

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

May 3, 2004

Members of Community Development Committee present: Lane J. Beougher, Eric Gilbert, Mel Clemens, Ron Stake, Preston Stearns, Brett Baxter, Antoinette Newman.

Other member of Council present: Council President William L. Hills.

Mr. Beougher: I'll call Community Development to order at 7:43. First item on the agenda is approval of the minutes of the April 19, 2004 Community Development Committee meeting. Are there any corrections to the minutes? (No response). Hearing none, they will stand as written. Next item is the approval of the agenda. Does anyone have anything to add or delete from tonight's agenda? (No response). Hearing none, it will stand as submitted.

Next item is an Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Chapter 971 - Municipal Parks - addition of Subsections (f) through (q) to Section 971.07, "Scheduled Events And Activities". This had its second reading last week, and does any member of Council have any questions on this item? (No response). I do have one for the City Attorney possibly. Under the term, it says that "this agreement shall commence on or before May 1, 2004". Since that date has passed, does this need to be revised to maybe say June 1, or do we need?

Mr. Underwood: It certainly can if that's the desire of the Parks. That agreement was drafted originally two years ago. And the dates got changed but I guess the date of getting it in here, it has to be authorized so the day of the agreement's, I don't have any problem. I don't know about Paul.

Mr. Walsh: (Inaudible).

Mr. Beougher: You know, I skipped ahead.

Mr. Underwood: That's the concession contract.

Mr. Beougher: I'm sorry. I have it in the wrong order. Does anyone have anything on the right agenda item which is the municipal parks activities? (No response). As I said, this had its second reading last week. And if there are no questions, I'd like to move to send it forward to Council for its third reading with a recommendation for adoption. Is there a second? Mr. Clemens with the second. Any further discussion on this item, number 4? (No response). Hearing none, all in favor signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries and it will go to Council next week. Okay.

Mr. Underwood, I apologize. So just authorizing, we don't have to worry about the backdate or anything like that.

Mr. Underwood: No, but you can certainly change the date if you think it's going to be through legislation, it would be signed and effective June 1. I suspect when Paul put the date in, he probably thought it would be through Council.

Mr. Beougher: Sure. Yes, Mr. Hills.

Mr. Hills: You know, I just happened to, if I'm on the right ordinance, I just happened to look at Exhibit "A" and I think possibly that stand may have opened April 1. At least if they could...

Mr. Beougher: That stand opened before April 1. Okay.

Mr. Hills: I think they may be open and doing business now.

Mr. Beougher: Yeah. I worked there Saturday, so they are open. And they've been open for I think, two weeks approximately.

Mr. Hills: And as far as this contract goes, the date that it's executed in line 1, I think will become the date of the document. Is that not correct, Bill?

Mr. Underwood: That normally is true.

Mr. Beougher: And so we just leave the effective termination date of April 30, 2006 alone and just be a 22 month contract instead of a 24 month contract. Okay. Any other questions from members of the committee? (No response). Hearing none, I'd like to move...

Mrs. Frazier: Mr. Beougher. This was one that I'd asked Mr. Walsh for a document. So if you're going to send it forward, you might send it forward contingent upon that document coming in. I think I copied all of you.

Mr. Beougher: I did see that. That was...

Mrs. Frazier: It's Attachment "C". Did you get that Paul?

Mr. Walsh: I did get an attachment from RSA that wasn't going to be sufficient. So I've asked them to return with something that would work in the agreement. They agreed to do that. They sent me an e-mail today saying they'd get something to me. So you should have that before the next Council meeting.

Mrs. Frazier: You could send it forward contingent upon it being received.

Mr. Walsh: Exhibit "C" is essentially RSA's agreement that Ron Andrews can sign for them.

Mr. Beougher: Okay.

Mr. Walsh: That's what that is. They need a Board Resolution. They've agreed to do this. They just didn't send us something that said that.

Mr. Beougher: When is their next board meeting? Do you know?

Mr. Walsh: He said they didn't have to do it at a board meeting. They've already agreed to do it. They just need to get us the documentation that says they did. And they agreed to allow him to sign for that.

Mr. Beougher: And you think that'll come in by Friday?

Mr. Walsh: Well, I asked for it last week. I have every reason to believe they'd get it back to me. But I can't promise that.

Mr. Beougher: Well, I mean, that's an agreement that formalizes a handshake agreement and maybe we should just hold this for two weeks and make sure the document comes in before the next committee meeting.

Mr. Walsh: That's up to you.

Mr. Beougher: Does anyone disagree with that? (No response). I'd like to make a motion to hold this for two weeks until May 17. Mr. Gilbert with the second. Any discussion? (No response). All in favor, signify by saying aye. (All voted "Aye"). Any opposed? (No response). Motion carries. This item will be discussed again in two weeks.

And with that, I will adjourn Community Development at 7:49.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
May 3, 2004

SAFETY COMMITTEE MEETING MINUTES May 3, 2004

Members of Safety Committee present: Mel Clemens, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert, Lane Beougher, Antoinette Newman.
Other members of Council present: Council President William L. Hills.

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:50. The first item is the approval of the minutes of April 19, 2004 Safety Committee meeting. Do I have any additions or deletions? (No response). If not, they'll stand approved. The next item is the approval of the agenda. I have two additions. One would be 3a, speaker Mr. John Goetz; and 3a, Engineer - Street Program. I'd like to make a motion to add those to the agenda. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

Item 3a, Mr. John Goetz please.

Mrs. Reichard: No, I'm not John Goetz. He left. He talked with me and got his problem hopefully solved. And so he said, thank you very much, good night.

Mr. Clemens: That was quick, so thank you, Sharon.

The next item, Authorization of 2004 Fireworks contract. This is something we do annually.

Mayor McPherson: Mel, I think you missed 3b, didn't you?

Mr. Clemens: No. It's going to be 6a.

Mayor McPherson: 6a. I'm sorry. I thought you said 3b.

Mr. Clemens: No. We're going to put it under 6a after we do the other two programs on that.

Mayor McPherson: Okay. Thank you.

Mr. Clemens: This is something we do annually, and Sharon has brought this to us for a request for authorization for the Mayor to enter into contract with Pyrotechnico, 302 Wilson Road, New Castle, Pennsylvania in the amount of \$25,000 for the 2004 fireworks display to be held July 4, 2004. The money has already been appropriated in the budget, and they've always done a good job for us, I know that. So I'm really pleased that they have the contract, or the bid on it. Sharon, go ahead.

Mrs. Reichard: I was just going to say, they have done a very good job for us, and very reliable, and very safety minded. They are also the only ones that bid this year. So maybe other folks thought it was a _____. I don't know. But in any case, we're very pleased with their work in the past and would recommend that you accept this contract.

Mr. Clemens: I think you told me too, they're going to do the Red, White, and Boom, aren't they? They're going to do the ones downtown this year?

Mrs. Reichard: I believe they are.

Mr. Clemens: Yes. Okay. This has asked to be as an emergency. Do we have any questions for Mrs. Reichard? If not, I'd make a motion to send this to Council as an emergency. Do I have a

second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you, Sharon.

Next item is Discussion, Authorization of the contract for the 2004 Street Program Contract A and appropriation of funds. This is the annual Street Program and this is the concrete portion. And this is a request for authorization for the Mayor to enter into a contract with McDaniel's Construction Company, 1069 Woodland Avenue, Columbus, Ohio for 2004 Street Program, Contract C, concrete, in the amount of \$357,979. And also, plus contingency at 10% of, which would make it \$35,798 for a total of \$393,777 from the unappropriated CIP Fund into the account number 410.092.5651. Mrs. Reichard.

Mrs. Reichard: Thank you, Mr. Clemens. We're very pleased with the bids that we got on the, with the Street Program this year. This one is about \$75,000 less than the engineer's estimates and we're very pleased with that. And as was the other one that we'll be getting into for the concrete also came in, it's about \$100,000 less than the whole program combined than we thought it was going to be. So we're very pleased with the prices. The contract with the Shelly Company is for the 283,364.72, and then of course would be, are asking for a contingency of 10% in the legislation to cover any emergency or unexpected costs.

Mr. Clemens: Alright. This is for the concrete Contract C. Are there any questions for Mrs. Reichard pertaining to this? Mr. Stake.

Mr. Stake: Mr. Clemens, I think on the agenda, Contract A is listed first.

Mrs. Reichard: Yeah. That's the one I gave, was A.

Mr. Stake: Mrs. Reichard was talking about A and you were talking about C.

Mr. Clemens: I was talking about C and she's talking about A.

Mrs. Reichard: I'm sorry. I was talking about Shelly.

Mr. Stake: But aren't we on A on the agenda?

Mrs. Reichard: Yes, sir. I think we are.

Mr. Clemens: Then we'll go on A. Which I've already explained C so remember that one when we get it. This is the same thing only this is for the asphalt and this is a request, authorization for the Mayor to enter into a contract with the Shelly Company, PO Box 266, Thornville, Ohio for 2004 Street Program Contract A, asphalt. And for additional for \$283,364.72 plus the additional contingency at 10%, \$28,337 for a total of \$311,701.72 from the unappropriated CIP Fund in account number 410.092.5651. Since Mrs. Reichard already explained this to us, and we did get a lot of bids and there were good bids on this.

Mrs. Reichard: Yeah, we did. It was very competitive.

Mr. Clemens: And this is an emergency. Do I have any questions for Mrs. Reichard on this? Mr. Beougher.

Mr. Beougher: Thank you, Mr. Clemens. Actually I have a question for Mr. Parkinson if he could find a microphone. Why the difference in the bidding climate between asphalt and concrete? I mean, that's phenomenal. 100,000 - almost \$100,000. Is that, 367 versus 283?

Mayor McPherson: Are you talking about, excuse me, the difference between asphalt and concrete?

Mr. Beougher: No. I'm saying that your estimate on Contract A was 367,750 and you're right on the money with the concrete, and I just wondered if Shelly and, I see Kokosing has a pretty low bid too. Are they, do they have everything in there?

Mr. Parkinson: As far as we know, they do.

Mr. Beougher: I mean, every time we see a bid that's low, we have to go back to the contractor and have a meeting and make sure that they're comfortable going forward. And this, I guess, alarms me a little bit.

Mr. Parkinson: Well, there's a number of factors that go into it. And certainly, it raises eyebrows. You know, I don't know how hungry these guys are. I don't know how many projects they were not successful at winning in the last month. And they've got people and equipment they need to get on the street. This is a great project and they just may have, you know, and I'm just speculating, they just may have suppliers that are prepared to provide a little better material prices for some of that. And that's why we bid it.

Mr. Beougher: Okay. But you have met with them and talked to them and made sure everything's covered?

Mr. Parkinson: I don't know if we have, and I don't know that we haven't, but I do know that they have not called us and said wait, we made a mistake.

Mr. Beougher: Okay.

Mr. Parkinson: So as far as we know they're ready and willing to go.

Mr. Beougher: Very good. I just see the spread of \$114,000 between the low and the high bid and it raises questions with me.

Mr. Parkinson: The high bidders never really bothered me that much. It's the spread between the low and the second that is probably what concerns me more than the other.

Mr. Beougher: And that was reasonable. Okay. Thank you, David.

Mr. Baxter: Mr. Clemens, if I may? Thank you. Just a quick question, what would the cost be on a bid like this, and would it be advantageous for us to take a look at cost as far as doing night time work as well as day time work? Try to reduce some of the traffic that we have as problems, of shutting down streets. Is that something that's usually questioned or looked at?

Mr. Parkinson: I don't know if it's easily answered. Certainly we can ask the question and see. Typically, my experience has been that night time work is very expensive compared to day time work. Also these projects don't have a lot of maintenance and traffic involved because it's planing. And once they plane, you can let the people on it if you need to. And so there isn't a lot of cost in maintenance of traffic. Some signs maybe. Maybe some coordination. It's not like Main Street perhaps where they took a lane or two down and so you've got to spend a lot of time taking a lane down and you've got to spend a lot of time late in the afternoon putting it back because you can't take it down for morning in rush hour. There's a case where night time work, something that you might want to think about where the added cost of working at night with the lights and the overtime and things of that nature and the third shift premium rather, not overtime. It might be offset by the cost of taking down the lanes and putting them back. But in this particular project, I wouldn't anticipate seeing a monetary benefit from a night time program. I don't know also that you'd want, at least within your residential areas, night time work.

Mr. Beougher: That sounds like a really bad idea.

Mr. Baxter: I have constituents that look at me and they say, gee if he can get this done in (inaudible) only that big instead of making it last 3 months or 5 months, and I have to go all the way around my neighborhood, I don't know if they'd think it's such a bad idea, Mr. Beougher.

Mr. Beougher: Well, you get calls at 3 a.m.

Mr. Baxter: Thank you.

Mr. Clemens: Thank you, Mr. Baxter. Any other questions for Mr. Parkinson and Mrs. Reichard? (No response).

Mrs. Reichard: If I could just add one other thing though, Mel. When you think about it, when you're working on Main Street, it would be best to do it at night. But when you're working in the neighborhoods, I don't know about you, but I don't want a lot of machinery outside my bedroom window making a lot of noise.

Mr. Baxter: You're probably right.

Mrs. Reichard: It's also when the cars are on the street because people are coming home from work. So this is probably one of those flip situations.

Mr. Baxter: It probably is.

Mr. Clemens: Thank you. No other questions, I'd like to make a motion to send this to Council as an emergency. Do I have a second? Second by Mr. Stake. All in favor, say aye. (All voted "Aye"). Opposed? (No response).

The next item is the Street Program Contract C and since I've already read that and I don't feel like reading it again, it's too long - I think we all remember what it's about. It has to do with the concrete. And it's for a total of \$393,777. Mrs. Reichard.

Mrs. Reichard: Excuse me. Are we going to do 6a, the engineering inspections?

Mr. Clemens: We're going to do it, we just did the street, now we're going to do the concrete. We didn't vote on it.

Mrs. Reichard: I'm sorry. See, now I'm confused.

Mr. Clemens: I had them out of rotation.

Mrs. Reichard: Okay.

Mr. Clemens: Are there any questions for Mrs. Reichard? (No response). If not, I'd like to make a motion to send this to Council as an emergency. Do I have a second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). Opposed?

Mr. Stake: Mr. Clemens, do we need to refer these two to Finance?

Mr. Clemens: Yes. I was going to refer all three of them. The next item on the agenda, and we received that this evening. Mrs. Reichard was able to come up with the cost of the engineering so we can get it all started, and it's from Evans, Mechwart, and the cost of the 2004 Street Program would be \$45,000 total. Which is right around 6% which is a good, I feel is a good figure that her and I discussed earlier about this and she was able to come up with this. I think it seems like a good price. \$45,000. It is to come out of the account 410.092.5651. Are there any questions for Mrs. Reichard? Yes. Mr. Stearns.

Mr. Stearns: Thank you, Mr. Clemens. Mrs. Reichard, will this be for both Contract A and C?

Mrs. Reichard: Yes, sir. This is for the entire program.

Mr. Clemens: This is for the entire Street Program. Both of them together. That's why I put it at 6a after we did the 5 and 6. Are there any other questions for Mrs. Reichard on this subject? (No response). If not, I'd like to send this to Council as an emergency. Do I have a second? Second by Mr. Beougher. All in favor, say aye. (All voted "Aye"). And also I'd like to send item 5, 6, and 6a to Finance Committee.

Item number 7, Ordinance making appropriation for the widening of State Route 256 at Interstate 70 exit ramps. It had its second reading 4-26-04. We sent it to Council for its third reading and I

think we're still waiting on Pickerington to get their finalization on this subject. I think we could send it on for third reading if something would happen to come up and it not be approved this next week, we can hold it and see how things go.

Mrs. Reichard: Right. Most likely, I'm going to be... if they pass, and I believe they are going to pass it tomorrow night, I think the problem's been, they've not had the votes for a rule suspension, but if it goes, and it's gone its regular course, tomorrow night is when they'll vote on it, they might, the word I get, they expect it to pass. So then on Monday night I would be asking if you would, add an emergency clause to this. Plus, I did receive additional correspondence from ODOT saying that we will have to pass another piece of final legislation, and that final legislation will be a quick turn around also. I'll bring that back to committee the following week and then ask you to pass it the following week at Council, cut the check, and the legislation and the check go in together. Originally I was told we did not need any more legislation, but, here you go. Other than the appropriation, but now they're asking for another piece of final with a new date on it, so, that will be coming back.

Mr. Clemens: Are there any questions for Mrs. Reichard? Mr. Hills.

Mr. Hills: Sharon, in your discussions with ODOT, they still do have it on their summer construction schedule?

Mrs. Reichard: Yes, sir.

Mr. Hills: They have this sitting there waiting to bid. Is that correct?

Mrs. Reichard: I think they do.

Mr. Hills: Waiting on the two pieces of legislation that was delayed from last year.

Mrs. Reichard: That's correct. Their 2005 as you know, starts July 1. It's anticipated it's going to be done this summer.

Mr. Hills: Because certainly, their portion of it is coming out of the first half of the 125th General Assembly's budget I'm sure. You have had discussions with Pickerington? Did I hear somebody say earlier it was held for a couple of weeks or something?

Mrs. Reichard: No it wasn't held. It's just gone its normal course. They had originally asked for a rule suspension and did not have enough votes for it. So it, as far as I know, I have not talked with them directly. The folks at MORPC have talked with them. ODOT's talked with them and a few other folks.

Mr. Hills: MORPC should have talked with them. They're paying for it. It's more MORPC money than it is Pickerington that's for sure.

Mrs. Reichard: Exactly. And there's been quite a bit in the paper about it. It's anticipated that it is going to pass. But of course if it doesn't...

Mr. Hills: Certainly, I was curious as to, it's my understanding that it's still on ODOT's path to have this completed in this construction season which would have them starting reasonably soon.

Mrs. Reichard: That would be great.

Mr. Hills: Okay. Thank you.

Mr. Clemens: Are there any other questions for Mrs. Reichard pertaining to this subject? (No response). If not, I'd like to send this to Council for its third reading. Do I have a second? Second by Mr. Gilbert. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you, Mrs. Reichard.

This ends the Safety Committee meeting at 8:06.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

May 3, 2004

SERVICE COMMITTEE MEETING MINUTES

May 3, 2004

Members of Service Committee present: Eric Gilbert, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter, Mel Clemens, Antoinette Newman.

Other member of Council present: Council President William L. Hills.

Mr. Gilbert: I'll call the Service Committee meeting to order at 8:06 p.m. The second item on the agenda is the approval of the minutes of the April 19 meeting. Are there any additions or deletions to those minutes? (No response). None being heard, they will stand as read. Item number 3 is the approval of the agenda. I have three changes. That would be to hold items *5, *6, and *7 - - each item, different members have approached me in regards to obtaining additional information prior to discussion. Are there any other additions or deletions to the agenda? (No response). I'll make that motion to hold items 5, 6, and 7. Do I have a second? Mr. Stearns with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 8 is an Ordinance authorizing the Mayor to purchase one case loader. This item did have its first reading on April 26. Are there any questions or comments from members of Service at this time in regards to this item? (No response). None being heard, I would make a motion that we forward this to Council for its second reading on the Consent Agenda. Do I have a

second? Mr. Baxter with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Mrs. Frazier.

Mrs. Frazier: (Inaudible). I thought you said second. Sorry.

Mr. Gilbert: It's contagious. I've skipped number 4. I think it's Mr. Clemens' fault.

Mr. Beougher: I started it.

Mr. Gilbert: I just did number 8.

Mrs. Frazier: You're going to do the backhoe for a second reading, then you're going to back up and do Graham and Main?

*Item number 5 - Discussion, License to allow installation of drain to correct water accumulation problem.

*Item number 6 - Discussion, Development and Purchase of Software for the NPDES Phase II requirements.

*Item number 7 - Discussion, Development impact fees (at request of Chairman Gilbert).

Mr. Gilbert: I made a motion for item number 8. Mr. Baxter seconded. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes. Thanks for your patience.

Item number 4 is a legislation regarding Resolution of Intent, Graham Road Intersection Improvement and appropriation of funds. This does come from the City Attorney in regards to a request for funds for right-of-way acquisition. Does this raise any questions or comments from members of Service at this time? (No response). Mr. Underwood, anything you'd care to add?

Mr. Underwood: (Inaudible).

Mr. Gilbert: I didn't know if anything might have come up since then. This would require an appropriation. Is there a time, rule suspension, emergency wasn't checked off. Should this just follow the three readings or are you requesting any type of emergency language?

Mr. Underwood: I had not requested any. I thought you'd probably want to do a reading and then, I know the engineers and Service Department are anxious to get going on this project. It's already been delayed. So if they want to request an emergency, that's fine.

Mr. Gilbert: I'm anxious myself. Mrs. Reichard.

Mrs. Reichard: Yes. If it's possible. If we could put an emergency on it, that would be most helpful. I'd like to get this project done before school starts in the fall. I'm afraid if we take the,

if we go the 6 weeks and then wait 30 days, and then we've got to bid it and all that, that it won't get done.

Mr. Gilbert: And we're looking at a September, October start date. Does that raise any objections from members of Service? Mr. Stake, then Mr. Hills.

Mr. Stake: Thank you, Mr. Gilbert. I was just wondering if this needs a referral to Finance and if so, what account this would be coming from?

Mr. Gilbert: It does require a referral to Finance and I thought we had a list, account number 410.083.5651. Unappropriated CIP Fund. And the amount was \$137,339.

Mr. Hills: Mr. Gilbert.

Mr. Gilbert: Yes, Mr. Hills.

Mr. Hills: I did want to note that when we tell people that we're going to pass this as an emergency sometimes raises questions. This improvement of Graham/Main has been around for a couple of years now.

Mr. Gilbert: Correct.

Mr. Hills: And we've had a number of discussions about it. And what we've had here is some new dollar estimates came in of what some of those costs were going to be. It is a little higher than what we had thought it may come in, but it is not a matter of whether there hasn't been open discussion from everyone as to should it be done. And certainly the emergency to try to get it in this construction season, let me assure you folks, we're into May and it's got to move quickly if you're going to get it done in this construction season. But certainly, this one as an emergency has been discussed as some people who have attended Council meetings for years can still remember it being talked about. So it's not new subject matter to administration, nor to Council.

Mr. Gilbert: Correct. I think it's where they're also pointing out that it is receiving a large amount of financial assistance from Franklin County. That helps make the project possible and I know it's been our discussion here at the table for at least two years at this point. So I'll make a motion that we forward this to Council with a recommendation for adoption as an emergency with a referral to Finance. Do I have a second? Mr. Beougher with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 9 is Ordinance to amend the Code of Ordinances regarding Chapter 960, Storm Water Regulations. The addition of Section 960.03, Illicit Discharge and Obstruction of the Separate Storm Sewer System. This item had its second reading on April 26. Are there any questions or comments at this point in regards to this item? (No response). None being heard, I would make a motion that we forward this to Council for its third reading with a recommendation for adoption. Do I have a second? Second by Mr. Stake. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 10 is the Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, 960.01 regarding Definitions of Chapter 960, Storm Water Regulations. This item also had its second reading on April 26. Are there any questions or comments from members of Service at this time in regards to this? (No response). None being heard, I'll make a motion that we forward this to Council for its third reading with a recommendation for adoption. Do I have a second? Mr. Baxter with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 11, Ordinance approving Final Plat of the Woods at Slate Ridge, Section 5 Part 2. The members should have a signed and stamped, and dated final copy in front of them that was received in the Clerk's office today. This item had its second reading on April 26. Are there any questions or comments at this point in regards to the final plat? (No response). None being heard, I would just ask, I know that a portion of this section abuts a conservation area and prior phase. And if the, if we could just clarify for myself for the next 5 days, that these don't infringe on that or these particular lots aren't a part of that area I would appreciate it from the administration. Just double checking. Because we had one instance with the plat on this particular project before where there was some problem with the width of certain parcels and roadways. That was corrected. I'm just saying that so we can be sure before we pass it next Monday. Any other questions or comments? Mr. Beougher.

Mr. Beougher: Mr. Gilbert, I'd just like to direct the Council members attention to lots 117 and 126. And this is not to change the plat. I just want to direct your attention to it. On a thoroughfare, basically a 4 lane street, there's a 40 foot building line, and on a regular street (inaudible) neighborhood collector. Any way, there's a 30 foot building line. And on those two lots as it turns the corner, the building line continues at 40 feet. And that is in compliance with our code. But I'd like you to take a look at that and give it some thought as to why that is and whether or not we should maybe make an adjustment in our zoning code.

Mr. Stearns: Which ones did you say?

Mr. Beougher: 117 and 126. Just for future consideration. And I thank you, Mr. Gilbert.

Mr. Gilbert: Thank you, Mr. Beougher. Any other questions or comments from members of Service? (No response). None being heard, I'll make a motion that we forward this to Council for its third reading with a recommendation for adoption. Do I have a second? Mr. Stake with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes and I'll adjourn Service at 8:16 p.m.

Service Committee

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

May 3, 2004

FINANCE COMMITTEE MEETING MINUTES
May 3, 2004

Members of Finance Committee present: Ron Stake, Mel Clemens, Eric Gilbert, Lane J. Beougher.

Other members of Council present: Preston Stearns, Antoinette Newman, Brett Baxter, Council President William L. Hills.

Mr. Stake: I'd like to call the Finance Committee to order at 8:17. The first item on the agenda is the approval of the minutes of the Finance Committee meeting held April 19, 2004. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted. Item number 3 is the approval of the agenda. I have some changes to the agenda. I'd like to amend the agenda and add as 3a the Graham/Main appropriation, 3b the Street Contract A, 3c the Street Contract C, and 3d the appropriation for the inspection services of the Street Contracts A and C. Also I would like to put item number 8 (Discussion, Change in City of Reynoldsburg Investment Policy) back in Other Legislation. Hold item number 9 (Discussion, Adoption of the CIP). Remove item number 10 (Discussion, Amend Section 4.091 of the Personnel Policies and Procedures Manual Compensatory Time). And hold item number 14 (Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Section 160.03, Salary Schedule, Subsections (a) and (b) of Chapter 160 Employee Compensation). Any other changes to the agenda? (No response). I make a motion that we amend the agenda. Is there a second? Second by Mr. Gilbert. Any discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

3a is the Graham Road, Main Street intersection appropriation. As we heard, we need to appropriate \$137,339 from account number 410.083.5651. And I believe that's our unappropriated CIP Fund. Are there any other questions, comments from members of the committee? (No response). Members of Council? (No response). Then I would make a motion that we send this forward to Council, appropriation as an emergency. Do I have a second? Second by Mr. Gilbert. All in favor, state aye. (All voted "Aye"). Opposed? (No response).

Motion passes.

Item 3b is the Street Contract A. And there we would need to appropriate \$311,701.72 from the unappropriated CIP Fund account 410.092.5651. Are there any questions or comments from members of the committee? (No response). Mr. Whitney.

Mr. Whitney: Given the damages currently being done to the CIP, I would like to suggest that we allocate the funding for the total Street Program from different sources. Do you want specifics? This would include all three. A, C, and the inspection services.

Mr. Stake: Okay. We probably would like to have a little time to review this I guess.

Mr. Whitney: There's just different sources for the funds it would come from to give us more flexibility.

Mr. Stake: Let me ask you a question. Could you use those sources to replenish the unappropriated CIP Fund?

Mr. Whitney: Yeah.

Mr. Stake: How about if we just do it that way after we do this? Would that be okay?

Mr. Whitney: As far as I _____. Yeah.

Mr. Stake: Mr. Clemens, would that be okay?

Mr. Clemens: That would be fine.

Mr. Stake: Okay. Thank you, Mr. Whitney. I would make a motion that we, are there any comments, questions, from members of the committee? Mr. Gilbert.

Mr. Gilbert: Well if we're appropriating the money, I would imagine we need to put the money in the account first. If we're transferring it to the CIP from other sources.

Mr. Stake: Do we not have enough...

Mayor McPherson: The money's there.

Mr. Stake: That's what I thought.

Mayor McPherson: Yeah. There's enough in there. There will be \$25,000 left or something after all these appropriations.

Mr. Gilbert: So it would be reimbursing, not providing?

Mayor McPherson: Well, this was just brought to my attention today by Mr. Turner. And some of the funding, we're going to have to see whether it's committed in other areas or not. And so, basically what this is doing, it's taking our CIP down to about \$25,000. I think everyone's aware, we're not putting any money in CIP at this point. And I told Mike we need to meet tomorrow with Mr. Whitney, and we needed to meet with Mr. Stake and cover some of these issues and he said that was fine. But again, it was just brought to my attention today how low we're taking the CIP with the Street Program.

Mr. Hills: Mr. Stake.

Mr. Stake: Yes, President Hills.

Mr. Hills: Are you telling me the balance of the CIP is around \$900,000 now?

Mayor McPherson: I don't know. All I know is Mike showed me that it was going to be depleted down to about 25 grand.

Mr. Hills: We haven't put any money in the CIP other than the million dollars we moved into the CIP in unexpected income in '03, there hasn't been any money.

Mayor McPherson: Right.

Mr. Whitney: Right now, the unencumbered balance is about 1.3 million.

Mr. Hills: About 1.3 million?

Mr. Whitney: Yes.

Mr. Hills: And I believe if my notes are right and my addition's right, there's \$842,817 being appropriated tonight.

Mr. Whitney: But there are some more coming shortly.

Mr. Hills: There are more coming shortly?

Mr. Whitney: Yeah.

Mr. Hills: So you need to figure out how you're going to replenish the CIP account.

Mr. Whitney: You got it.

Mayor McPherson: That's why we're meeting tomorrow. To find out how we replenish what we've just spent.

Mr. Hills: But had this issue not come up today, those transfers would have been made to the CIP account beforehand. Right?

Mayor McPherson: Not necessarily. No.

Mr. Hills: Well I think the key point being brought up is, we haven't put money in the CIP account for two years and there was going to be a time of accountability and we are now seeing it.

Mayor McPherson: Now's the day. Or tomorrow will be the day if Ron can make a meeting tomorrow.

Mr. Stake: I wasn't aware of that meeting. I'll see what I can do.

Mayor McPherson: Yeah. That's because we didn't schedule it until about 4:00 or 4:30 and we needed to get with you. Tentative is for 12:00 tomorrow but that is subject to your being available.

Mr. Stake: Okay.

Mr. Hills: There is adequate funding in the CIP to send these forward though.

Mr. Whitney: Apparently, yes.

Mr. Hills: Mr. Stake, you got your hands full.

Mr. Stake: It sounds like it.

Mr. Hills: But you have Council's support.

Mr. Stake: Thank you. Mr. Clemens, did you have something?

Mr. Clemens: No. No. If my memory hasn't completely failed me, I'll second the motion.

Mr. Stake: Okay. We have a second. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 3c is Contract C with the Street Program. And there we would be appropriating \$393,777 from the unappropriated CIP Fund in account number 410.092.651. Any questions or comments from members of the committee? (No response). Members of Council? (No response). Okay. Well, I guess this is the other half of the Street Program. So I'll make a motion we go ahead and send this forward to Council as an emergency. Do I have a second? Second by Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And 3d is the request for the authorization for the appropriation from the unappropriated Street

Fund to the unappropriated CIP Fund and to appropriate the amount to account number 410.092.5651. And that would be \$45,000 for the inspection of the Contracts A and C. Any questions or comments from members of the committee? (No response). Members of Council? Mr. Baxter.

Mr. Baxter: Mr. Stake. I notice there's three separate pieces here. Is there anything else we're not aware of that's coming up? This was engineering and the two different contracts. There's one for asphalt and one for concrete. Is there going to be some type of engineering fees or any other type of fees that we can expect to finish this program or is this completed?

Mr. Clemens: Not on our Street Program. This should be it. We have a contingency there if needed. But that should be it. We've had the plans, everything, specifications, and had the bids, and this should take care of the whole amount.

Mr. Baxter: Alright. Thank you.

Mr. Stake: Thank you, Mr. Baxter. So I will make a motion that we appropriate the \$45,000 into the account of 410.092.5651 as an emergency. Do I have a second? Second by Mr. Beougher. Any further discussion on that? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4, Discussion, Appointment of Councilman Clemens and Councilman Stake, President of Council's recommendations, to the Design Professional Committee. This is a recommendation from President Hills so I'll let him address this.

Mr. Hills: Thank you, Mr. Stake. It is that time every two years we do a Design Professional Selection Committee. And that committee, I'm sure the Mayor will correct me if I'm wrong, is made up of the Mayor, the Safety/Service Director, the City Attorney, and two Council people. Historically it's been, at Council for a number of years, it's been the Chair of Safety and the Chair of Finance, and I have talked with both and would be recommending that Councilman Clemens and Councilman Stake be appointed to that committee. And I look forward to a lot of work because I think there's what, 26 or 28 bidders, 24 bidders? So there's a lot of documentation and a lot of interest.

Mr. Stake: Okay. I make a motion to appoint Councilman Clemens and Councilman Stake. Is there a second? Second by Mr. Clemens. Any discussion from members of the committee or members of Council? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 5 for discussion is appointment of Councilman Beougher, Councilman Gilbert, Councilwoman Newman, Councilman Baxter, President of Council's recommendations, to the Council Rules Committee. And again, President Hills, would you like to address this one?

Mr. Hills: Yes I would, Mr. Stake. We haven't had a Rules Committee in about 4 years so it is time to set up and look through our rules. There's been some things come up and some discussions that we need to clarify in the rules. I'd like to see a time line of somewhere between 60 and 90 days. At least by the time we break for August we'd like to have those

recommendations up. I'm not sure it will really take that long. But my recommendation would be Councilpersons Beougher, Gilbert, Newman, and Baxter be appointed to the Council Rules Committee.

Mr. Stake: Thank you, President Hills. Any questions or comments from members of the committee at this time? (No response). Members of Council? (No response). Okay. And I will move to send this motion to Council. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 6 is Discussion, Authorization of contract for audit of the city's telecommunication services. We did have a first reading, I'm sorry, we didn't have a first reading, we had a discussion. We were holding this for a copy of the audit agreement which we all received. Mrs. Reichard, would you like to address us on this one?

Mrs. Reichard: Certainly. Especially since we're spending so much money, if we can save some that would be great. Or find some. I think you requested the last time to get the final on the contract. You have received that from Mr. Underwood. He has spoken with both Andy and Chip from Audit My Bills. Andy is here to, McGillicuddy, to answer any questions you may have. Again, as I was signing off on telephone bills today and seeing these enormous lists, I'm thinking more and more, this is really a good move. If we can coordinate, you know, not only find some money if we've been overpaying or if we can find a better system for our telecommunications, I think I would be one happy camper.

Mr. Stake: Okay. Thank you, Mrs. Reichard. Any questions or comments from members of the committee? (No response). Members of Council? Mr. Beougher, do you have something?

Mr. Beougher: I do. I'm sorry, Mr. McGillicuddy. We are going to be putting computers in our police cars, and have we, we haven't bid that yet, have we? Services?

Mr. Baxter: It's done. It's a done deal.

Mr. Beougher: For the cellular services?

Mr. Baxter: Yeah. It's finished.

Mr. Beougher: Okay. Is that going to be part of this or, I mean that's kind of a flat bid. Is there any way to tie the two together and get a discount for a large volume of cellular services that we're consuming.

Mrs. Reichard: There would be no need at this point. What they're going to do is, they're going to retroactively, they're going to go back. They have to go back and look at where we've been so they'll know where they can make a recommendation for where we might need to go and we can tie those two together.

Mr. Beougher: But does part of your methodology involve maybe looking at the future contract?

Mr. McGillicuddy: Yes. And we can look at that contract...

Mr. Beougher: And look at tying all these together to one provider and...

Mr. McGillicuddy: Yeah. What we're going to do (Tape Change) more likely 60 day period that we conduct the audit, we'll come back, we'll sit down and make our recommendation. Show our findings. Make our recommendations. And that could be, and again, you know, most of the time we look to make sure that you don't have to change providers. We want to try to make the best arrangement with who you have assuming that you're satisfied with who you're dealing with. But otherwise, we kind of like to keep things put.

Mr. Beougher: I think part of the problem is we're dealing with multiple entities and it would be nice to look at volume discounts.

Mrs. Reichard: And I (inaudible) because there was something in the paper about this was just for the police department. No. This is for the Service Department, the, you know, in all of the different divisions, and the Safety Department. So I mean, we want to look in total. We want them to look in total and so we can get, take a really close look at what we've been paying.

Mr. Beougher: Okay. Thank you. Is it possible to bid cellular services for such a large volume of consumption? I mean, as we did for the computers? If we package everything and issue bids?

Mr. McGillicuddy: Yes. The only question I'm not sure of is, if there's one supplier that handles all cell service. That is possible. I have not seen that to date. But that is certainly possible.

Mr. Beougher: Anything's possible, right? Given the time and the money. Alright. Thank you.

Mr. Stake: Chief, did you have something?

Chief Miller: Thank you, Mr. Stake. Just a cautionary note. The vendor, Emergitech, has come into the city and tested throughout the city, the cellular coverage using several different vendors. And while I appreciate the concern for cost, I think we need to be careful in terms of the in-car coverage. If you go strictly based, I mean if you want to package and go out with one system it may not be the kind of complete coverage that the in-car computers need in terms of cell tower coverage. So that's just a concern. And we'd be glad to work with Mr. McGillicuddy on this issue. I just wanted to let you know that the vendor, Emergitech has already been in town trying out different spots throughout the city to get the best coverage for us.

Mr. Stake: Appreciate that Chief.

Mr. McGillicuddy: And that's why we would come back in 60 days, sit down, and then again, it will be always the city's decision as to what recommendations we make as to what they do with it. So obviously something like that issue would be taken into consideration.

Mr. Stake: Thank you. Any other questions from members of the committee? (No response).

Members of Council? (No response). I just have one other question. I don't know who might be able to answer this for me, but will we be setting up an account to put these savings into when we get them so we can keep track of how that's working?

Mrs. Reichard: Yeah. He wants them in Parks and Recreation, but we won't go there. I think Mr. Underwood recommended that we do set up a fund that, what I call a rotary fund, he's got another name for it, so that when we receive the money, especially if we receive a very large check, that would be wonderful, then of course they have their fee that we would pay them out of. I think any additional savings, in the long term, I'm not sure exactly how we do that but as I understand Mr. Whitney and Mr. Underwood, we would be setting up a fund. A special fund for this.

Mr. Stake: We wouldn't need to appropriate any money in that fund, right?

Mrs. Reichard: No.

Mr. Stake: Mr. McGillicuddy, when we get our portion, is that net of yours or do you give us the whole thing and then we pay you your portion?

Mr. McGillicuddy: The money's going to, first off in refunds, the refund of course, or service credit would come back to the city.

Mr. Stake: Okay.

Mr. McGillicuddy: So at that point, once you've received that refund or credit, then we would turn around and bill the city for our part.

Mr. Stake: So it's important that we have a separate account set up to be able to track this?

Mr. McGillicuddy: Right.

Mr. Stake: And you folks, Mrs. Reichard, Mr. Whitney will be handling that?

Mrs. Reichard: Yeah. We'll take care of that.

Mr. Stake: Good. Mr. Beougher.

Mr. Beougher: Mr. McGillicuddy, you mentioned a service credit. So no money is actually going to change hands when the utilities credit us. It's just going to be a credit on our bill for future consumption. Is that correct?

Mr. McGillicuddy: Well when we go back and look for say, overcharges, errors, things of that nature, the supplier, the carrier may compensate, or reimburse you under two different forms. One would be a refund which in fact you would receive funds. The other might be in the form of a credit. So there would be savings. So in that case, I don't know. Again, it's something for the

city to figure out.

Mr. Stake: Yeah. It's getting a little complicated now.

Mrs. Reichard: We'll work it out.

Mr. McGillicuddy: It's just compensation and all that.

Mr. Stake: Yeah. It's not a bad idea. It's just I guess, if they gave us for instance, a very large credit, would they say, well we're going to credit your phone bill for the next 9 months or something like that?

Mr. McGillicuddy: Again, I'm not sure. I mean again, that would be negotiated. Which we would be a part of that negotiations.

Mr. Stake: Okay. I like to see the cash myself.

Mr. McGillicuddy: I would too.

Mr. Stake: Alright. Any further questions or comments from members of the committee? (No response). Members of Council? (No response). Okay. I would like to send this forward for its first reading on the Consent Agenda. Do I have a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Okay. Item number 7 is Discussion, the County Land Bank Advisory Committees. We've been notified by the Franklin County Treasurer that we need to make some appointments to serve on the Land Bank Advisory Committees. Two appointments actually. And Mr. Hills, this is your department again if you'd like to address this one.

Mr. Hills: Yes. In discussions recently with the Mayor, the first motion would be, he would like to recommend the appointment of Brenda Browning to the representative of the city to serve on the Advisory Committee. And secondly, the appointment of a local resident to sit on the Neighborhood Advisory Committee. He would like to recommend Mary Shea. Is that correct, Mayor?

Mayor McPherson: That's correct.

Mr. Stake: Okay. So we have Brenda Browning to serve on the Advisory Committee. And the local resident you'd be, I guess city employee serving on that Advisory Committee, and then the local resident would be Mary Shea. Any questions or comments from members of the committee on this? (No response). Members of Council? (No response). And Nancy, we would send this as a motion?

Mrs. Frazier: Two motions.

Mr. Stake: Two motions. Okay. I guess the first motion would be appoint Brenda Browning to the Advisory Committee. Can I do these both at the same time?

Mrs. Frazier: One at a time.

Mr. Stake: Okay. So I make a motion that we appoint Brenda Browning to the Land Bank Advisory Committee. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And the second motion would be to appoint Mary Shea as the local resident to serve on the Neighborhood Advisory Committee. Any questions or comments from members of the committee? (No response). Members of Council? (No response). So I make a motion then to appoint Mary Shea to serve on the Neighborhood Advisory Committee. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 11, I don't think I missed any did I Nancy?

Mrs. Frazier: No.

Mr. Stake: Okay. Good. Item number 11 is Ordinance to amend the City of Reynoldsburg, Ohio Personnel Policy and Procedure Manual. Actually there's two amendments in here. One is on Workplace Violence, Section 6.06, Section A.1.e. Let's discuss that one first I guess. This was brought forward to us by our Human Resources Department. Nancy, would we need to separate these out as well or just talk about them separately and make them all in one motion if we want to send them on?

Mrs. Frazier: We've already sent this one on.

Mr. Stake: Okay. So we would be sending this for a second.

Mrs. Frazier: Right.

Mr. Stake: Could we put this on the Consent Agenda?

Mrs. Frazier: Yes.

Mr. Stake: Okay. I guess the Workplace Violence part, we're all set with. I think we have some questions on the Smoking Policy part. And I believe in the Smoking Policy, the way we did this the second time around, we are going to cite folks if they're smoking in the wrong areas for a misdemeanor. I don't think we want to do that. But my recommendation would be to take that part out and return it back to it's I guess, it's original language. And that is item number 4 here on your papers. Employees who violate, I guess you should say violation, now it says, the replacement language says, "Employees who violate this policy will be subject to progressively disciplined. All violations of this policy are a minor misdemeanor". Mr. Underwood, did you want to address this?

Mr. Underwood: Yes.

Mr. Stake: Please do.

Mr. Underwood: Back when I did a rough draft on Smoking Policy, we were having problems. Mr. Hills had asked me to take a look at it. And I did one for discussion purposes. And it's gotten way past that now. The draft I did in an e-mail I sent Bill, covered buildings, structures, and vehicles. Vehicles I think has been dropped out. But that would be in accordance with state code. We could also cover areas outside within however many feet - 100 feet, 200 feet of air intake ducts because those effect the building. And once you do that, you would have no reason to designate smoking areas if all of the rest of the outside of city property can be smoked. People using the parks, everybody else can smoke. There's no reason to have a designated area where everybody accumulates all the time. Now the other thing is that I had, we have progressive discipline, and then I put in there the minor misdemeanor for consideration, but the employees should have the same consideration as other people in the community. It shouldn't be both. The progressive discipline on employees should not have progressiveness and a minor misdemeanor and people smoking in the park shouldn't have, they can't be disciplined, so they would only have the minor misdemeanor. So if you don't want any penalties, that's fine. They're in there for discussion, debate, and to think about. They're not in there to say, this is what it should be. But they both should be treated the same under the equal protection clause. I don't think we can designate one just because they're an employee, I don't think we would treat them any differently than we would anybody else in the community. So those are the main things that I wanted to address, that we probably don't need designated areas if all the outside is a good place to smoke. That's whatever you desire is what it can be. Let's see if I missed anything here. The lead in says that tobacco smoke is harmful and in the policy we ban all tobacco products. I think we need to clean that up. Either put something in there why the other tobacco products are harmful or take other tobacco products out and only ban the smoking. It makes no difference to me one way or the other. The penalty should be uniform. If we add so many feet of the air intake ducts, that would take out that problem of flushing tobacco smoke into the building and then I think you'd have a pretty good policy.

Mr. Stake: How far away from the air intake ducts are you talking about?

Mr. Underwood: I have no, I'd say 100 feet. I have no idea. I've not measured anything. I've not gone out there with a cigarette and measured how it flows but I would think 100 feet would give you adequate disbursement of anything that would be so diluted.

Mr. Stake: One of the questions I have is, if this is in our Policy and Procedures Manual for our employees...

Mr. Underwood: If we're going to make it a penalty, we'll have to then come back and add something in our General Offenses Code for smoking inside of buildings.

Mr. Stake: Well I don't think there's any desire from anybody up here. I haven't heard that we would write tickets or anything for smoking by city employees. They would be disciplined under

other disciplinary measures if they were...

Mr. Underwood: Whatever progressive discipline is. There's nothing sacred about what I wrote. And anybody that's got any ideas and wants to _____ I tried to make it as simple as possible. If there's no discipline or penalty for smoking, I mean that's fine with me. I don't really care one way or the other.

Mr. Stake: Okay. Thank you, Mr. Underwood.

Mr. Hills: I would note, and I do appreciate the City Attorney working on this when I was Acting Mayor. But the City Attorney's brought up a good point tonight that I'm not sure that I had really considered. I'm not sure that we can govern or recommend to any visitor through our employment personnel policies. So if you made that just employees rather than 'and visitors', and then deleted the last sentence of minor misdemeanors, certainly you can have discipline on your progressive discipline I believe is appropriate within employees. Is that correct Bill? In a policy?

Mr. Underwood: That's right. If everybody uses the same progression on the discipline. And I don't know that that will or will not happen. Now that does not also prevent somebody from the public coming in the building and smoking.

Mr. Hills: No. But I'm not sure that we can say, you can't take your, they're going to take two hours off work if they do come in smoking. All we can do is tell them to put the cigarette out. Certainly, there are no, there's smoke free signs throughout all of the main entrances to the building.

Mr. Underwood: That's right. And if they don't put the cigarette out, what happens?

Mr. Hills: Well, what happens, you're right. You brought up a good point a minute ago. What happens is, do we have an ordinance that makes that a violation that they can be cited for? And then number two, who's going to cite them? As of right now, we don't.

Mr. Underwood: That's correct.

Mr. Hills: And I'm hearing that there probably isn't a desire to cite visitors coming in and out of the building or delivery people. But I guess what I'm saying, to try to get a policy, we ought to be saying the policy deals with employees.

Mr. Underwood: The policy is no smoking, period. In the building, structures, and vehicles. And if it becomes a problem with people coming in and not putting out cigarettes, you can go back and enact something else in the General Offenses Code. I don't see it being a problem.

Mayor McPherson: We have not had a problem with smoking from visitors coming in the building. Most everyone sees the sign. They put it in the butt kit, so that has not been an issue. And when you look at Bill's original proposal, I think 3-12, is that the one you're talking about Bill?

Mr. Underwood: That was on an e-mail to Bill Hills. I don't know whether it was or not.

Mr. Hills: It was received from the City Attorney by the Acting Mayor on 3-12.

Mayor McPherson: That pretty well covers everything that we would need to be covered I think. Other than if you decide to make it other than a Smoking Policy, but a Tobacco Policy in general which would also cover the people spitting in the cans and things like that.

Mr. Hills: But that one does have reference to visitors and it has reference to minor misdemeanors.

Mr. Underwood: Right. That shouldn't be the final policy I wouldn't think. Because we've got designated areas in there and if you can smoke outside, I would think you could smoke outside any where. There's no need for designated areas.

Mayor McPherson: Yeah. That would just need to be, the last part of the sentence would just have to be removed and that would pretty well cover what he's talking about tonight.

Mr. Clemens: I think the situation is, and as Bill said, eliminate designated areas, period.

Mayor McPherson: Smoking tobacco products is banned in every municipal building, structure, and in city owned vehicles. And that would cover it.

Mr. Clemens: Smoke outside. That's where you belong to start with.

Mayor McPherson: Smoke outside. Any place outside. You know, every elected official, or appointing authority has the prerogative of deciding what their employees are going to do as far as smoking. So you know, that's just a policy of the appointing authority.

Mr. Clemens: And I think once they go on breaks or go outside, it's really not the appointing authority or the elected official's business on what they do if they're on break. As long as they're not robbing a bank or something. Because they do have the mandatory breaks. And I think that's something we should respect. But that's fine with me. I have no problem as long as it's just the buildings and people smoke where they want.

Mr. Stake: Okay. Thank you, Mr. Clemens.

Mr. Clemens: I mean, we're not here to be sacred. People do have their own lives.

Mr. Stake: Yes, they do.

Mrs. Reichard: Thank you. My only comment is, I agree, anywhere outside except that there's nothing worse than walking into a building and having to walk through a cloud of smoke to get there. And I just, I personally object to smoking at the front door. Right outside the front door. Be that at the police department, or be that at this municipal building or any of our other facilities.

I think it's unfair. I had to encounter that in a lot of state office buildings downtown and even talked to the Governor about it once. But be that as it may, I think it's an insult to people who don't smoke. The vast majority don't. And to have to walk through the smoke to get into the building, I just don't think is appropriate. So, that's just my personal comment.

Mr. Clemens: But if you notice, it's not banned downtown at the state house or any of the buildings in front.

Mrs. Reichard: It will be.

Mr. Clemens: Well, one day. You do have keys to these other doors. You can always slip in the side. I don't think people should be standing out front smoking. I'm not asking them to do that. But if they want to, it's a free world.

Mayor McPherson: Well the only time that we have a problem out front really is like on court days. And then it does present a problem. And we did in fact move the signs down to the bottom of the steps. And we moved the butt cans down there. And that seems to have helped a lot. They tend to congregate now on the sidewalk instead of on the steps.

Mr. Clemens: And I have no problem if we block off the front entrance and the stairs. That's no problem if you want to put no smoking in those areas. Because there's other areas.

Mr. Beougher: I would just suggest that maybe we look at saying no smoking within 25 feet of main entrances to municipal buildings and within 50 feet of air intake vents. I think that's probably far enough away. 25 is too close. 50 is probably adequate. 100 I think is maybe overkill. And that's a judgement call. I mean, maybe we should do some experimentation and...

Mr. Clemens: Why don't we waste more time? Why don't you say that?

Mr. Beougher: Or at least measure from the vents as we know them and identify where...

Mr. Clemens: We've spent more time wasted on this. I agree with the Mayor.

Mr. Beougher: But I agree with Sharon that it's nasty to walk through a cloud of smoke into a building. It's also nasty to walk into a building and have smoke flavor coming out of the air vents.

Mr. Clemens: Well, I agree. If that's what you like.

Mr. Baxter: It's nasty walking downtown next to a bus too.

Mr. Clemens: Yeah. That's true. My object would be stay in your car. That way you don't have to worry about things.

Mayor McPherson: Except the city car.

Mr. Stake: Okay. Any further questions or comments from members of the committee? (No response). Members of Council? (No response). So I guess, would I be okay in sending this forward for its second reading on the Consent Agenda and we can work these things out in the mean time?

Mr. Clemens: I think it can be worked out.

Mr. Stake: Alright. Then I make a motion that we send this forward to the regular Council meeting to be on the Consent Agenda. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 12 is Ordinance to amend the Code of Ordinances in the City of Reynoldsburg, Ohio, Chapter 971 - Municipal Parks - addition of Section 971.08, "Program And Facility Fees and Charges". It had its second reading on 4-26. Mr. Walsh. Is he still here?

Mayor McPherson: He wouldn't leave.

Mr. Stake: If I do recall, your Parks and Rec Commission has recommended these fees along with yourself.

Mr. Walsh: Yes.

Mr. Stake: Anything else you'd like to add on this?

Mr. Walsh: Not at this time.

Mr. Stake: Okay. We can send this forward for its third reading then in the regular process. Correct?

Mr. Walsh: Yes.

Mr. Stake: Okay. Any questions or comments from members of the committee? (No response). Members of Council? (No response). Then I make a motion we send this forward to Council for its third reading. Do I have a second? Second by Mr. Gilbert. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And item number 13. This is an Ordinance declaring improvements to certain parcels of real property to be a public purpose, describing the public infrastructure improvements to be made directly benefitting those parcels, requiring the owners of those parcels to make service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of such service payments; approving and authorizing a form of tax increment financing agreement; and declaring an emergency. This was held for a while. We received further documents from the Kroger Company via Mr. Brandt. I believe Mr. Underwood has inspected all these, reviewed all these, and is comfortable with these documents. Is that correct, Mr. Underwood?

Mr. Underwood: That's correct.

Mr. Stake: Thank you. Any comments or questions from members of the committee on this? (No response). Members of Council? Mr. Baxter.

Mr. Baxter: Just one thing. I do want to thank Mr. Brandt for his help this week in clarifying what a TIF was and bring me up to speed. So I want to thank the administration for getting that information to me. Thank you.

Mr. Stake: Okay. Thank you, Mr. Baxter. Okay. Well then I would recommend we send this forward for its third reading as an emergency. Do I have a second? Second by Mr. Beougher. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And we will adjourn Finance at 8:57.

Finance Committee

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

May 3, 2004