

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

April 21, 2003

Members of Community Development Committee present: Sarah Cannella, Jim Wade, Ron Stake, Lane Beougher.

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

The meeting was called to order at 7:38 p.m.

Mrs. Cannella: The approval of the minutes of December 16, 2002. If anybody still has them. No deletions? Additions? They will stand as distributed. Item 4 is the election of Chairman to the Committee.

Mr. Stake: Mrs. Cannella, I'd like to make a motion that we elect you as Chairperson of the Community Development Committee.

Mrs. Cannella: Mr. Stake makes a motion. Second by Mr. Wade. All in favor please say aye. (All voted "Aye"). Thank you gentlemen. The next is the appointment of Vice-Chair, and Mr. Wade, will you be Vice-Chair?

Mr. Wade: I will.

Mrs. Cannella: Okay. Thank you. Item 5 is discussion of the Park Rules and Regulations, and Paul Walsh is here to discuss that with us.

Mr. Walsh: Good evening all. Thanks for taking the time here for us. You have in front of you a group of rules and regulations that we put together over the past number of months. We had a need to provide for some rules and regulations to help us better manage and operate the parks in the community. The rules describe behavior that's not permitted. They talk about protection of natural resources and protection of park amenities. They also address the protection of our park visitors either from their own behavior or the behavior of others. And those rules that we've come up with here from a number of different places, there's different agencies that we talk to about these rules, what they used. Some are specific to our city and some are obviously from others. These have gone through review by the police department and some staff has reviewed them. The City Attorney has reviewed them and they also went through the Parks and Recreation Commission at a number of different meetings where they had an opportunity to provide input. So we've reviewed them quite well. I would like to just touch on a few examples of what we're talking about in here. One section which would be on page 2 of those rules, at the top part of that, it provides authority and some basic guidelines for us to actually schedule events and activities in the parks. We do have a lot of requests for use in our facilities and it would be nice to be able to control that in an appropriate way. There's a section there about vehicles and many of these are the same kind of things you would find in the codified's. We do currently have some folks that seem to like to drive off-road on occasion and we don't really have a way to address that yet. We have some non-specific ways of dealing with those kind of issues and this would be a specific way

to handle those kinds of problems. We talked about protection of natural resources and the ecological environment. This now tells people that you cannot go in and remove plant life and flowers and horticulture from the parks. That's not required. We do, however reserve the right as a department and a city to do what we need to do inside the parks to manage those types of things. From a safety standpoint, there was one that we did add in and that was, "no person shall climb or repel any rock escarpment or the natural features". That's a good example of a safety issue where people would want to do things like that and we would prefer that they not because there's a good chance they're going to get hurt as well as damaging some of the natural areas that we have. And we do have an area in Pine Quarry that's sort of good for that kind of thing. Another one that's sort of interesting, and you might wonder about that is the power models and toy engine units. We're basically talking about model airplanes, radio controlled, and/or rockets like the _____ type rockets. The solid fuel rocket engines. I've had issues with that in other places that I've worked and we want to make sure that we can control this here as well. Now, we have people that do fly in our parks and I've seen them and in fact, I was out in the park on Saturday at Civic Park and someone was shooting off rockets and that's alright. There's certainly not a problem with that but we do want to be able to tell them, "we've limited your places and times that you can do that". Because we don't want them shooting them off in the middle of a soccer game or around somebody's picnic or flying airplanes in an area that there's a lot of people. So we thought we'd add that in there. Another section is about fires. We don't really have anything that says you can't build a fire in a park and we don't really want them to do that. We don't want people camping in the park and we certainly don't want them building fires with the exception of things that are appropriate, such as if we're doing a program and we need a camp fire type program, or if we have perhaps occasionally permitted someone to camp in a park. And we do that every once in a while, like a Boy Scout troop or something like that, that will come out and do some work in a park. So we want to control the fire issues. Obviously we have a fire department that has fire regulations as well and they would come into that too. A couple of the other safety activities that we felt were important, things like all terrain vehicles and hang gliders and snow mobiles and things like that, just the kind of stuff that you don't really want people doing in a park because they're going to probably injure themselves and we're not really set up to deal with those kind of things. Plus the damage that they do. There's another one in there about a metal detector. Now, I don't have a huge problem with metal detectors either, but I do want to have the ability to stop someone from using one if they're creating damage in the park. And again, this is something I've had experience with in the past as well, where we've had folks who like to dig holes to find what's below the ground and then they don't bother to fill them and they create a trip hazard and damage the area. So we'd prefer that not happen. Those are just a few of the examples. Most of the rules are fairly self explanatory and that's really all I had to tell you about that and I can try to answer questions if you have any.

Mrs. Cannella: With the Tomato Festival then, that would not preclude them from parking on the grass?

Mr. Walsh: Exactly. Yes.

Mrs. Cannella: As long as they have permission from you. Correct?

Mr. Walsh: Right. We wrote that with, a section there about parking, basically says that, they need to stay in areas that are provided for parking. We don't normally allow vehicles in the area of the Tomato Festival grounds but we do for that event. So those areas are obviously designated for parking. We all know where they are and that's where we _____ people to park their vehicles.

Mrs. Cannella: I felt it's a very good thing and a long time coming. Do we have any questions from the Committee? Yes, Mr. Wade.

Mr. Wade: One, Mr. Walsh. I don't smoke but I have heard, and it has been brought up to me that at the beginning of some of our baseball events, the announcer over the PA system says that smoking is not prohibited, or is prohibited. And I think that, I've that personally, I think that we ought to give that some consideration. I think that's an item that, you know, is going to have to be unilateral across the board if they're going to say no smoking during the baseball games, you'd have to say no smoking in city parks. And I think that's going to be a little bit hard to enforce.

Mr. Walsh: Yeah. That would be a little bit of a challenge.

Mr. Wade: And I think I understand where they're going with it. They don't want it at sporting events and they don't want to endorse smoking around those events but I think that's a double edge sword and we need to be a little bit careful with that and you might, so you might want to check into that.

Mr. Walsh: I will take a look at that.

Mrs. Cannella: Any other questions? Mr. Hills.

Mr. Hills: Sarah, I'm not on the Committee but I do have a question. Page 4, Section 971.13, Animals, (h). That would appear to be what we've discussed historically around here as a leash law and I don't believe we have a leash law in effect. Are we going to be consistent within the parks as we are within all of our geographic Reynoldsburg? Or has it been looked at and thought about? If not, why we wouldn't want to be consistent?

Mr. Walsh: This would be more stringent than the rest of the city.

Mr. Hills: The park system being more stringent than the rest of the city?

Mr. Walsh: Yes. That's right.

Mr. Hills: And the same thing is true on the sound amplification device which I'm not sure is defined but is highlighted.

Mr. Walsh: It is. Yes. That is more stringent. I've felt like that when you have people in a park setting, they're not really paying that much attention to what's going on around them in some cases, and when it comes to animals, especially dogs off of leashes, they can get into a problem with a child or an adult very rapidly in areas that we don't want them to be. And I believe the

city's ordinance says that they have to be under control, which as I understand means it could be verbal or voice control. I'm not real comfortable with that in a park setting. I think it needs to be a little tougher in a park setting to make sure that those animals are well under control because of the fact that we do have children, small children in areas like play grounds and ball diamonds that the dog could get into something immediately with somebody, as opposed to if a dog's on a leash, there's a better chance they're not going to go after somebody than if they aren't.

Mr. Hills: I see your theory behind it, and you say this has been signed off on by the legal department? The City Attorney?

Mr. Walsh: He has reviewed it.

Mr. Hills: He has reviewed it?

Mr. Walsh: He has reviewed it.

Mr. Hills: Okay. He's in agreement with your stance?

Mr. Walsh: We didn't discuss this specifically.

Mrs. Cannella: Any questions from anyone else? Yes, Mr. Beougher.

Mr. Beougher: As you know Paul, we've got a parking issue at Civic Park. Does it make sense to enforce, or put these restrictions in place on parking before we have accommodation for enough cars to normally use the park on Saturday's and Sunday's and evenings?

Mr. Walsh: The future goal I believe would be to eventually provide enough parking, hard parking, so that people don't park on the grass and then we can say so, so that they don't damage the park. This doesn't specifically say you can't park on the grass. It basically says you have to park in areas that are provided. Therefore, if we have areas around along the driveways that are typically provided, that's fine. If you want to drive clear to the back of Civic Park and park next to a soccer field, that's two or three hundred yards away, that's not something that we would permit and that's what this would address.

Mr. Beougher: I think the problem is, people get used to parking along the roadway when it's busy and then they do that every time they go instead of parking in the parking lot when it's empty during practice times.

Mr. Walsh: We encourage them to use the hard lot when it's available but we do understand that it's just not always going to be available. A lot of times it is full.

Mrs. Cannella: Well, thank you Mr. Walsh. If there are no more questions, then we'll move this on for a first reading.

Mr. Walsh: Thank you.

Mrs. Cannella: Do I have a second to that? Second by Mr. Beougher. All in favor? (All voted "Aye"). This will be on first reading for next Monday night.

Item 6 (Discussion, Authorization of contract for Reynoldsburg Major Commercial Corridors Streetscape Phase I and appropriation of funds), Mr. John Brandt called me and he would like to hold that for two weeks. If there's nothing else to come before Community Development, we will adjourn at 7:45.

Community Development Committee
- -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)
April 21, 2003

SAFETY COMMITTEE MEETING MINUTES April 21, 2003

Members of Safety Committee present: Mel Clemens, Jim Wade, Ron Stake, Lane Beougher.
Other members of Council present: Sarah Cannella, William Hills, Eric Gilbert, Council President Bradley L. McCloud.

Mr. Clemens: I'd like to call the Safety Committee meeting to order at 7:46. The first item on the agenda is approval of the minutes of April 7, 2003 Safety Committee meeting. Do I have any

additions or deletions? If not, they stand approved. The next item is the approval of the agenda. I'd like to add as item number 4, Report by Chairman and move item 4 to 4a. Are there any other additions or deletions? If not, they'll stand approved.

I'd like to bring up this evening, an item that we've all discussed and thought about and been approached about. In the past few weeks I've met with our representative for the Truro Township Fire Department, Bob Stapleton who is the Administrator, about having them do a presentation to City Council about boundaries conformed and redistrict of the fire department. Since this is an item that falls under Safety and Community Development which is important in it, and also for the, probably the biggest one, Finance Committee, I would like to have the President of Council set a Committee Of The Whole meeting June 2 at 7:00. That will commence before the Community Development Committee and would be a Committee Of The Whole so we can all sit and listen to their presentations and take it under consideration and take the proper action we feel is necessary at a later date. Bob and I discussed this. They'd like to have it as a presentation, not necessarily a questions and answer situation at this time or discussion. It'll give everybody time to digest the report, study the report before a lot of questions are asked that possibly need not be asked. We also will inform and invite the Township Trustees from the Violet Township, and Jefferson, and Etna Township if they want to be present to hear the presentation since this does involve their townships. So I would request that President McCloud set this Committee hearing and I have checked the date this evening as a matter of fact with Mr. Stapleton and the date is alright.

The next item on the agenda, discussion, Authorization for Evans, Mechwart to prepare documents for 2003 Street Program and appropriate funds. George.

Mr. Mussi: Thank you, Mr. Clemens. What you have here, a piece of legislation, is our 2003 Street Program has been kind of finalized. We have the list of the streets and the CIP meeting here a few weeks ago, it was initially there wasn't going to be a program but there were some street that we had to get done. We will have about a half a million dollar program this year of the streets that we felt were really needed and once you stop a program, I'm sure you realize Mr. Clemens, it's very tough to get back up. So we had the streets identified. I think you have the list in front of you. Again, for review if there's any changes, I'm hoping that they're minor but these were the streets that need to be done. And we're authorizing, asking to authorize EMH&T who has done previous documents, to put the documents together, go out for bids and specifications.

Mr. Clemens: Could I ask a question? After you do the estimates on the construction cost of the program that you have here, the streets and so forth, if you decide to add any or delete any, are you going to bring the estimated cost in before you bid it out? I mean, Council always has had that opportunity in other words.

Mr. Mussi: We will do that because we want to stay, like I say, we're only allowing a half a million dollars to do the project so if something comes in that we have to add, something's got to drop off.

Mr. Clemens: But you will bring that in before it's bid out and give Council a chance to kind of look at it. Also I have, are there any other questions from the Committee that would like to ask Mr. Mussi as far as the Street Program is concerned? Mr. Hills.

Mr. Hills: Just to clarify on what you just said, it's going to come back to us before it is bid out? Is that what you're...

Mr. Clemens: I would like to take a look at it to see, not formally, but I would like to see that, you know, that you, I'd informally like to see what streets we're doing and what they cost, which we've always did that before.

Mr. Hills: So before it is bid...

Mr. Clemens: I mean it's not going to be, it's not going to be changed as far as the bidding item. I mean, I just want to know what you're bidding out and what the cost estimate is.

Mr. Mussi: And I apologize. I don't have that piece of legislation in front of me. You don't have the list of streets in front of you?

Mr. Clemens: I've got the list of streets but I don't know what the cost, you know, you always have a breakdown on them. What you're going to do and if the estimate has come over of what you planned if you move streets and so forth, because looking at this we might expect all this to be done and maybe some of the streets be removed and so forth.

Mr. Mussi: We'll get that to you. I understand what you're looking for.

Mr. Clemens: It wouldn't be for additional legislation or to vote on but I mean, you would give us a copy of it just so that we know what's going on is all.

Mr. Hills: I appreciate that it is going to be because I think we need to identify by that time where the funds are going to come from to do it.

Mr. Clemens: Okay.

Mr. Hills: And it would be nice to look at that and knowing we need to get this started. We also need to know where the funds are going to be at that time and that gives probably what, two or three weeks anyway before you're going to have all the estimates put together. Then we'll have an opportunity to see what monies are going to come from what funds with the other projects we're getting into. So that was one of my concerns. I don't have any problems appropriating the \$22,000 to have it ready but we just need to see where we are and identify where those funds are coming from to complete the bid.

Mr. Mussi: And that'll be brought forth. We'll bring it forward.

Mr. Clemens: If you would bring it back before you bid it out so it gives the Finance Chairman and the rest of us a chance to look at it and see if any streets have to be removed or if there's a possibility of maybe we can add some even. Are there any other questions for Mr. Mussi from the Committee? From Council? If not, I'll make a motion, and I think this should be an emergency.

We're running late. I make a motion that we send this to Council for a first reading with an emergency for passage. Do I have a second? Second by Mr. Stake. All in favor say aye. (All voted "Aye"). Opposed? (No response). Thank you, George.

Mr. Hills: Mel, you want to refer that to Finance to get the \$22,000 don't you?

Mr. Clemens: I refer it to Finance.

The next item on our agenda is the discussion of our annual fireworks. The annual fireworks display. It's by the same company which really did a good job and we compliment you on the job that they did for \$25,000, the amount of \$25,000. I've got a note the contract needs to have the Auditor's Certificate and the approval of the City Attorney.

Mr. Mussi: That is correct. He looked at it and he came back with the, we need that, we'll get it to him and I'll put that into contract so we get it signed off.

Mr. Clemens: Okay.

Mr. Mussi: And right now that's the only thing holding it up but we should have that tomorrow or the next day.

Mr. Clemens: Now does this need to be an emergency or it can go for a couple of readings?

Mr. Mussi: We probably ought to go emergency so we can get things in place because if you go the three readings you're going to be along to July.

Mr. Clemens: Alright. Are there any questions for Mr. Mussi on the fireworks display or fireworks contract? If not, I'll make a motion that we send this to Council for the first reading as an emergency for passage. Do I have a second? Second by Mr. Beougher. All in favor say aye. (All voted "Aye"). Opposed? (No response). Thank you, George.

Mr. Mussi: Thank you.

Mr. Clemens: That will end the Safety Committee meeting at 7:58.

Safety Committee

- -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

April 21, 2003

SERVICE COMMITTEE MEETING MINUTES

April 21, 2003

Members of Service Committee present: Eric Gilbert, William Hills, Ron Stake, Lane Beougher. Other members of Council present: Sarah Cannella, Jim Wade, Mel Clemens, Council President Bradley L. McCloud.

Mr. Gilbert: I'll call the Service Committee meeting to order at 7:58. The first item on the agenda is the approval of the minutes of the April 7, 2003 Service Committee meeting. Are there any additions or deletions for those? None being heard, they will stand as read. Item number 3 is the approval of the agenda. Are there any additions or deletions to the agenda this evening from members of Service? None being heard, the agenda will stand as read.

Item number 4 was moved up to be on this evenings Service Agenda. This is an acceptance of deeds of conservation easements. Mrs. Reichard has contacted me to add this and I don't see her. Mayor or George, can you handle this?

Mayor McPherson: No, I'm sorry. Mrs. Reichard couldn't make it this evening and I'm not aware of what it was about. I can't help you out. If you give me a minute I can go upstairs if you want to just hold that one for a minute and come back to it.

Mr. Gilbert: It was a transfer of the conservation easements. 2.536 acres and 3.039. Maybe the City Attorney is aware of it.

Mayor McPherson: Yeah. Bill.

Mr. Gilbert: Okay. Thanks, Mayor.

Mr. Underwood: It's all part of that development behind Slate Ridge where we had the run in with the developer this past year and when they came in with the new phases the Service Director and, I'll call him the tree guy, whoever it was, they went out and agreed to what would stay and what would go and these are the easements on that which is staying to preserve the natural terrain.

Mr. Gilbert: And they're granting them back to us?

Mr. Underwood: Yes.

Mr. Gilbert: Correct? Okay. Great. Was there any need to move this along the fast tract? The normal three readings.

Mrs. Frazier: Mr. Gilbert.

Mr. Gilbert: Sure.

Mrs. Frazier: I don't have the, this particular one, are you adding another one? I mean you approved the agenda and this is acceptance of deeds as the public park one that came from Mr. Underwood. Those ones that Mrs. Reichard had, were for the 5th.

Mr. Underwood: That's a different one.

Mr. Gilbert: That's for Community Development.

Mrs. Frazier: Community Development does not handle deeds nor usage of lands so it's on Service Agenda. But what Mrs. Reichard had asked would be for the 5th of May. This is Reyno.

Mr. Underwood: Okay. Reyno is the land under the power line that was given to the city a couple of years ago but we didn't take it because we were trying to hold that as replacement land if we got a road through Civic Park. That road never came up and so it's now time to accept the deeds that go under the power line between Waggoner and Taylor Road and have a couple of little pocket parks carved out of it.

Mr. Gilbert: Thank you, Mr. Underwood. So this is, I guess the reason I went, on the legislative request it indicates Community Development for the park, public park.

Mrs. Frazier: That's correct. And Service handles deeds and land usage.

Mr. Gilbert: Correct.

Mrs. Frazier: When they sent it down it just is marked incorrectly for Community Development. It should be on Service.

Mr. Gilbert: Okay. We'll change that and I guess the conservation easements are up on the 5th. That was different than the message that I got Friday.

Mr. Underwood: Well at least you know what they are now.

Mr. Gilbert: Yeah. At least. Thank you, Mr. Underwood. Are there any questions on this from members of Service? Mr. Hills.

Mr. Hills: Mr. Gilbert and Mr. Underwood, if I could, it's my understanding there is a possibility into Civic Park if this was held to see what was happened there, there is a tentative, has been discussions about roads going into two separate parking lots with an emergency connector but there we would not have to trade off land or we would not have a reason to, that's without any trading of park land. Is that correct?

Mr. Underwood: I don't know that it is or isn't. That's under the purview of the Parks Department and I've not been involved in that. It's just that they weren't going to put a road through and we could go ahead and accept the deeds. So I don't know where they are, they determined, if Phil Kiser was still here that there would be no road.

Mr. Hills: Well just for clarity purposes then, the agreement that has been struck with ODNR does not require a trade off of land. Is that correct, Mr. Parkinson? Because you seem to be the one to work with, worked on this project.

Mr. Parkinson: You are correct in what you've said. The guidance that we received from ODNR stated that if the road was for the benefit of the park, in other words, an access from Rosehill, that brought into a parking lot and staged for use in the park, that that wouldn't be, that would not require the 6F conversion and therefore, ODNR felt that they could reasonably accept that as part of the park development as long as it didn't damage the use of the park. Which we wouldn't design it to where it did. And they felt that that was how you had described it. Separate parking areas and emergency vehicle only, like grass paver blocks down, bollards, reboundable bollards or something and they could probably live with that they said. But they were having a hard time with the thru road.

Mr. Hills: And they still were adamant that there would be no thru road which would have required a trade off of other park land.

Mr. Parkinson: That's right. Yes.

Mr. Hills: Okay. Thank you. Thank you, Mr. Underwood. Thank you, Mr. Gilbert.

Mr. Gilbert: Did you want this held, Mr. Hills? Are you inclined to see it go forward if it

doesn't...

Mr. Hills: I guess if we've held it for four years and we don't need it we might as well send it forward if it's been held that long. I didn't know that was what it was held for.

Mr. Gilbert: Okay. Does this raise any other questions from other members of Service? Other members of Council? I'll make a motion that we forward this to Council for it's first reading on the Consent Agenda. 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 2 is the discussion for a Rezoning at 340 S. Waggoner from R-3 and R-I to S-1, Reynoldsburg City School District by Gregory S. Baker, Attorney. Is Mr. Baker here this evening? There's no representative here from the schools. I would also like to point out if the members would look to the cover letter to the packet we received for the zoning change request, there was a request that Council waive several items underneath our Zoning Code 1151. That was the proposed vehicular and pedestrian traffic patterns, the location of all existing and proposed structures, the preliminary plans of all structure types, a schedule of construction and traffic utility and drainage impact study. I know it has been a consistent policy of this Council since the new Zoning Code was put into place that we do not grant waivers for this particular information, because it is vital to us understanding the impact that projects will have on the city and surrounding immediate areas. Therefore, it's my intention to hold this and notify Mr. Baker tomorrow that we'll need this information prior to moving this forward as has been consistent with what we've requested of other developers that have to come before Council. And just to note, I have on a number of occasions have asked Mrs. TenHoeve, or indicated to her our policy on this and I believe since indicating, this is the second time something has come forward requesting a waiver with her knowing what our policy is here. So I guess I'll see on the record so it's not misunderstood from this point forward. That being said, are there any other comments or questions on this matter from Service? Other members of Council? Mr. Clemens.

Mr. Clemens: I agree with your statement because I think it's important especially where the school property is now that we have the traffic pattern as far as that part is concerned. That part concerns me. I agree with what you're doing.

Mr. Gilbert: Thank you, Mr. Clemens. Mr. Wade.

Mr. Wade: I just want to say I too agree with you, especially on the traffic study. I have to admit I'm a little concerned about what all of this is going to do to Waggoner Road with the fact that it's a two lane as it is and the impact to. So I think if anything we need to give extra consideration to what that's going to do.

Mr. Gilbert: Okay. Anyone else? Thank you, Mr. Wade. That being said, I'll hold this item for two weeks.

Item number 6 is discussion, Ormiston Circle Storm Water Problem and appropriation of funds for engineering services by EMH&T. This is a problem that has emerged over the past years that

EMH&T had done an initial study on that had impacted a number of residents and what this request is to appropriate from the Storm Water Utility Fund, \$2500 to do surveying work to help identify the inconsistency in the grading in the area and the source of the problem. And this will assist us when we approach the developer in partnering up to fix the problem. One of the problems that's emerging in regards to our newer neighborhoods is that some years ago, I believe it was October '96, Council had attempted to, and Administration had attempted to push forward a grading certificate so that individual lots are sold off to other builders, the city would be able to maintain a consistent grade to help the flow of storm water. And that was not moved through Council at the time so now we're getting these inconsistencies that arise and create problems and this is an attempt to identify and solve one of those problems that has been brought to our attention. Does this raise any questions or comments from members of Service? Mayor.

Mayor McPherson: Yeah, I guess what brought this back to the table, I guess I'm not aware of any additional problems that we've had for over a year. Is there a new problem?

Mr. Gilbert: Just the same problem.

Mayor McPherson: I mean, what is the problem? It was my understanding that we weren't aware of a real problem. What is the problem? I guess it should come to the Administration. I think if there's a problem and we're going to go out and get engineering for something we're not even aware of while we're doing it.

Mr. Gilbert: Well, you could consider the fact that the back yards are drenched. The drainage isn't working. That the developer made an attempt some years ago that the Administration should have been aware of to fix the problem on their own.

Mayor McPherson: It was my understanding it was fixed. That's why, what's bringing it back?

Mr. Gilbert: The residents. They're here this evening. And I'm bringing it back. I represent the area out there, so I'm bringing it to the table.

Mayor McPherson: Well it would be nice if you'd discuss it with the Administration before you go out for engineering. You know, we haven't even gone out to look at it to the best of my knowledge. George, have we gone out to look at Ormiston?

Mr. Mussi: Inaudible.

Mayor McPherson: I mean, we're not even aware that there was a problem out there after the developer went out there and worked on it.

Mr. Gilbert: When was that?

Mayor McPherson: It was over a year ago. And is this the first time we've had a problem come, I mean they haven't contacted the Administration if there's still a problem. You know if you're going to spend money on engineering I guess we'd just like to know why.

Mr. Gilbert: I had a meeting with the residents and the engineer, I believe it was two weeks ago.

Mayor McPherson: It'd be nice if the Administration would be included in that since it's our responsibility.

Mr. Gilbert: Well I think you were. You signed off on the request that you require of Mr. Parkinson now to do work for Council. I think it was for \$500.

Mayor McPherson: For \$500.

Mr. Gilbert: Right. Which I disagree with because frankly, as a Councilman I don't need to go through the Administration to get approval for this Council to obtain engineering information.
Mayor McPherson: That's correct, but are you also going to _____ in control of the work that's done?

Mr. Gilbert: Well I don't need Administration approval to bring an item to the table.

Mayor McPherson: And I understand that but it would be nice in the spirit of cooperation if you'd at least talk to us before you do it.

Mr. Gilbert: Well, I can't remember a Storm Water Project that I've brought to the table since I've been here that you've been willing to cooperate with me on.

Mayor McPherson: I think that's absolutely incorrect.

Mr. Gilbert: Whether it's Taylor Road. No, Taylor Road. You opposed it at the beginning. Broadwyn Storm Water was a topic of yours.

Mayor McPherson: Did we do Taylor Road?

Mr. Gilbert: I'm sorry?

Mayor McPherson: We did Taylor Road but we did it under the correct conditions. We didn't just do it carte blanche the way you wanted originally. We didn't spend a million dollars. We spent substantially less. And we got the same job done.

Mr. Gilbert: Well I didn't question...

Mayor McPherson: And it was going to be a part of the Taylor Road project...

Mr. Gilbert: I didn't request a million dollars for Taylor Road Storm Water. And it's just like with the corridor project you take \$185,000 out of the Storm Water Fund and you don't consult the committee that deals with it. So I mean, this can cut both ways if you want to (inaudible).

Mayor McPherson: What have we taken out of the Storm Water Fund?

Mr. Gilbert: You took \$185,000 to help offset costs for the corridor program which I supported.

Mayor McPherson: If there's a Storm Water Project, we use Storm Water money.

Mr. Gilbert: Correct.

Mayor McPherson: That's correct.

Mr. Gilbert: But what I'm saying is (inaudible) support that without consulting me.

Mayor McPherson: You know, and when it all comes down to the...

Mr. Gilbert: I mean, this Committee handles it. (Inaudible)

Mayor McPherson: That's an Administration function. You know, you're legislative. The day to day operations of doing things like this is the Administrative function, Eric.

Mr. Gilbert: Um hum.

Mayor McPherson: You know, if you want it, if you do it yourself that's fine. But, you know, it works a lot better if we know what's going on before you come in and ask for \$2500 in engineering and we're not even sure there's a problem. You know, I haven't seen any reports since the \$500 was authorized from EMH&T to do anything, to meet with you and try to see what was resolved. Has there been a written report back yet?

Mr. Gilbert: I was going to inform the members this evening what the problem was which I was attempting to do.

Mayor McPherson: Well I haven't seen a report so. Is there a written report?

Mr. Gilbert: Is there a requirement for a written report?

Mayor McPherson: Well, if we're going to pay engineers \$500 to sit in on a meeting, I'd think they'd want to, we'd want to at least get a written report.

Mr. Gilbert: Well, your record and working with me on Storm Water Projects in this city as far as I'm concerned is dismal.

Mayor McPherson: Well your working with the Administration, period, is dismal.

Mr. Gilbert: Well, then we agree on something. This is a problem that the residents have brought forward. It is, I've been out to the property. I have photos here if the members would like to see the photographs. I'm requesting this money to identify the source of the problem so we could seek a cooperative effort between the developer and the city to help fix these types of problems that are emerging. This isn't setting a precedent. It's not something that requires a report. It's

part of the dirty little secret that's emerging through the housing developments in Reynoldsburg with our failure to act within the example of the grading certificate and giving developers free reign and then the homeowners come in, purchase their property and they have to deal with the problems. When their Councilman tries to identify the problem and help resolve it, this is the type of obstruction that he runs into. I'll ask if there's any comments or concerns from other members of Council that are going to be raised. I had spoke with Mr. Stake and Mr. Hills in regards to just what the intentions are. Mr. Stake.

Mr. Stake: I guess, Mr. Gilbert, if you could explain what the problems are and maybe if there's some people here who could explain what they are, I'd appreciate it.

Mr. Gilbert: Okay. Ron and Dee Miser are here. They're residents on Ormiston Circle and if they would like to make any comments as to the problem. What you have is inconsistent grading along the individual lots. You have different builders that have come in. It's not one consistent builder that has built all of these homes and that inconsistent grading has created inability of the water to flow through the swail. Now the builder must have acknowledged this at some point because they came in and tried to fix the problem further to the north of these three properties. And that's what part of this work, is to identify how the other properties can be included in that partial solution. Dee.

Mrs. Miser: Thank you.

Mr. Gilbert: Dee, just state your name and address.

Mrs. Miser: My name's Deanna Miser. We live at 8804 Ormiston Circle. That's Reynoldsburg. To elaborate on what Eric is talking about, I would be more than happy, and I know my husband and the other neighbors would be too, to invite the Mayor out to see our property, to invite all of Council out to see the property. When we purchased where we live, it's almost a half an acre lot that we have in the back yard, appeared to be fairly good and as the years have gone on, which we will have been there six years this July, every year the back yard has progressively gotten worse in it's ability to drain off the storm water. Every time we have a rain, instead of the swail allowing that water to go away and down to a drain that it should go into, it's sitting in our back yard to the point now where we don't have a back yard. We have a swamp when it rains. When it's not raining and it dries up, we have at this point, fungus. We have dandelions and every kind of weed imaginable. It has completely taken all of the grass out of our back yard. Maybe 10, I should say maybe 10% of the grass is left in our back yard. And it is a definite water problem where the drainage is not going down into the drain as it should have been. The lots have been graded in a way that it's holding all the water on three distinct properties instead of allowing it to go down into the drains.

Mr. Stake: Mr. Gilbert.

Mr. Gilbert: Mr. Stake.

Mr. Stake: Did the developer address this problem?

Mrs. Miser: The developer, when we originally moved in, the properties on each side of us had not been developed yet. When ours was originally developed and the sod was laid, and as they started developing and finishing the properties on each side of us, my husband even addressed it with the developers on both sides of us and it was not addressed by the developer at that time. They more or less ignored the issue that we were bringing up that you're damming us in and it actually has. The three properties that are in question are dammed in by two properties on each side of those three properties. Whereas, the developer _____ and it goes into the drain and our three sit lower and pull the water right into us.

Mr. Gilbert: Any other questions? Mayor.

Mayor McPherson: Who was the developer back then?

Mrs. Miser: The original developer of the entire development was Homewood. Our property itself is a Dominion developed piece of property and on each side of us, actually the two others in question are M/I properties and the one on the side of us on the west side of us that dams us in is an M/I property also.

Mayor McPherson: Okay. Have you by any chance contacted MI to see if they would regrade to the proper grade?

Mrs. Miser: We have not recontacted them again. We had contacted them originally and one of the homeowners that has the water problem had contacted them and we got no satisfaction. They didn't want to have to do anything to do with it.

Mayor McPherson: Okay. What, if you don't mind, if you'd like, we would contact MI. It might be as simple as just having them regrade that lot next to you.

Mrs. Miser: Yeah. I mean, we're up for whatever solution that we can come up with that gets it taken care of.

Mayor McPherson: Okay. Thank you.

Mrs. Miser: You're welcome.

Mr. Gilbert: Are there fences on your property? Or adjacent to your property on both sides?

Mrs. Miser: There are fences on property adjacent. Yes.

Mr. Gilbert: As far as the grading. And those are raised above the ground to allow for the flow so that hasn't been identified. Mr. Clemens.

Mrs. Miser: Yes, they are.

Mr. Clemens: I respect the issue that Eric brought up and I'd just like to bring back memories for everybody from about 8 years ago when I took some terrible _____ right in here from a few hundred people on drainage and on drainage problems and what our problem is and how we can correct it. You know, we go out and we develop this ground, we have somebody go out and develop the ground and they sell it off, then we have the builders come in and build, then they grade it off and they do their swails and so forth, we have nobody that goes back and checks what these are. Period. That's it. So we don't know whether the proper swail is draining, we don't know whether they did the proper height on the basement, or another block is a lot more dirt coming out of that basement. We don't know what really is happening on our drainage problems. At that time after seeing what the situation was and the problems we were getting into, we did propose an ordinance and with the backing of the Mayor and the Administration, and Dana Miller and I, and at that time it wasn't acceptable to Council, and I think probably because the Builders Association fought it, and a couple of the builders come in and fought it because it would increase probably the cost of the house, \$50 to \$100 more to have a registered surveyor come in and shoot grade on the proper swails and make sure that it has been graded correctly before it's sodded. And after people move in, once the people move in, then they start filling up these swails and they start planting bushes in the middle and they start putting fences down through there and they don't put the proper height, that causes all kinds of problems. We all know that. But to get the city's responsibility out of it, to have a proper grade shot, it's something that, I'm going to come back with the ordinance. I'll give the Building Department something we can look at because the more they develop in this open space and go out there and develop flatly and then come in and hope to keep the same swail and the same grade after these different builders come in and build a house and grade each one different with a different grader and so forth, we just never know what it is. So, I can understand the situation the people are in and I know the situation that we've got into about 7 years ago when we built a subdivision straight down hill and we stacked the houses and almost washed the field away. And we solved that and it took a little time. But I think that this is something that's important. I think it's something that we should look into and I'll try to get the information to Council. I want to thank Eric and the Mayor both for bringing this up.

Mr. Gilbert: And if I could just touch on briefly with what Mr. Clemens said as far as I guess, public accountability, you know, you look at this problem, you see some responsibility on the private side and you look at potential solutions and I guess where I saw a public accountability, at some point, for instance, if the Mayor does call a developer and they come out and do the work, I'd feel much more confident in our engineers and the services we can provide in terms of the accountability to make sure that what the developer then does, is done correctly. And that protects the public interest in that particular area. That's where I thought, at a minimum level we do have some responsibility in looking at the source and the potential solution to the problem which is why I brought this forward. I think I had, Mr. Hills was going to say something.

Mr. Hills: I appreciate the fact that it's been brought forward. I also can appreciate the Administrations statements of, if we had known we would have talked with them. I don't know that this is not a problem that just came up this last two weeks or a month. This has been for a while obviously, and certainly I would always encourage any citizen in Reynoldsburg, if you have something you don't feel is right, probably the first contact should be Administration. If it's not successful there, then certainly Council can be asking questions of the Administration. I don't

know whether Mr. Parkinson has anything to offer on what has been done so far engineering wise, but I am aware of the 7 years ago and not doing the registered surveyor and I know that there were heated discussions in this Chamber regarding that and there were not sufficient votes on Council. I don't think the Council members are the same today that were then and I think that there may, it may be the cost impact especially with some other issues we're going to deal in tonight. I think that might be a minor impact to have upon the homeowner to assure that these things are going to happen. But I think Mel, Mr. Clemens has made it a very good point, that even though the best surveys and everything else and the perfect grades can be disturbed by the person who comes in and makes alterations to their yard and then stops the water flow. So it is a cooperative effort. The landowner also has to maintain and keep the areas open and certainly I'm not familiar on Ormiston but I think as people know me, I always have tried to be in a cooperative. I am known to be argumentative at times and I ask pointed questions but I still do try to cooperate when we can and (tape change). On this specific issue, if Administration has it, Mr. Gilbert is there a problem with holding that for a couple of weeks and having them take a look at that and see what the development, because I know when you and I talked one of my questions was where is the developer on this? And if we have developers that are still doing business in the city they have a tendency to want to continue to correct some problems. And I certainly don't want to see this slowed as far as an action being taken but if Administration is saying they would like to take a look at it, I don't have a problem with it myself. It's your piece of legislation and I'll certainly support you on how you want to go because it's got to come to Finance. But is it better holding it for a couple of weeks and see if we'll have some more answers to the puzzle before we go do a survey that may not be necessary if there's an agreement to correct these problems on these lots and get them a resolution to the issue involving everybody a little quicker than it would take otherwise.

Mr. Gilbert: Well, if, I guess you could do that and accomplish the same goal. But on a double track in terms of appropriating the money, and if the Administration is able to solve it over the course of the next two weeks or get some type of movement, then I don't think Mr. Parkinson's going to utilize all \$2500 over the course of the next 5 days. But at least I feel confident knowing the past experiences I had on another project and holding it two weeks and holding it two weeks and waiting for some type of activity from the Administration. At least I know that there's a safety net there to this and that we can move forward with the engineering if that's necessary. So I guess my answer is I would like to move this out of Committee and over to Finance and appropriate...

Mr. Hills: What is this engineering going to do? Is this doing the survey to indicate where and if there is a problem. Is that correct?

Mr. Gilbert: Correct. Dave, am I misspeaking? That's what you indicated to me.

Mr. Parkinson: In addition to that we would examine available solutions. That would be part of the package that you would receive and having the actual spot elevations would let us know if we could get it from this point to that point and so forth. We would present those. We'd have cost estimates if you wanted to put in a storm from here to there, it would cost. So you get the entire package.

Mr. Hills: What have we done so far on it, Mr. Parkinson?

Mr. Parkinson: Very cursory review. We visited the site. We walked the back yards and looked for obvious things and then we looked at the, with a very broad brush, what is available to us to offer a solution and quite honestly we didn't find anything. We found some ideas but it's so close that the difference is that I can't, with the information I have, which is very limited, suggest that a solution will work. And I would hate to come back and say, we'd like, with some money we can design a solution and find out that the water has to flow uphill. So we need to do a little more investigation to really know what options are available to get the water from the back yards to some place where it needs to be.

Mr. Hills: Is there a benefit in your mind of the developers looking at it? And is this more their expertise than yours or do you identify what the problems are or is this something they do? Everybody has their own niche.

Mr. Parkinson: Well, the benefit to the developer is he can try things whether they work or not. He has a back hoe, he's got a crew. He can get some gravel out there. If he wants to try to put a trench drain and see if it'll fix the problem, he can come out there and do that. And if it doesn't work, it's his money. If I'd throw something like that out and it doesn't work, I've got to come back and explain to you why it didn't work.

Mr. Hills: Come in and ask for more money.

Mr. Parkinson: And so I need, well that's not likely to happen. So from his prospective, the benefit is that they can try things with less information. Something you probably wouldn't want to do.

Mr. Hills: Okay. Thank you.

Mr. Gilbert: Mr. Clemens.

Mr. Clemens: Then you're trying to surmise whether it's the developer or the builder or possibility of the homeowners problems that have caused this situation?

Mr. Parkinson: I don't know.

Mr. Clemens: But you will look at this?

Mr. Parkinson: Yes. One of the things that we will get out of this is we will know to what extent the grading is or is not to the master grading plan.

Mr. Clemens: That's what I wondered.

Mr. Parkinson: And what lots are or are not in conformance with the master grading plan. So we'll know where the problem, you may have a problem but it may start way over here.

Mr. Clemens: Then it's my understanding if it's not that and it's the master grading plans fault then it falls back on your situation and who did the plans. Is that correct?

Mr. Parkinson: The master grading plan was prepared consistent to that type of engineering. There is adequate slope shown on the plan to convey the water through the back yards and if the development was constructed in strict accordance with the master grading plan, the water should flow down hill and go away.

Mr. Gilbert: Mr. Wade.

Mr. Wade: I want to comment on Mr. Clemens' comments about implementing ordinances that would put more accountability into the city and your comment to respect that they didn't want to do that because it's \$50 or \$100 more a house, I think is totally inaccurate, Mel. I think that the reason that the Building Industry Association and/or builders and developers in this community don't want to give more control to the city is that they have to, and I hope we consider this as we move forward, that they already have to jump through very, very many hoops in this city and vary sometimes, inconsistent interpretation of codes and ordinances within the BOCA rules. Which makes it very difficult and Reynoldsburg is notorious for their own interpretations of laws differently than other communities. So I'm not going to be in favor of bringing an ordinance forward that tightens the handcuffs on builders and developers. They've already got an uphill battle with our Building Department as they do many other Building Departments. And I think evidence of that and where that would take us is exactly where Mr. Parkinson is now, we've got an engineer out there that's looking at it and can't really identify what the problem is. I doubt seriously that somebody in our Building Department is going to be able to first hand identify those problems before they happen. And, sure we might eliminate some but I don't think that's going to eliminate all of them and so I'd just be cautious. And you know, a point of fact is that there is a Building Industry Association here in Columbus and those people could be contacted if in fact developers and/or builders don't adhere to plans and specifications and create problems. So there is a safety valve on this already and I'd just hate to see us put tighter handcuffs on the builders and developers that we already have in the community.

Mr. Clemens: I agree. I think you misunderstood the statement. The statement was the Building Department would have nothing to do with it. It's a requirement that they would have to have a surveyor that would state the proper grade and drainage on a house. Which at that time we were talking about \$100, \$150 a house. It'd probably be more now. As far as the Building Association, you weren't here so I'll update you on it. They were opposed to it on the cost, an additional \$200, \$250 to a house. They felt that in this section compared to other sections, I'm not going to name the developers or builders that came in at that time. The big builders didn't come in. M/I didn't come in and 250 bucks is nothing to them. We had a couple of our small builders come in and the President of the Ohio Builders Association and that was their problem because they felt they couldn't compete. The smaller builders couldn't compete by adding an additional \$250 onto the house to the bigger developers. And I agree with you as far as, and I've been down this situation as far as our codes and restrictions and how they're handled and so forth and I don't want to tie up any more any longer than I have either. But I don't think this would. This is not

something that the city would do. It's something the city would require but it's just something to talk about. It's something we've talked about before. Because it is a problem. If you go out, and you know yourself, you drive down vacant property and drive down the street after they put it in, you look out and you see nothing but flat land. And to try to get all that drainage moving and get it the proper height and so forth, the houses and get them drained into their proper corridors, a lot of it has to do with the developer and a lot of it has to do with the builder and a lot of it has to do with the homeowner. It's just hard to, and I don't expect to put that responsibility under the Building Department. I agree with you. They couldn't handle it. The only part that we were trying to get to is the proper elevation and grade before they sodded it. You know how they'll come in and work around the house and they don't know whether they've got the proper grade or not. They're just dozing around after the developer. That was the important part. Just make sure the swails in. But it was just something to think about.

Mr. Gilbert: Thank you, Mr. Clemens. Thank you, Mr. Wade. Did that answer engineering questions, Mr. Hills?

Mr. Hills: Yes, thank you Mr. Gilbert.

Mr. Gilbert: Okay. Mr. Stake.

Mr. Stake: Mr. Gilbert, getting back to the appropriation question here, I don't have a problem with appropriating the money. I do have a problem with the Administration not being involved. I would like the Administration to be involved in this whole process and I guess my question would be how would they be involved in this once we appropriate the money?

Mr. Gilbert: I guess they can meet with the engineer or if Mr. McPherson thinks he can have success with bringing a developer in as the engineers process begins unless we had our...

Mayor McPherson: I'd say at this point if you're going to contract for the engineer to do all the site work, we might as well wait until he comes up with his opinions and not even try to do anything in the mean time. You know, Mr. Parkinson stood there and said, you know, they can do it but if it doesn't work, they're not responsible. If we do it, it doesn't work, then we are responsible. I think the other issue that this brings up is we literally have hundreds and hundreds of drain problems in peoples back yards in this city. Are we going to address all those drainage problems like we're doing this one? Because I'm telling you, George Mussi can tell you, he can't mow his back yard from the Saddletree Court over there. We literally have hundreds of back yards that are not draining. So you know, where do we draw the line and what do we do here? You know, we knew about this problem and Mel and I worked on this problem years ago before he became Council member and we assumed that it was resolved because we hadn't had another complaint to the best of my knowledge since they went back in there and regraded. So this is to us, it's relatively new. At least to me and I'm concerned at this point, you do have adjacent properties. You know, you're going to have to get the adjacent property owners to agree to let people in there to work. There's a whole lot of issues here. So, you know, if EMH&T is going to come up with the answers to the problems, then I'd say let's just wait and let them come up with the answers.

Mr. Stake: Okay.

Mr. Gilbert: If I could just clarify we're identifying a source of a problem. This is not to move forward with the project where the city's going to...

Mayor McPherson: I believe Dave said that he would also identify the remedies. Is that correct, Dave?

Mr. Gilbert: That remedy, I'm certain there would be a consideration in terms of a partnership if there's some type of responsibility there to the private developer or the builder. And I don't have, if you want to bring these hundreds of cases, I don't know if you have them documented but bring them forward. I'll look at them on a case by case basis with you.

Mayor McPherson: Start with George Mussi's house.

Mr. Gilbert: Well, Mr. Mussi that's fine with me. That's what I'm here for and I don't, you know, we haven't done anything...

Mayor McPherson: If you want to look at all of them, we'll bring them all to you.

Mr. Gilbert: There's been nothing done with the Storm Water Utility. I think it ran four, five, maybe six years before the funds were utilized for these types of projects. That's what it's there for and certainly this Council has the ability to vote up or down what they feel is a public responsibility in terms of a drainage problem.

Mayor McPherson: Well, it's more than just a drainage problem.

Mr. Gilbert: I'm not going to let you betray this as if we're setting a dangerous precedent because I don't...

Mayor McPherson: I believe you are.

Mr. Gilbert: I don't believe we are.

Mayor McPherson: Your opinion.

Mr. Gilbert: I'll make a motion that we forward this to Council...

Mayor McPherson: Can we get an answer from Mr. Parkinson on what he's going to do?

Mr. Gilbert: Dave, go ahead and say it again.

Mr. Parkinson: We are going to survey the subject properties and some spots there around, such as storm inlets, the ditch that's a little farther to the west so we know where the bottom of that ditch is that we can convey to and then we will compile all of the information and we'll generate some

alternatives on how we can get the water out of the back yards. It may be a pipe, it may be a french drain, it may be regrading peoples yards. These are options that we will certainly look at and we will attach some ballpark cost estimates for your consideration. You know, go from here to there as a hundred thousand dollars to cut this is \$2500 or whatever. So you have something to look at and to touch as you debate the issues. Now as far as partnering with the private sector, I guess once we generate the options we can bring in the appropriate private sector entities and ask them if they're willing to cooperate or undertake the project. We can be bold. We'll ask them to undertake the project and see what they say. That's what we intend to do for (inaudible).

Mr. Gilbert: Thank you, Dave. Mr. Hills.

Mr. Hills: David, is this then, what I gather you're coming up with some sort of a possibly attentive solution. Are you also coming up and saying, well builder "a" didn't do this or builder "b" didn't do this? You should have done this or you shouldn't have done that?

Mr. Parkinson: I don't know that we'll say, should have or shouldn't have. We will compare the results to the master grading plan and we'll let you know where there are deviations from the master grading plan at least within the area that we've surveyed.

Mr. Gilbert: Thank you, Dave. Any other comments? Council? I make a motion that we forward this to Council with recommendation for adoption as an emergency. It will first need to go to Finance. Do I have a second?

Mr. Hills: I'll second. I mean if nobody on Service is going to second it. I said that I would, we'll deal with it in Finance. I'm not sure that we've got a clear definition there. I said I'd support you on your motion. It's seconded.

Mr. Gilbert: All those in favor please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 7 is the Proposed annexation of 1.1810 acres in Truro Twp. The County Commissioners, Franklin County approved annexation on January 14, 2003. The documentation was received by the Clerk February 13 and can go to Committee to begin acceptance process this evening. Any questions or comments on the annexation? None being heard, I'll make a motion that we forward this to Council for its first reading on the Consent Agenda. 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 8 is the discussion, the AdHoc Committee for residential zoning review. Mr. Hills and the City Attorney had requested that I narrow down the scope of the Committees areas to review and the members should have in front of them three topics. One being density, two being the overlay text, three being development impact fees as the three topics to be considered. One topic for the month of May, one for the month of June, and one for the month of July and then the first meeting in September we could have the report back from the AdHoc Committee. Those members that I had requested the President appoint were Ron Stake, Lane Beougher, and Barb

TenHoeve. And I did review this with the City Attorney today and he indicated that he felt that this was a limited enough scope that could be covered in the three months outlined under the Committees existence. Are there any questions or concerns from members of Service? Other members of Council? Well, I wish the members of the Committee luck. I appreciate the assistance of Mr. McCloud in appointing a committee and I'll make a motion that we forward this to Council 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 9 is the Ordinance to amend the Code of Ordinances of the City of Reynoldsburg, Chapter 1181 Signs. Any questions or comments on this? This has had two readings. Members of Service? Other members of Council? Mrs. Frazier.

Mrs. Frazier: You'll need to amend that with the adjustments that were made by the City Attorney. You've all seen them and had them but before it's adopted you'll have to insert those that he had for clarification.

Mr. Gilbert: I can do that...

Mrs. Frazier: At the table.

Mr. Gilbert: At the table next week. Very well. That will be subjected to amendment with the City Attorney's changes. Any questions or comments in regards to that? None being heard, I'll make a motion that we do forward this to Council for it's third reading with a recommendation for adoption. Do I have a second? Mr. Beougher with the second. All those in favor please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes and I'll adjourn Service at 8:45.

Service Committee

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

April 21, 2003

FINANCE COMMITTEE MEETING MINUTES

April 21, 2003

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

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

Mr. Hills: I'll call Finance together at 8:45. First on the agenda is the approval of the minutes from Finance Committee on April 7, 2003. Any additions or deletions or changes to those minutes? Hearing and seeing none, they'll stand as submitted. Moving on to approval of the agenda, I have two items to add tonight. Number one is Item 3a which is the Street Program. The engineering appropriation for the Street Program. And Item 2 would be \$2500 from the Storm Water Utility Fund on the Ormiston Circle Project.

First of all then would be item 3a, The Street Program and this came from Safety. Mr. Clemens, I understand you'd like to appropriate \$22,000 from the unappropriated Street Fund to account 410.087.5651, and also in addition you do have an agreement that this will not go out for advertisement until it comes back and we see the numbers associated with the roads. Is that correct?

Mr. Clemens: That's correct. I'd like to see the numbers of the estimate of the program also the estimate of each street which we've always done before. That way, we'll know what we're getting into plus if there's any additions that we can add or any deletions we have to make to keep it under the cost wise, I'd like to know which streets you're taking off. It's important for members of Council to know too because, other constituents, because if you look at it and you think the street's going to be done and all at once it's not, why you kind of wonder. And I think that evens it out for everybody. That's the only reason I want to see it back.

Mr. Hills: Okay, and I do appreciate that. I've always enjoyed being able to see that because it does help us out, sort of close up the box at times, and also especially this year with the Streetscape Project and other things, we need to look carefully where these dollars are going to be coming from.

Mr. Clemens: I'd like to do 90% of them in my Ward, so if we can work that out.

Mr. Hills: Just 90% this time?

Mr. Clemens: In Ward IV.

Mr. Hills: With that, I'd recommend we send authorization forward for EMH&T, and appropriate \$22,000 from the unappropriated Street Fund for the 2003 Street Program with recommendation for adoption as an emergency. Is there a second? Second by Mr. Clemens. All in favor state aye. (All voted "Aye"). Opposed? (No response). It will go forward as an emergency.

Moving on to Item 3b. This comes from Mr. Gilbert, Chairman of Service Committee and appropriation of \$2500 for the Storm Water Utility Fund. Mr. Gilbert.

Mr. Gilbert: Mr. Hills, this item does come from Service with recommendation for adoption as an emergency for \$2500 for engineering to be appropriated out of the Storm Water Utility Fund.

Mr. Hills: Okay. So you request an appropriation of \$2500?

Mr. Gilbert: Correct.

Mr. Hills: Mr. Gilbert, I'm not going to support this. I did support it coming out of Committee. I think it's, I personally think it's premature. I think there still are some work to be done. I would encourage the Administration to go out and look at this project. See what can get done. That doesn't mean this might not pass out of Finance but it'll be up to your motion to make it. But I

think we're a little premature and I don't know if these are public or private project problems that we have yet. So, I was hoping to come up with a solution and didn't. So certainly, do you have a motion on the floor for the \$2500?

Mr. Gilbert: Yeah.

Mr. Hills: Mr. Clemens, do you have a question?

Mr. Clemens: Yes. I can understand your feeling on this Bob, but I think, I have felt the same way when Eric was talking but I think the Mayor agreed that if the engineers are going to do it, let them go ahead and do it and get it done, and then bring it back to him and see what can be done. That's my understanding. Am I correct, Mayor? That's what you said that...

Mayor McPherson: If you're going to contract the engineer to do it, my thought is you want him to do more than just survey because you can send a survey team out and they can survey it. If they're going to come up with a way to resolve the problem other than what we already have created, which is going in and regrading. Obviously, we looked at putting pipe in in these areas before, so I'm assuming they're going to come up with something very creative that we haven't thought of and that's why we're paying the \$2500. Because we've already come up with the other ideas.

Mr. Clemens: And I think as we do this, and I think that the engineers, all the work through the Administration as well as through (inaudible). But I think when this project's being done, I think we do have a Service Director that the engineer should work through and get the report back to the Administration, back to the Mayor, as well as to Mr. Gilbert.

Mr. Gilbert: I would think this is one way to identify the questions that you might have Mr. Hills in terms of the public and private responsibility, because obviously the previous work left out a number of homes in terms of the attempt to fix the project.

Mayor McPherson: Now the engineer did say they weren't going to identify whether it was public or private, whether it was the developers fault, so don't expect that. Correct me if I'm wrong Dave, but you're not going to identify private or public. Right? As to who's fault it was?

Mr. Parkinson: We'll find the facts but I don't know that I can determine who, if you will, is at fault. We'll tell you what's wrong and I think you can then decide who is responsible for that flaw.

Mr. Gilbert: Mr. Hills, if I could narrow my definition of that to the master grading plan. You were going to determine if the original grade of the master grading plan was maintained. Correct?

Mr. Parkinson: Yes.

Mr. Gilbert: And who built the homes and graded the land in the development?

Mr. Parkinson: The initial, there's a rough grading...

Mr. Gilbert: Is it a private contractor?

Mr. Parkinson: Private sector.

Mr. Gilbert: Private sector. I mean, I think that's elementary in terms of if the master grading plan was not abided by and we're capable enough up here to decide ourselves on that matter.

Mayor McPherson: Mr. Hills, if I could just add one thing. We know the master grading plan wasn't followed right now. So if that's what we're paying for, we shouldn't be paying for it.

Mr. Hills: I guess that's why I was trying to say it was premature. When there's an opportunity to have the developer to go out there and say, gee, it wasn't done properly and I'll fix it. Everyone comes out happier in the long run. The homeowners are happier with the developer they bought from because they can go back and say they did make it good if it needed to be done. If not, there's an issue we have to deal with. That's why I'm saying I can't support this. It's premature. It's certainly your motion and will go forward. I just think that, I don't, I'm not here to defend Administration. I think Bob would be the first to say I don't always stand up and do that but I do also believe that Administration does do the day to day activity, and if there's a problem out there, they ought to have the opportunity and should have looked at it and they should have come to us with a report. That didn't happen, please don't get me wrong. I'm not saying there's not a problem. There are. And there are other problems and there's a situation that I think has to be addressed on how to prevent future problems. How you go recorrect them, correct retroactively all of the others, I'm not sure yet. And I'm not sure that the survey is the best way to do that, that we're talking about currently with EMH&T but that's my personal opinion and I said I would support you on your motion coming out of Service. It is there. Now you're in my committee and all I'm saying, I'm not going to vote for it.

Mr. Gilbert: You don't need to clarify it again for me, Mr. Hills.

Mr. Hills: Mr. Clemens.

Mr. Clemens: I don't want to prolong it or anything, but the only problem I can see if, as you say, bring the developers out or bring the builders out, the developer is going to say he graded right and the builder changes the grade. The builders going to say he graded it right, the homeowner changed the grade. So I don't know how we're going to come to the basic point of what we're looking for. I think the basic point is going out and seeing what to correct the problem, how we correct the problem. We're talking about a problem that's six, seven, eight years old, and it may end up that if this is the problem, the city will have to correct the problem. I wish you all the luck in the world with the developer, and all the luck in the world with the builder. Getting them to come back and do anything unless it's somebody that's doing work here in the city, development here in the city, then we have a little better hold on the situation. But I'm afraid that's going to transpire and my whole hope is that when Dave comes back, he'll come back with a solution to correct the object. And that's what I'm looking for is the solution to correct it, and that's it.

Because I don't think we're going to score in any other direction. I think since Bob has said let them go out and find the correction and get it done, that \$2500, if we can correct the situation that's involved in quite a few homes there, I can't see that's too much money to spend.

Mr. Hills: Okay. Mr. Gilbert has a motion on the floor. Is there a second?

Mr. Clemens: I'll second it.

Mr. Hills: Second by Mr. Clemens. All in favor state aye. (All voted "Aye"). Opposed? (Mr. Hills voted "Nay"). Motion does go forward and appropriation will go for a vote next week.

Moving on to item number 4, supplemental appropriation for Workers Comp & Unemployment Funds. Ms. Milam did produce some information for Mr. Stake on some questions raised last week. Although, the ordinance doesn't request it, I believe the amount that's needed is \$20,040.41 which was in the detail. Is that correct, Ms. Milam?

Ms. Milam: That's correct.

Mr. Hills: And this is because the Workers Compensation over prior years, there's been greater reductions in premiums, or in bills than there were this year and we got used to, and did not budget. We budgeted on the 75% reduction. It was only 50% reduction is what the bottom line comes down to if I understand it correctly.

Ms. Milam: That's correct.

Mr. Hills: Mr. Stake, did the information Ms. Milam presented satisfy your concerns?

Mr. Stake: Yes it did, Mr. Hills. I can see that we're in a group rated program with an 84% discount and that looks good to me. What we're missing this year is the credit of the rebase the BWC's been giving back and there's nothing we can do about that.

Mr. Hills: Okay. Mr. Whitney, would you have any suggestions for the funds on this or just the unappropriated General Fund? This has been a long time since we've taken any money out of the unappropriated General Funds. We worked hard at this for almost a year now. But, Millie I think you're the first one to dip into the unappropriated General Fund. But with that, I'd send a motion forward for appropriation of \$20,040.41 from the unappropriated General Fund to the appropriate fund numbers of Workers Comp. 110.595.5164 and 110.595.5165 and whatever this, is Gates/McDonald paid out of one of those accounts?

Ms. Milam: Yes, it is.

Mr. Hills: Okay. And in the amount of \$20,040.41 as an emergency so we can meet our premium payment due on May 15. Is there a second? Second by Mr. Clemens. All in favor state aye. (All voted "Aye"). Opposed? (No response). Hearing none, it will go forward as an emergency.

Moving on to item 5, discussion, vacancy, Income Tax Review Board. I have received two indications of interest and I understand there may be a Council member that may have one or two people also. And Nancy, just to confirm we had today as the cutoff. Have there been any additional notice? So we will certainly, we'll check with a couple of Council members that had names and we'll talk to Finance Committee and it will come forward in two weeks with a recommendation of a name.

With nothing else to come before Finance, we will adjourn at 8:58.

Finance Committee

- -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

April 21, 2003

