God forbid we have that in our papers. We should be making certain that we have our Code Inspectors looking at it. It was a rental, is it not? Did I just not hear that?

Mr. Clemens: It's a rental.

Mr. Baxter: And should we not then be able to inspect it, Mr. DeBolt?

Mr. Hood: I'm not aware of any of those issues, Mr. Baxter. I wasn't asked.

Mr. Baxter: I'm concerned for their safety. Not just theirs, but the neighbors around them. If there's a fire, and God forbid, other houses are brought into play.

Mr. DeBolt: The code compliance issues were considered. And at the time, we would have to observe that there was some construction going on in the house in question. Even though it was rumored to be the case, we did not have information to that affect. Therefore, we couldn't investigate any further. Again, with future homes that are being built, we know that they're in the area. We'll monitor it a lot closer.

Mr. Baxter: Alright. Thank you.

Mr. Clemens: In other words Steve, there was no work done in these houses?

Mr. DeBolt: Well none that we know of.

Mr. Clemens: None that you looked at.

Mr. DeBolt: We would have to see work going on.

Mr. Clemens: None that you looked into. Let=s put it that way.

Mr. DeBolt: No. We didn=t go into the house. We weren=t invited into the house. But if we see construction trucks, work going on, we would have enough reasonable suspicion then to investigate. But we didn=t have that at the time.

Mr. Clemens: Alright. Mr. Joseph.

Mr. Joseph: Thank you, Mr. Chairman. Mr. Hood, again to refresh my memory, you and the Mayor both came to the joint agreement that you would not pursue going after these tenants on the grounds because the code really doesn=t prohibit it, is your interpretation. Correct?

Mr. Hood: That is correct, Mr. Joseph. As I said before, zoning issues and enforcement of such issues, is an Administrative function by the executive branch. That=s why he has his Zoning Administrator, Mr. Haire. These are under his purview. What I was asked by the Council is to follow up with a letter that was proffered to you all to find out whether or not there was any documentation provided to show you that these are blood relatives.

Mr. Joseph: Okay. And is it your intent or the Mayor=s intent to offer legislation to revise the code so this would become not permitted under our ____?

Mayor McPherson: If I could address that. This becomes a legislative matter. And if you want legislation, I think all of Council needs to get together and prepare the legislation seeking the advice of both the City Attorney and the Administration. But in this particular case, there=s no present zoning violation. And I don=t know how you would even craft something to one specific issue. But I think you know, you=ve got 7, 8 minds up there, and if you can come up with something, we will certainly collaborate with you on it.

Mr. Clemens: Mr. Hills first.

Mr. Hills: If I could just follow up a little bit and ask on those, I think Mr. Hood has indicated that we may want to take a look at our Zoning Codes. And I read Mr. Woods= article too. He=s seen everybody else=s Zoning Code, so why don=t you check with The Dispatch and get a copy of the others that they compared ours to? That=ll give us a start.

Mr. Hood: I=ve read the article as well. I know that Gahanna was mentioned. Upper Arlington was mentioned. And I will caution Council that there have been recent lawsuits in each of those municipalities, I think that brought about those changes.

Mr. Hills: I think our Zoning Code, if I remember right, Bill Underwood did an overview of the whole thing with an attorney out of Canton or somewhere. That=s probably been 8, 10 years ago. Things have certainly changed. Mr. Clemens, I absolutely agree that I think we, it=s good to have this on the agenda as to, does this become a Priestley Drive? I don=t know. But I think

there are some issues. I think there=s, I appreciate the Administrative argument of what, it is not legislative, it=s Administrative. Do we need to take legislative action? I certainly think, like many other things, we need some more of that information. And we would appreciate any input that we could get from Administration and legal as to some of those things. You don=t write legislation on a knee jerk reaction or else you=re going to be in court again. So I think that, this is in front of us. There are some issues, some questions that I=ve heard raised. Taxes. I=ve heard the reference to Five Seasons being a good Reynoldsburg resident. They=re not, they absolutely are not in the City of Reynoldsburg. They=re in Etna Township. There are not taxes from the business come to Reynoldsburg. It=s just their employees happen to live here. Do the employees have some tax liability to the city? We could argue that one back and forth for a while. And so I think the seeking of more information is still out there and needs to be documented. And I think keeping it on the agenda at least keeps it active for that. Do we want to have the hour debates every meeting? I don=t know. There=s certainly, there are some issues that we still, and I appreciate Mr. Hood=s effort, need to further look into.

Mr. Clemens: It=ll be on there for issues that do come up. If there=s, it will not be on for discussion every week unless there is an item that we need to discuss. Mrs. Newman.

Mrs. Newman: Yes. I=d like to suggest that in drafting any ordinance to handle this kind of thing, that the number of square feet per person allowed in the house and the number of residents, should be considered. And that is a matter of the health and welfare issues.

Mr. Clemens: There is one city that does that. Upper Arlington, I think they require >x= number of feet per person. Then if you have a second person in the room it=s an additional amount. So that is something to discuss. The part I hate about it is not being able to correct the situation we have. I respect Jed=s opinion of the other attorney. You can say that. I don=t have to say that. You can talk about other things. I know too many attorneys. Some of them don=t even play good golf.

Mr. Hood: If that had my name on top of it, you=d believe it.

Mr. Clemens: Okay. But I don=t have to say that. But I do say that if this guy does have ethics, if he sent this, that=s what he calls evidence, he=s got to have something some place else or he sure as hell wouldn=t have sent this.

Mr. Hood: I will follow up and ask for more documentation, Mr. Clemens.

Mr. Clemens: If you would please. That=s all I=m asking.

Mr. Hood: I will. I will.

Mr. Clemens: Thank you, Jed. I don=t know whether, I know there=s people here that were involved. I don=t know whether anybody wishes to speak. If they do, this is the time they could.

Just come up and give your name and address if you would please. Thank you, Jed.

Mr. Hood: Do I need to stand up, or excuse myself? Would you like me to stay here?

Mr. Clemens: No. No. That=s fine. Thank you. I appreciate it. Thank you.

Mr. Hood: Thank you.

Mr. Clemens: Just give your name, address, and so forth.

Mr. Kenny: My name=s Tim Kenny. I live at 6399 Retton Court. And I do appreciate the work that you=ve done on that. I also read most of the letters. I got one stating that this gentleman and his landscaping company that was located here in Reynoldsburg, would be housing his employees at this residence. And two days later there were 8 to 10 employees living in there. So his next letter stated that they were family. And his next letter also stated some verbiage in there about the City of Reynoldsburg and all you folks sitting up there along with me and the neighbors, insinuating some things about us that I don=t believe are true. And Mr. Hood is going to take this attorney=s word because he=s a man that has integrity. He=s an attorney, that he doesn=t lie. But he=s also already said he lives in Reynoldsburg. Well, he doesn=t. He=s already said that his employees are going to be staying there. Now they=re family. You know, and he sent a letter that we=re going to take his word for that these people are related to each other? We=re not going to look into this? So I guess my thing that I want to say is, a single family dwelling, and that=s what it is zoned for, is that not correct?

Mrs. Newman: That=s right.

Mr. Kenny: I have 8 men, grown men, living in my court as a single family. If they were living next to you or any of you, would you consider that a single family? I do not consider that a single family in any interpretation of any way that you say single family dwelling. Then I hear from this gentleman here that we have not checked on anything they=ve done with any of these houses. We=ve not gone and knocked on a door. We=ve not seen who these people are. We=ve not checked with even the minimal list that we do have. We=ve not checked to see if there=s been any safety violations. We=ve not checked anything. So everything this gentleman has, that owns this landscaping company and his attorney Mr. Orlandini has said, has been pretty much incorrect. And we=re just going to take his word for it. I=m very disappointed with that. That=s all I have to say.

Mr. Clemens: Thank you. Thank you, Mr. Kenny.

Mr. Hood: If I may respond?

Mr. Clemens: Yes, Mr. Hood.

Mr. Hood: Mr. Clemens, I think I just said to you just a moment ago that I would follow up and ask for the documentation that you requested because of your concerns.

Mr. Clemens: Yes. Right.

Mr. Hood: And I will do that. So look for that in your packet. I don't know about this week, but look for that in your packet.

Mr. Clemens: If you would. And also, I thought we had been checking on it. Because there were houses, they did have doors delivered to their houses and so forth. They were leaning on the outside, new doors. So they were doing work inside the building, the houses.

Mr. DeBolt: But we have to know that at the time to go. We can't just go knock on the door and investigate.

Mr. Clemens: Well, I can. I always did. I don't know why you can't.

Mrs. Newman: I don't see why not.

Mr. Clemens: I've never understood that from some of you people.

Mrs. Newman: The Building Inspector can go in any time.

Mr. DeBolt: Not necessarily.

Mr. Clemens: You've got a badge. You could have walked up there and done it.

Mr. DeBolt: Well, I think the way to handle this is the fact that if they're going to have other locations here in the city, and we've established that there's a relationship that's going to be here, that if we work with the owner and let them know that there are restrictions if you're going to be building, that we'll be monitoring it for one. And two, I think they should take the initiative to work with us and get a permit if it's needed.

Mr. Clemens: I agree. And my suggestion would be, to any of the property owners, and any of the people that live at the properties around these three residences, if they do have any problems or do see anything, you should call Mr. DeBolt. Or you should call the Police Department immediately if you have any problems. I know there was a letter that said to contact, for you to contact them individually or so forth. I wouldn't even bother with that. If you seem to have any problems, and you may not have. I mean, you know, we don't know what, I'm not speaking anything about these people. They're good people. They're just like any of us. The object is, it's the ordinance and the zoning that we're talking about. We're not talking their nationality or the people that moved in there. But if there is problems, I wish you'd notify me, and also notify the Police Department. I will keep this on the agenda. And like Mr. Hood said, he will

ask for additional information on this. We'll see how that pans out and see where we can move on from there. Because I think, I don't think it's done really. So we'll keep it on the agenda for the discussion. And if something comes up, then we'll discuss it. Are there any other questions or anything pertaining to this? And I do want to thank anybody that spoke. I want to thank Jed and I want to thank you Mr. Kenny. I want to thank members of Council listening to us.

Let's move onto the next item. Next item is, Discussion, Amendments to Ordinance No. 23-07 passed April 23, 2007 regarding Chapter 1335 AFlood Damage Prevention. And I do hope that this is the way it's going to be on this so we can get the amendments done. So I think Mr. Parkinson, you did the work? Who is going to explain this?

Mr. DeBolt: I would like to give an introduction if I could. First of all, I just want to acknowledge that this legislation hasn't moved us through the process efficiently as we would have hoped. So I take responsibility for that. But I just want to also say that there's some mitigating circumstances. Mr. Hopper's had surgery and he's been on half duties. I've been pressing him to the limit to work on this project as well as others. And he was going to be here today to follow up on this. He's just returned from some training and he wife was admitted to the hospital this morning. So I gave him a buy for tonight. So Mr. Parkinson and I have talked to Mr. Hopper, and we'll try to do our best to explain anything, questions that you may have. As well as explain the changes that we've made. We wanted to also provide this, Mr. Parkinson has worked diligently to provide the copy that you have with some amendments and address some of the key points which I believe you had with the appellate function. So he's done that.

Mr. Clemens: What I want to do, if there's anything, amendments that will have to be changed, I'd like to have them done so we can pass them and send them forward. So I believe that's what discussion is. I don't know of any other discussion other than what you have changed in there. And whatever you've changed, I want to know that we're going to amend. It's just that simple. I mean, what are we amending? I knew another part I asked for is in there. Is there anything else in there that we're going to amend?

Mr. DeBolt: I'll ask Mr. Parkinson to cover those.

Mr. Parkinson: The simple answer to your question is, not much. The biggest issue that caught the ire of ODNr is the reference to the maps. And where we had May 1 in our ordinance, the date should have been May 2. I hesitate to call it a simple typo, but I'll simply call it a simple typo. But it was pretty important to them. And so we had to go back and revisit the code to get that corrected. And in doing so, I found what I perceive to be, another significant issue that needed to be immediately addressed with this change. And that was some of our cross referencing as we reference. In a particular section, we might reference another Section 1335.28(e) for example, and we had an incorrect reference, cross reference in numerous places in here. So I took the opportunity to then correct those. And as long as I had my computer with me and I had the file opened, I went ahead and cleaned it up I guess is maybe the politest way to put

it. I restructured it in a format with subordinate sections consistent with your existing code as opposed to how it was written. I found areas that I thought punctuation was maybe better to be edited. And then I took the last opportunity to simply edit and make it read better in certain locations where I thought that maybe deleting some words and adding a few others might help the overall presentation. But those were very non-substantive and it was simply just to make it better.

Mr. Clemens: Are those changes though, are those changes that should be sent as an amendment?

Mr. Parkinson: Yes. As long as you're making it, you have to make an amendment.

Mr. Clemens: That's what I meant.

Mr. Parkinson: As long as you're doing that, you might as well make it all there. Now let me just say....

Mr. Clemens: Okay. Could you do me a favor?

Mr. Parkinson: Yes, sir.

Mr. Clemens: Or Steve can do me a favor. Have, and I'm in no hurry to do this, we're in no hurry now any way, have something on each amendment drafted in to Nancy so we can have it in a form that, before Council, that we're going to adopt. In other words, get your amendments listed. Each one.

Mr. Parkinson: They're in there.

Mr. Clemens: They're in here.

Mr. Parkinson: They are absolutely in there.

Mr. Clemens: Yeah. I know they're in here.

Mr. Parkinson: And they're in there so that you can see exactly what I changed. And if I....

Mr. Clemens: That means she's got to pick them all out.

Mr. Parkinson: And they're easy to strip out. It's a click of....

Mr. Hills: Mr. Clemens, they're done.

Mr. Clemens: Okay.

Mr. Hills: You look on page 1, there=s two or three bold places. If you look at page 3....

Mr. Clemens: I saw that.

Mr. Hills: And that unfortunately, what we=re seeing here is what I call Midas Muffler.

Mr. Clemens: I=ve seen that.

Mr. Hills: And that is the number of changes that had to be done in order to make it what it should have been. This is called Midas Muffler government. We should have paid him the first time to do it rather than done it ourselves. Because we surely paid the second time. And unfortunately, we passed this previously without these changes which were, are they right, are they wrong? Certainly, when you make an incorrect reference, it=s wrong. But this, we=re seeing one that has a substantial number of changes. Although they=re of a technical nature more than anything else I believe. Other than the dating and things like that which ODNR was not happy with. And Mr. Hood took care of that one.

Mr. Clemens: I know they=re changed here. Is that alright then? We can do that?

Mrs. Frazier: Yes. He=s changed the whole document. We adopted it by reference, so we will substitute it.

Mr. Clemens: That=s what I meant. I knew you had done it but I didn=t know whether it had to be listed in an ordinance.

Mrs. Frazier: No. No.

Mr. Clemens: Okay. That=s all I wanted to know.

Mrs. Frazier: I appreciate that.

Mr. Clemens: That=s what I was worried about. Having to do it that way. I read the changes but I thought we had to have them all in ordinance form. I mean, that=s a lot.

Mr. Parkinson: That would be more than we want to do.

Mr. Clemens: That=s fine.

Mr. Parkinson: Let me just say one thing just so when I come back, or when we come back in a few months and do this again. There is a reference in Section 1335.06, I=m sorry .07, the basis for establishing your areas. This is the section that identifies the Licking County Flood Study, the Licking County flood map, the Franklin County Flood Study, and the Franklin County flood maps. The Franklin County=s are dated 2004. They are currently in the process, they are out for public comment right now. Revised maps and studies for Franklin County. They will be

adopted some time this Summer. Maybe even as late as the Fall. And when they are adopted, we will have to come in here once again. And it should in this case, be a very simple change.

We're simply going to change two dates. The two references to March 16, 2004 will be changed to a new reference date of whatever date that FEMA adopts the maps. So we will be back again.

And so just kind of remember, don't forget, why didn't we do this the first time? Because right now, they're in the process of going through public review and comment.

Mr. DeBolt: We promise, it'll go smoothly the second time too.

Mr. Clemens: I hope so. I have looked at it and you've changed the way that we had asked as far as the appeals and so forth. I have no problem with that if it can be adopted this way. That's the part I was worried about. That we had to take each item out and do it. Are there any questions that anybody else has seen as far as this is concerned? What we did, and one of the reasons was, that they do have to appeal to Council, and Council will hear the variances also. And also the appeals. That is in there and that has been changed like we discussed it.

Mr. Hills: A dumb question if I could Mr. Clemens? Is there a reason that this flood plain information doesn't include Fairfield County? Or is that just sometime would be added also? I mean, we're at a disadvantage because we're in three different counties. I'm sure we could handle that. But does Fairfield not have this same type of thing?

Mr. Parkinson: I don't know. That's a very good question. What happened, and why this is the way it is....

Mr. Hills: If it's going to money, I didn't ask it.

Mr. Parkinson: I'm going to call tomorrow and find out. That's a very good question. The history, let me back up for just a second. In your previous ordinances, you only referenced the Franklin County maps. You didn't reference Fairfield or Licking. Because in the old days, now back when I didn't have gray hair, all of Reynoldsburg, all of Reynoldsburg, no matter where Reynoldsburg went, was shown on the Franklin County maps. And at the last second, what they, FEMA and ODNR decided to do, was carve up Reynoldsburg and put it in it's respective counties. I never thought about Fairfield quite honestly. So I need to ask that question.

Mr. Hills: See that first check will be free because he didn't think about it.

Mr. DeBolt: The other day I had this conversation with someone. Was it you, Dave? In my office?

Mr. Parkinson: Probably Josh.

Mr. DeBolt: Okay. But we did bring that up. And we looked on the map and there is a creek in Fairfield County right at the smallest part that we have. So you know, it could be an issue.

Mr. Hills: It runs along 70 right behind the shopping center.

Mr. DeBolt: Because if this is about getting people flood insurance, there=s people that could potentially be affected. So we need to look into it.

Mr. Parkinson: If I had to hazard a guess, I=m going to say to you, that that portion of Fairfield County that is in Reynoldsburg is still on the Franklin County map. It=s Licking County that got stripped off and put over on the Licking County maps. And that=s why you don=t have Fairfield. But I will confirm that and get you a memo before Friday.

Mrs. Frazier: But your reference is to Fairfield in that one part.

Mr. Parkinson: For appeals on, I don=t think it matters what map it=s on. But I think if you are in Fairfield County and you want to appeal an action of the Council here, you would have to put that in the Fairfield County Court of Common Pleas. But that=s why I added it.

Mr. Hills: If you have a court action, other than the Mayor=s Court action would go to the county of the site.

Mr. Parkinson: Then that=s exactly why we added it.

Mrs. Frazier: Okay.

Mr. DeBolt: I=d just like to thank Mrs. Frazier and Mr. Hood for their assistance last week. Again, Mr. Hopper wasn=t available. And some times I was not immediately available. And they picked up the ball and ran with it and got it done within the deadline that we needed. So that=s appreciated.

Mr. Clemens: Are there any other questions pertaining to the changes that=s been made? (No response). If not, I=d like to send this to Council for its first reading. What do I do on this Nancy, on an amendment?

Mrs. Frazier: Do we need an emergency on this?

Mr. Clemens: I mean, is there a hurry?

Mayor McPherson: The letter that I read from _____ said he would get it ASAP.

Mr. Hills: I believe ODNR is waiting for this to be passed.

Mayor McPherson: They=re waiting for this. Emergency should be added.

Mr. Clemens: They are? Okay.

Mr. DeBolt: We committed it at our next meeting to start it. So I would like to see it be an emergency if we could.

Mr. Clemens: I can send it to Council for first reading. If we have the change that Dave=s speaking of. Or would you rather hold it for two weeks?

Mrs. Frazier: We have it, Mel. It=s all done.

Mr. Clemens: Yeah. But I mean the Fairfield County. That doesn=t have to be?

Mr. Parkinson: I=m simply going to confirm that we do or don=t need to do anything. My initial thought is, we will not need to make any changes to this because Fairfield County=s already covered. But if there is a change, I=ll have it for you by Friday.

Mr. Clemens: That=s what I meant. We can go ahead, if there is a change, you=ll let Nancy know.

Mr. Parkinson: Yes. But I agree with Mr. DeBolt. I think there is some urgency to get this done and back to ODNR.

Mr. Clemens: Okay. If there is a problem, you let Nancy know. I=d like to make a motion we send this to Council for its first reading and pass it as an emergency. Do I have a second? Second by Mrs. Newman. All in favor, say aye. (All voted AAye@). Thank you.

The next item, Authorization of preparation of specifications and advertisement for bids - cleaning, televising and root cutting up to 18,000 lineal feet of sanitary sewer. Mr. Kipp, this is something we do each year.

Mr. Kipp: Each year. This is just the....

Mr. Clemens: What he wants to do is bid this out. Go ahead.

Mr. Kipp: Yeah. It=s just a motion. I have the money in my engineering account to bid it out. This is just a request to go ahead and bid this out this year.

Mr. Clemens: Alright. This is something that we do each year. Are there any questions for Mr. Kipp? Yes, Mr. Baxter.

Mr. Baxter: Just one question I had. How much are we doing with our new truck that we bought like a year or so ago? Because I think it was like what, 85,000 or something like that for a truck that we paid for a truck with television and all that stuff? I know we=re doing something. Right?

Mr. Kipp: Oh yes. We do, with our truck, we do all of our annual maintenance. Where areas where we have trouble, you know, where we have record of trouble, we do all of that. And that includes, it's on a cycle. Each year's a little different. Because some years there'll be more root cutting and there will be others. So we do all the known areas. This mainly is areas that we don't clean on a normal basis.

Mr. Baxter: Okay. It doesn't seem that much. But I guess they took some _____.

Mr. Kipp: Trust me. It helps.

Mr. Clemens: Are there any other questions? Yes, Mr. Joseph.

Mr. Joseph: Thank you, Mr. Chairman. Mr. Kipp, what has this cost us the last couple of years when it's been bid out?

Mr. Kipp: Between 25 and 30,000.

Mr. Joseph: And it's been pretty consistent each year?

Mr. Kipp: It dropped down last year. It was actually less.

Mr. Joseph: Okay. Thanks.

Mr. Clemens: Thank you. Are there any other questions for Mr. Kipp? (No response). If not, I'd like to send this to Council for passage. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item, I would like to put in Other Legislation for the time being and bring it back up when we need it. Because we are working on trying to get this corrected with the Rosehill Project. Which it is on the Finance Committee coming up. Engineering fees to apply for this. So I would like to put that in Other Business for right now. Do I have a second? Second by Mr. Joseph. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item, ORDINANCE AUTHORIZING E.M.H.&T. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO THE BARTLETT COURT STORM SEWER OUTLET PROJECT; AND APPROPRIATING FUNDS THEREFORE. It had its second reading 4-23-07. Are there any questions pertaining to this? (No response). If not, I'd like to make a motion to send this to Council for adoption. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

And that ends the meeting at....

Mrs. Frazier: No. No. No. One more.

Mrs. Clemens: Oh. I forgot about number 9. That=s what everybody=s here for. This has been added to the agenda. This is the request, Authorization for the Mayor to enter into contract for the Riley Contracting to do our sanitary sewer, Taylor Road. Mark, would you like to speak on this?

Mr. Kipp: This is the bid for the Kroger=s sewer. It=ll cross Kroger and under Main Street. Not like the last two times, this time it came actually bid, substantially under bid. So it was a good thing.

Mr. Clemens: Alright. Are there any questions for Mr. Kipp from members of the committee? (No response). Members of Council? (No response). If not, I=d like to send this to Council as an emergency. And also send it to the Finance Committee. Do I have a second? Second by Mr. Joseph. All in favor, say aye. (All voted AAye@). Thank you, Mark. It=ll go to the Finance Committee.

That ends the Service Committee meeting at 9:40.

Service Committee

May 7, 2007

- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)

FINANCE COMMITTEE MEETING MINUTES
May 7, 2007

Members of the Finance Committee present: Ron Stake, Mel Clemens, Preston Stearns.

Other members of Council present: Brett Baxter, Doug Joseph, Antoinette Newman, Donna Shirey, Council President William L. Hills.

Mr. Stake: I=ll call to order at 9:41, the Finance Committee.

Item number 2 is approval of the agenda. I have four items I need to add to tonight=s agenda. I would like to make 3a, the appropriation for the Main Street Construction. 3b, appropriation for Graham Road. 3c, appropriation for engineering for Street Program.

Mrs. Frazier: You don=t need that one.

Mr. Stake: Don=t need that one? Okay. One less. And so I will make then 3c, the appropriation for the Taylor Road Sanitary Sewer. Any other additions to the Finance Committee agenda? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

3a is the monies for the Main Street Construction which would be appropriated to CIP account 410.114.5659. And that would be \$85,738.50 for the construction, 10,000 for the engineering, and 7500 for the contingency. Are there any questions or comments in regards to that appropriation? (No response). Okay. None being heard, I=ll make a motion that we make that appropriation as an emergency. All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Mrs. Frazier: Did you get a second?

Mr. Stake: No, I didn=t. Let me back up. I=m getting a request to move fast here. Then I=ll make a motion that we appropriate those monies for Main Street. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes. Thank you, Mrs. Frazier for keeping me in line here.

Item 3b is the appropriation for Graham Road. And that is \$183,527.45 for construction, 20,000 for engineering, and \$12,500 for contingency. Any questions or comments in regards to that appropriation? (No response). I=ll make a motion that we approve that. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

And item 3c is the appropriation for the Taylor Road Sanitary Sewer Extension. And that would be \$402,337.75 for the construction, engineering of 45,000, and contingency of \$48,000. The project would be paid from the unappropriated Sewer Capacity Fees and appropriated to account number 250.116.562. And this would be an emergency. Are there any questions or comments? Then I=ll make a motion that we appropriate those monies. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Mrs. Frazier: Mr. Stake, now that I=ve told Mr. DeBolt he already had the money, you do have to back up on the street. Because I was thinking of the one for the \$7,000.

Mr. Stake: Okay. So I do need the 25,000 for the....

Mrs. Frazier: The 25 would do. Yes. I apologize for that.

Mr. Stake: Then I can go back and amend the agenda to make that 3d. Okay. Alright. All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Okay. 3d is the \$25,000 for the engineering for the 2007 Street Program. And it will be from the unappropriated CIP Fund 410.115.5651. And this would be an emergency. Any questions or comments from the Finance Committee? (No response). Members of Council? (No response). Then I=ll make that motion. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted AAye@). Opposed? (No response). Motion passes.

Okay. On to the items that are already on the agenda. Item number 4 is Discussion, Authorization to apply for OPWC Issue 2 and CDBG funds, Rosehill Road Reconstruction Project. Did I, before I do that, let me back up here again. Did we approve the minutes of the Finance Committee meeting held April 16, 2007?

Mrs. Frazier: No.

Mr. Stake: Okay. Are there any objections to those minutes? (No response). None being heard, they=ll stand as submitted.

Item 4, Authorization to apply for those monies. This comes from Mr. DeBolt. Mr. DeBolt?

Mr. DeBolt: My apologizes. I was in mid-sentence there.

Mr. Stake: OPWC and CDBG application for funding of the Rosehill Road Project. I guess you

request authorization for the Service Director to apply for the Ohio Public Works Commission and Community Development Block Grant Program for funding of the Rosehill Road Reconstruction Project. Engineering services not to exceed the amount of \$7,000. And this will be paid from the Miscellaneous Engineering account number 110.448.5331. One of the questions that I have, and I don't know if you're prepared for this at this time on this, do we know, how much are we applying for I guess?

Mr. DeBolt: I don't know yet. Unless Mr. Parkinson=s aware.

Mr. Stake: Or do we have any idea?

Mr. Parkinson: No. Actually we don't. Part of the, in preparing the application, what we do is, we balance the city=s contribution against the points that you earn for contributing to the process. And I don't know exactly what they are standing here before you. But for example, if you contribute 25.1% versus 24.9, you may get 5 more points. If you contribute 50.1 instead of something less than 50, you may get another 5 points and so forth. And so what we do, is we balance your fiscal needs with the desire to acquire as many points as we possibly can. And obviously, if you throw in 90% of the money, then you're not really asking for very much. But you get a whole lot of points for doing that. So the process is, where do we get the biggest bang for our buck? How many points can we garner for what? And that=s what the application process is really all about, is putting together a strong need statement, and then coming up with how it is we're going to package, leverage our local funds to the best of our ability.

Mr. Stake: Okay. And what part, I had a couple of questions on this, what part of Rosehill Road are we looking at? Or have we determined that yet? Is this Rosehill Road from Main to Broad? Or is to the city limits I guess up towards Broad?

Mr. DeBolt: We haven't determined yet.

Mr. Stake: Okay. So you're going to do the, you want to do the engineering to decide what portion, or what we would do there? And then how much we would apply for?

Mr. Parkinson: The application itself is set to handle both the Rosehill Road Reconstruction Project, which basically starts immediately north of Main Street. Basically, there=s a three lane width there at Main Street because of the turn lanes. It goes all the way up past the school, past the bend, and connects in with the existing three lane wide pavement that we have up there. That=s the reconstruction project that we and the county have been arm wrestling with now for good golly, 8 years maybe. And we have added, at least as far as the application goes, the portion of Rosehill Road from Main to Livingston. And the curbs there are falling apart. The road is, when we take the curb out and fix the curb, we can fix the road as well with the mill and fill type process. And we're going to add that portion of Rosehill also then to the project to create a, yes it creates a larger project, but by doing so it makes potentially a more competitive project. It makes a project that those that review the applications look at and say, this is a big project. There=s a big need here for the city and we need to help. And it throws all the points in there.

The other thing it does is, it places at one end of the road an anchor, the high school and commercial development along Livingston Avenue, with another anchor at the far north end of the project, even though it's not Reynoldsburg. It's Broad Street and the commercial interests up there on Broad Street. And maybe we can get enough information to know that they're going to build a Super WalMart up there or whatever it is that they've talked about building up there for 3 or 4 years now. And so we can kind of anchor both ends of our project with some really, with needs of where people are going and why they're going there. And we hope to be able to capture points from that aspect as well. And that's part of the reason for adding that into the application. The section of Rosehill from Main to Livingston can be debated as to whether there's a need, whether there's a demonstrated need. How much longer could we really live with it the way it is. What kind of traffic is there on there? It has been identified for a number of years as we've gone out and looked at the various streets as one in need. It maybe has never made it to the top of the priority list. It probably isn't as bad as those roads, well I'm sure it's not as bad as those roads we talked about earlier tonight, but it is in need of some work and we felt that this was an opportune time to take advantage and to leverage our need for a better project in the Issue 2 with our desires to fix this road once and for all.

Mr. Stake: Okay. Any questions or comments from members of the Finance Committee? Councilman Stearns, you have a question?

Mr. Stearns: Yeah. I wasn't aware that we were going all the way down to Main to Broad. But I think that, I mean Livingston to Broad. I was always under the impression it was going to come at the bend, the curb there and go on down. I think that probably would be a better idea if that's going to get the grant, if the grant's going to be issued. Like you're saying, there's a much better probability that we could get the grant just to go all the way. So it's good news to hear that.

Mr. Parkinson: Thank you.

Mr. Stake: Okay. Councilman Baxter.

Mr. Baxter: Councilman Stake, I think it's a great idea because we're getting a double bang for this. We've got Matterhorn out there who's getting all hammered and what not with water. And this is one of the opportunities for us to take a look at that and get that result as well. We're not just fixing a road, we're fixing the infrastructure and we're getting more than one neighborhood that's going to get advantage as well as business on both sides on Main Street as well as on Broad Street. So you've got a huge project there that has a lot of benefit.

Mr. Stake: Okay. President Hills.

Mr. Hills: Mr. Stake, I've been in a number of meetings on Rosehill and one of the things that always came up in the meeting was Livingston to Main. And it was always, no that's not what we have for the immediate problem to deal with. I have, so as I sit here and listen to everybody,

and I had questioned you, and I've questioned Mr. Parkinson, and the first time I've heard a decent reason was to consider even from Main to Livingston is, we may have a better chance of getting grants than _____. And with that, I will shut up about it. As you all know, I've spoke out at meetings that that's not where we need to expand our dollars because we have other streets between Livingston and Main that are in worse shape than that area of Rosehill. But if it intentionally helps us, it's worth the application and expenditure time to do it. Mr. Clemens and I had talked and....

Mr. Clemens: My problem is, what potentially kills us is what bothers me. The additional cost. You know, you can look at it two ways. I mean, we're throwing in additional cost. I don't know whether that helps or hurts. You say it helps. I don't know. If we don't get it then I'm going to say you were wrong.

Mr. Parkinson: And it would be regrettable that it would be the first time in the 15 years that I've come here that I was wrong.

Mr. Clemens: We've tried to get this so long and so much, I hate to have another, what we were talking about, 350,000, 400,000 to it? Maybe more.

Mr. DeBolt: Just for that part it's got to be upwards of 2 plus minimum.

Mr. Clemens: That's a lot of curbs and gutters.

Mr. Parkinson: I'll make this commitment to Council is, that as we put this application together, and as we start working with the Administration and staff to get our numbers together, we'll share with you where we are and why we think we're there before we ever get to the point of ready to submit the application. So you'll know what we know. And you'll understand why we're making the decisions that we're making. And we can get some positive feedback that say, yeah we agree, or no this isn't what we thought back in May when you sit up there and told us though.

Mr. Clemens: My only problem is, we're going to be putting money in. And if we expand the project, the money that we're going to be putting in, is it going to be as much for the whole _____. Now you say we may get more by doing that. I don't know. I hope we would. I don't know whether we can come up with any more.

Mr. Parkinson: Yes. I will say it. Let me just throw a number out. And I'm just picking a number. \$400,000. If we're going to ask for 75% help, you're going to have \$100,000 extra. But if that helps you win 2 million dollars for the north section of the road, and we get the project done, maybe that's a pretty worthwhile investment of \$100,000. But that's your decision to make and not mine.

Mr. Clemens: I agree. But that kills us, then we've made the wrong decision. We've got two

ways to look at it.

Mr. Parkinson: And if you look at it and you say we can't afford that, then we don't pursue it.

Mr. Clemens: Well, when you get it done we'll look at it. I agree. That's fine.

Mr. Stake: We're going to pay them to do the application. They'll bring that information forward prior to sending it in. And I would imagine we agree on it _____.

Mr. Parkinson: The application is due the second Monday in September.

Mr. Stake: Alright. Does that raise any questions or comments from members of Council? Yes, Councilwoman Newman.

Mrs. Newman: I guess I'm just rephrasing what Mr. Clemens said. But I don't want us to end up obligating ourselves to do more work than we can afford just to get a grant. So I don't want our part to be that.....

Mr. Stake: Well, I will agree. I don't want to bite off more than we can chew either. But you will get that information.

Mr. Parkinson: You will have that information long before the need, the time to submit is present.

Mr. Stake: And I imagine that you know, if we're not in agreement with, including that part, we could apply for just Main to north.

Mr. Parkinson: If we get the information in in a timely fashion, we can revise the application. And lastly of course, even if you win, you don't have to take it. And the guy that was the first one cut off the list will be thrilled if you turn it back.

Mr. Stake: Okay. That's why we pay you the money for your advice and guidance on this. So we'll look forward to that.

Mr. Parkinson: Great.

Mr. Stake: Any other questions or comments? (No response). Okay then. I'll make a motion that we send this to Council for its first reading authorizing the Service Director to apply for the grants. Do I have a second?

Mrs. Frazier: No. It just needs to be a motion. Two motions.

Mr. Stake: Two motions.

Mrs. Frazier: Two motions. That=s it.

Mr. Stake: Okay.

Mrs. Frazier: So you just send a motion and recommend adoption.

Mr. Stake: Send the motions forward with recommendation for adoption. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted Aye@). Opposed? (No response). Motion passes. Thank you.

Okay. Item number 5, Discussion, Bond ordinance for \$800,000, municipal sanitary sewer system along Taylor Road.

Mr. Harris: Yeah. This is the funding for what Mr. Kipp talked about. We=re going to do this with a private placement bond. We have bid this already. The successful bidder was Key Bank at 4.33% for the 10 years. This will have to be passed prior to passing the ordinance to okay the contract because otherwise, I can=t sign the fiscal officer=s certificate that the money=s available.

Mr. Stake: So you=re asking for an emergency?

Mr. Harris: Yes. It has to be an emergency. It has to go on the same track as the contract acceptance.

Mr. Stake: Okay. And you=re asking us to pass the attached bond ordinance authorizing the financing for the sanitary sewer extension, Taylor Road which we spoke of earlier.

Mr. Harris: Right. That you=ve already passed.

Mr. Stake: Okay. Any comments or questions for Mr. Harris from the Finance Committee? (No response). Members of Council? Councilman Baxter.

Mr. Baxter: I=ll do this really quick. Does this jeopardize our bond rating for the city? Or could it?

Mr. Harris: Anything that we do could jeopardize our bond rating for the city. They can look at our General Fund balance and.....

Mr. Baxter: Well, let me rephrase it. Are we at a limit now where that=s more possible?

Mr. Harris: We are not above what we are legally allowed to borrow. We are certainly meeting all our obligations. I don=t know that this will do anything. But they could get our CAFR and

decide to downgrade the bonds. I can't promise you that.

Mr. Baxter: Okay. Well, that was my point. I don't want to put us in a position where we have reached that. We have not reached it with this bond then?

Mr. Harris: No.

Mr. Baxter: Then there's no reason....

Mr. Harris: We're getting close though.

Mr. Baxter: Thank you sir.

Mr. Stake: Okay. And I'll note on your legislative request that you've had this approved by our Bond Counsel.

Mr. Harris: He's the one that prepared the ordinance.

Mr. Stake: Alright. Any questions or comments from members of the Finance Committee? (Tape Change). (No response). None being heard, then I'll make a motion that we send this forward with a recommendation for adoption as an emergency. Do I have a second? Second by Councilman Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

I see Mr. Walsh is quick tonight too. Item number 6 is Discussion, Transfer of funds from Parks and Recreation Department to Police Department regarding trade-in value of van. Item received past deadline, but listed at my request. And that's because Mr. Walsh asked me to do it. So I did it. But I guess you want to transfer some funds. Correct?

Mr. Walsh: Correct. The fund transfer is actually within the Parks and Recreation budget. It would not be going to the Police Department budget. It's simply that the Police Department's purchasing a new van. And traditionally, the old van has been transferred into the Parks and Recreation Department for use as a maintenance vehicle. And because the last time this was done, I wasn't here, and the Chief wasn't here, and I don't think any of the Lieutenants were here, and we didn't communicate that this was going to happen. So once I realized that the Police Department was doing this, I went to the Chief and I asked him if we could make this work. The Police Department had already received a bid on the new vehicle and it included an \$800 trade-in. So what we would like to do, is transfer funds from the account listed to the Capital Account. And when the van is to be acquired, then the Auditor will write a check out of two different funds. \$800 out of Parks and Recreation, the balance out of the Police Department. That'll pay for the vehicle. The police get their new vehicle. And we get a vehicle to use for park maintenance. That's all I need to tell you.

Mr. Stake: Okay. Are there any questions or comments from members of the Finance Committee

for Mr. Walsh? (No response). Members of Council? Councilman Baxter.

Mr. Baxter: I just have one. And normally, you know me Paul, I'm usually right there with you on these things. But \$800 van, we're going to pay three times that much in insurance keeping that on board. Do we really need to have this van in your department?

Mr. Walsh: It's replacing a vehicle that is now deadlined. So we are really down a vehicle.

Mr. Baxter: Won't the increase in the number of insurance that we have on vehicles in the Park and Rec?

Mr. Walsh: No. Because that vehicle will be coming off the insurance. And this one is in significantly better shape.

Mr. Baxter: No objection.

Mr. Stake: Okay. Any other comments or questions? (No response). Then I will make a motion. You want an emergency on this, right?

Mr. Walsh: Yes. And the reason we're asking for the emergency is, the folks that were providing the vehicle had initially said this was going to happen in late Summer. So we had some time to put this together. And they recently, actually last week, let the Police Department know it would be available in May. So we need to make it happen quickly.

Mr. Stake: I imagine they're anxious to get their new vehicle.

Mr. Walsh: Yes, they are.

Mr. Stake: Okay. Does anybody here at the table have a problem with that? (No response). Then I'll make a motion that we transfer funds from the Parks and Recreation account 110.340.5361 to account number 110.340.5632 as an emergency. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Item number 7 is Discussion, Mowing assessments for 2006 to Franklin County. This was on the agenda at one time but removed. And I've got, I really haven't had the time to go through all this. There's a lot of detail here. I asked Mr. DeBolt earlier this evening if I could hold this and item number 8 for two weeks, so that I could have some time and anybody else who would like to look into this further could have some time to check this out. Councilman Clemens.

Mr. Clemens: I think there's a lot, Nancy's put in there a lot of questions that should be answered. That'll give them time to answer them.

Mr. Stake: Right. Are there any objections to that from anybody? (No response). Then I would like to make a motion that we hold this item number 7 for two weeks. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

Same thing with item number 8. That=s for Licking County. I=d like to make a motion that we hold this item, Mowing assessments, 2006, Licking County for two weeks. Second by Mr. Clemens. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

And item number 9 is an ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO PAY FINAL INVOICES REGARDING the widening and resurfacing of State Route 256 between the Marcus Theater entrance in the south, to a point north of Farmsbury Drive in the north; and (2) Livingston Avenue Bikepath that connects Huber Park to Blacklick Woods. It had its second reading on 4-23-07. Any questions or comments in regards to this item from members of the Finance Committee? (No response). Members of Council? (No response). None being heard, then I will make a motion that we send this on to Council for its third reading with a recommendation for adoption. Do I have a second? Second by Councilman Stearns. Any further discussion? (No response). All in favor, please state aye. (All voted Aye). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 10:05.

Finance Committee

May 7, 2007

- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Lyday)