SAFETY COMMITTEE MEETING MINUTES
APRIL 18, 2005

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

The meeting was called to order at 7:30 p.m.

The minutes of April 4, 2005 Safety Committee meeting were approved without objection.

The agenda was approved.

Mr. Clemens stated that Joan Curnutte was present to speak on Concerned Citizens of Huber.

Ms. Curnutte: On October 25, 2004, we wrote to Council identifying two issues of special concern and citing relevant city codes. We asked Council for its interpretation of the Administration's previous negative responses to our inquiries regarding those items. We did not receive a reply. In January 2005, I called President Hills to follow up on our inquiry. Mr. Hills said that Mayor McPherson had adequately addressed our concerns at a Council meeting. Mr. Hills advised me to check with the Clerk of Council. When I checked, the Clerk's office told me they had no such record. Councilman Mel Clemens told me he does not recall any such statement by the Mayor. At our first meeting this year on April 12, 2005, among other matters, I reported on this situation. Our members had expected some response in the affirmative, in the negative, or a statement that Council did not consider our inquiry appropriate. We realize that it is Council's prerogative not to reply to citizen inquiries. However, our members were disappointed that Council chose not to respond. Our members believe a reply would have been a simple matter of courtesy. We appreciate this opportunity to make Council aware of our feelings. Thank you.

Mr. Clemens: Thank you, Joan.

The next item on the agenda, Discussion, Liquor Permit Request, stock, Eastern Palace Inc dba Eastern Palace, 6078 E. Livingston Ave., Reynoldsburg, Ohio 43232. Chief. Is the Chief here?

Mayor McPherson: I just talked to the Chief before the meeting about that. I think she's probably still meeting in there. But she had no objections. Nor did the police department on the liquor permit.

Mr. Clemens: Okay. We'll just let it stand as it is.

Chief Miller: I apologize, Mr. Clemens. We looked into it and this is where we had partners. And one partner is buying out the other partner. So we're all set with this.

Mr. Clemens: Alright. Thank you, Chief Miller. I'm glad to see you back. We'll let that stand then, and not reply.

The next item on the agenda, Discussion, Amend 371.06(b)(2) “Use of Highway For Soliciting; Riding On Outside Of Vehicles”. This is something that comes before us many times, and we’ve discussed it in the past that this really is an administrative matter. And that’s why I’ve brought it before Council tonight. I think we all have copies of it. What we’re doing is replacing, where it says, the Council by ordinance, it’s the Mayor or Chief of Police. And also below it, it says, “Council may also”, we’re eliminating that. And saying, “the Mayor or the Chief of Police may also”. And down at the bottom, we’re eliminating, “ that the Council consider advisable”. I think this is something that should have been done to start with. This is an administrative matter. I think there should probably be a section added to this where they do have the right to appeal to Council if they’re turned down. I think we should probably add something in there as Section 4. And given the right to appeal to Council if they feel so, if members of Council feel that way. If so, I’ll hold this until our next committee meeting and we’ll have a section added to that and then put it back on the agenda and we can move it forward. I think this is the proper way to handle it. Like I said, I do believe it’s an administrative matter. Are there any questions on this?

Mr. Baxter: Just one question, Councilman Clemens. The question I have is based upon some of the questions we asked when it was brought in front of Council, and one of the things I always like to make sure is that we have the request, or ask that they have insurance or are bonded. If we could have that in some how the legislation to make sure that at least that question is asked. And make sure that whoever is out soliciting is in a position to do so.

Mr. Clemens: Okay. That will be fine. We’ll take care of that too.

Mr. Baxter: Alright. Thank you.

Mr. Clemens: Are there any other questions from members of the committee or members of Council? (No response). If not, I’ll hold this until the next committee meeting, then we’ll make some changes to it and then I’ll present it again.

That ends the Safety Committee meeting for this evening at 7:37.

Safety Committee
- -Nancy C. Frazier, Clerk of Council
April 18, 2005
(Transcribed - Susie Smith)

SERVICE COMMITTEE MEETING MINUTES
APRIL 18, 2005

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

Council President William L. Hills.

Mr. Gilbert: I'll call the Service Committee meeting to order at 7:37.

The second item on the agenda is the approval of the minutes of the April 4 meeting. Are there any additions, or deletions, or corrections to the minutes? (No response). None being heard, they will stand.

Item number 3 is the approval of the agenda. I had two changes this evening. I would like to hold items 8 (Discussion at request of Chairman Gilbert, General Regulations and Zoning Classification A. Chapter 1111 General Regulations B. Conservation Development Zoning Category) and item 10 (ORDINANCE ACCEPTING UNRECORDED GENERAL WARRANTY DEED (Reserves A and B, Woods at Reynoldsburg, Section 4, Part 2) (Woods at Reynoldsburg, LLC an Ohio Limited Liability Company)) for two weeks. Any other additions or changes to the agenda? (No response). None being heard, do I have a second for that motion? Mr. Baxter with the second. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4 is a Discussion regarding a Motion authorizing preparation of specifications and advertising for bids, cleaning, televising, and root cutting. And this item is from Mr. Kipp. Good evening, Mr. Kipp. This is an annual occurrence if I recollect correctly.

Mr. Kipp: Yes, you remember correctly. And we put the money this year in the budget for the engineering. This is just a request to go ahead and have it bid out.

Mr. Gilbert: Okay. Are there any questions or comments from members of Service? Mr. Baxter.

Mr. Baxter: Just one question. Do you have pre-planned locations where you plan on going and doing the root cutting and what not?

Mr. Kipp: Yes. We're still continuing part of Briarcliff that we did last year. And then we're doing another part of Huber this year.

Mr. Baxter: Okay. I assume then if you could follow up?

Mr. Kipp: Sure.

Mr. Baxter: Thank you. I assume then that you have a plan to do the entire city through some time frame?

Mr. Kipp: That's what we ________________. Yes.

Mr. Baxter: Alright. Well I'll take that off line then because I'd be interested to hear what that looks like. Thank you.

Mr. Gilbert: Thank you, Mr. Baxter. Other members of Council, questions or comments? (No response). None being heard, this is a motion to move forward to Council for consideration. So I would make a motion that we forward this on to Council with a recommendation for adoption. Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Once again Mr. Kipp, Item 5 is authorization for EMH&T to design, advertise for bids, and provide permitting assistance in regards to erosion issues for two manholes.

Mr. Kipp: Yes. When we were doing our regular check on manholes, we do it every two years, this year we found two manholes that had been, basically the stream has eroded away around the manhole. One's completely exposed. That's the one behind the VFW. And then the one in the upper picture is behind Treebourne Apartments, and it's got a nice tree holding it in place. We did look at trying to handle this within the department, but with all the issues as far as the stream mitigation goes, we elected to go ahead and have a bid put together to take care of this.

Mr. Gilbert: Very well. Questions or comments from members of Service? (No response). Other members of Council in regards to this? Mr. Stake.

Mr. Stake: Thank you, Mr. Gilbert. Mr. Kipp, why are these in the creek I guess? Why are these trunks put in the creek?

Mr. Kipp: They weren't. The creek's moved.

Mr. Stake: They were put close to the creek then?

Mr. Kipp: Yeah. A lot of the trunk sewers follow low areas which are the drainage areas which is where the creek is, and they're put off to the side of it. And basically, with erosion and all the rain fall we've had, basically they've moved. And so, where the plans that EMH&T would do to put the stream back, they'll use the original plans that show it away from the edge of the creek.

Mr. Stake: Are we still doing those next to the creeks?

Mr. Kipp: Generally speaking, yes.

Mr. Stake: Do you think that's still a good idea?
Mr. Kipp: It's a cheaper way to go. If you go to higher ground you have to put them deeper and it will cost more money. These are the first two we had to do. We haven't had to do any.

Mr. Stake: I just know with all the requirements we have with EPA and everybody else, I would think that this maybe could turn into a sticky situation. Maybe a costly situation down the road if it's that close to the creek.

Mr. Kipp: A lot of them any more, it's definitely looked at before they're constructed as far as where...

Mr. Stake: Do you know when this was put in?

Mr. Kipp: The sanitary sewer, front sewer behind the VFW, that was in the 60's, 70's. That's the one that went up to Ludlow. Greentree when that was put in. This one behind Treebourne, it was also in that same time range. That's one of our original trunk sewers. (Inaudible).

Mr. Stake: Thank you. Thank you, Mr. Kipp.

Mr. Gilbert: Mr. Hills.

Mr. Hills: Mr. Gilbert, if I could ask, Mr. Stake brought it up and maybe peaked my interest, I gather somebody is responsible as to relocate the creek?

Mr. Kipp: Yes.

Mr. Hills: That's a never ending battle.

Mr. Kipp: Yes. But what they'll do is, when they put that in they'll use, that's one of the reasons why the engineers are doing it but they'll move a lot of rock.

Mr. Hills: And you're hoping this is a one time fix?

Mr. Kipp: Yes.

Mr. Hills: I realize the options are to move the system and that's not _______________.

Mr. Kipp: It won't work.

Mr. Hills: But let me assure you, as we have developed as a city, east, the little creek that used to have 6 inches of water and be 8 foot from bank to bank, behind my house now is up to 5 feet deep and 30 feet across from the __________. Are creeks changing their patterns due to development? And that's where this water all comes back down through Treebourne and whichever creek that is. Is there a goal with going to EMH&T as to say we use the quotes, "in the streams", to move the stream rather than move the storm system from the stream, we're talking about moving the stream from the storm system.

Mr. Kipp: Basically what we're going to do is, I don't know how well you can tell from the picture of the VFW, there's a lot of room on this side of those pictures of the opposite side.

Mr. Hills: From the bank? Between them and what it used to, is the bank now you mean?

Mr. Kipp: Yeah. I mean, these were both...

Mr. Hills: Because the reason the bank's over there is because the water took the dirt away from...

Mr. Kipp: So that's one reason why we have the engineering to deal with it. From my understanding, looking at it and talking to Dave, and basically it's going to be a lot of rock to stabilize, and to protect it, to prevent any further erosion and protect manholes from getting washed out.

Mr. Hills: Thank you, Mr. Gilbert.

Mr. Gilbert: Mrs. Newman and then Mr. Baxter.

Mrs. Newman: Mr. Kipp, so you just leave these manholes as they are and then just really restore around them with a lock or something that was impervious to the water pretty much?

Mr. Kipp: That is the general _______________.

Mrs. Newman: How many of these do you have? Do you have any idea of being in this precarious position?

Mr. Kipp: These are all that we have right now that are in this condition.

Mrs. Newman: Well, that are in this condition, but I mean those that might pop up eventually too.

Mr. Kipp: When we went through and checked, we hadn't looked at some others. If there were more we would do them all at once and these were the only two we found.

Mrs. Newman: These are the only two that need work right now. But are there others that are going to need work in the future do you think?

Mr. Kipp: Not that I anticipate.

Mrs. Newman: Okay.

Mr. Kipp: We never know what the creek's going to ____________. Right now, no. I didn't notice any.

Mrs. Newman: Okay. Thanks.

Mr. Gilbert: Mr. Baxter.

Mr. Baxter: Thank you, Councilman Gilbert. My question is based upon the engineering. I know this is the first time we've had this come across the desk to restore the creek and ________ suggest a way to resolve the problem. What I'm looking for, are we going to be coming back to this 25 years from now, 5 years from now? Do we have a longevity with this restoration?

Mr. Kipp: Since I've never done one before, it's really hard to say. Now it's a long term fix.

We’re not planning on doing a short term fix. So I hope, then again as I say, it depends on all the rain fall and everything else involved in it. But I would hope, we’re not intending to make it short term fix. I’m aware of other problems along Blacklick Creek that other entities have repaired and then had to come back in and still redo them in 15 years. But hopefully this lasts at least that long.

Mr. Baxter: Thank you.

Mr. Gilbert: Mrs. Newman.

Mrs. Newman: I’d just like to comment, it’s taken what, 30 years for this to occur since these were put in? These sewers.

Mr. Kipp: Yeah. Since they were originally put in, it’s been rather rapid in the last few years.

Mr. Gilbert: Any other questions or comments from members of Council? Mr. Beougher.

Mr. Beougher: How often do you expect (inaudible). This didn’t happen over night. How often do you inspect the manholes that are near streams or, I know you inspect the whole system periodically.

Mr. Kipp: We look at the manholes every 3 years. Now whether they, the guy that looked at them this time, and I noticed on the one that’s behind the VFW, I wondered where it was at last time we looked at it and nobody said anything.

Mr. Beougher: That’s my question too.

Mr. Kipp: The one here behind Treebourne is fairly recent. The other one, it’s really hard to say exactly how long. But then again, once it starts eating away around them, it can go very quickly.

Mr. Beougher: Alright. Thank you.

Mr. Gilbert: Mr. Kipp, does this need to come forward as an emergency at this point?

Mr. Kipp: No. I think it’ll be alright. By the time it goes through everything, it’ll be a dry weather project. (Inaudible).

Mr. Gilbert: Okay. Late summer and you’re looking to, okay. Very well. I make a motion that we forward this on to Council for its first reading on the Consent Agenda. It will need to go to Finance at some point in time prior to adoption. I’ll do that at one of the later meetings. Do I have a second to that motion? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted “Aye”). Opposed? (No response). Motion passes. Thank you, Mr. Kipp.

Item number 6 is Acceptance of a Corrective Deed. The right-of-way for Taylor Road Southeast and Taylor Park Drive. Mr. Dugger, is that what brings you here this evening?

Mr. Dugger: Yes. I was contacted by Mrs. Frazier and she said it might be useful for me to be here and answer any questions that Council might have in reference to the corrective deed. Since I'm the one that drafted it, Mr. Nelson isn't going to arrive until tomorrow.

Mr. Gilbert: It's my understanding, when this was originally accepted, that we had used the wrong survey and legal description for the property.

Mr. Dugger: Yeah. I was originally contacted by Mr. Nelson for the purpose of preparing a corrective deed. The deed conveyed to the city back in '02, they use a draft legal description. And that description did not contain then, all of the improvements that were subsequently constructed. (Inaudible). So the situation there you have then is, there's curbing and some utilities that are actually not within the right-of-way. And so Mr. Nelson asked me to prepare corrective deed, which I did. At the same time, and I think, maybe get into the second piece of this, that the deed also contains an easement for a sign in the center of the median of Taylor Road. Mr. Nelson also asked me to attend the BZA in March for the purpose of working on the signage package for the Staple's and H H Gregg, which are going to be built on one side of Taylor Road as well. In that package, an application for the board was also the sign. I said, 'wait a minute. We can't do that'. Because that board doesn't have jurisdiction over signs in the right-of-way. The jurisdiction of signs in the right-of-way lies with Council. And I confirmed that with Mr. Underwood. So at that point, Mr. Nelson just asked me to put that sign easement from the deed since it was a corrective deed and was intended to correct a situation that had started a couple of years ago. So that's why that deed does two things. The original thing was to correct the deed that was conveyed to the city back in '02 with the incorrect legal description ___________ the signage in the median. ______________ the sign on the east side.

Mr. Gilbert: That's the median on the...

Mr. Dugger: West side.

Mr. Gilbert: On the west side of 256?

Mr. Dugger: Yes, sir.

Mr. Gilbert: And then this also impacts the roadway is my understanding. That it expands the roadway somewhat?

Mr. Dugger: I don't believe that it does. No. I could be wrong about that, Mr. Gilbert. Nobody's ever asked me that.

Mr. Gilbert: Behind the IDG.

Mr. Dugger: There may be some expansion to that but they'll probably have to go further (inaudible). Let's put it this way, your question is the first I've heard that ever __________. So I don't know the answer to whether it does or does not.

Mr. Hills: Mr. Gilbert, if I could help here, I think Exhibit "B" to this attachment, looks different than Exhibit "A2" which was attached to the originals. I think that's probably where the extension on the road...

Mr. Dugger: That may be the case, Mr. Hills. I've never cross matched (inaudible).

Mr. Hills: I don't know. Is that what you needed to do _______________ pick up the sidewalks and utilities that apparently weren't put in the right-of-way?

Mr. Dugger: That was explained to me by Mr. Nelson, Mr. Hills. Yes, sir. Specifically as to which of those improvements are not within the deed as conveyed to the city, I couldn't tell you.
Mr. Hills: (Inaudible).

Mr. Dugger: Well, yeah. The deed would have been given in '82, I'm sorry, '02 and the construction I think was done later. I'd have to, maybe somebody here knows when that construction was done but I know that the conveyance was done to the city in '02.

Mr. Gilbert: Okay. Mayor, we had talked briefly today in regards to this pertaining to the signage.

Mayor McPherson: Yeah. We were not really sure about getting easements. (Inaudible).

Mr. Dugger: I have to apologize to the Council, and to the administration, and the Mayor. Mr. Hills probably knows the feeling but, I was asked to draft a deed, which I did. And then I was told well, I'll take care or it. And I think that maybe some of the communications from our friend in Atlanta maybe didn't happen with the administration, Mr. Gilbert, and others. The Mayor's right. I don't think that there's been a, as potentially as much communication of this as is necessary. We'd be happy to __________. I know that Bob will be up tomorrow. So we'll have maybe, his undivided attention here. So yeah, we'll work with the administration, Mr. Hills, and Mr. Gilbert.

Mr. Gilbert: Are there any other questions or comments from members of Service? (No response). Other members of Council? (No response). What I'd like to do if there's no indication on this, it's going to require a full reading. So I'd like to just move this forward for a first reading on the Consent Agenda. In the mean time, we'll set up a meeting with all parties involved.

Mr. Dugger: That would be great.

Mr. Gilbert: Do I have a second on that? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Mr. Dugger: Thanks very much.

Mr. Gilbert: Item number 7 is Discussion, Acceptance of Sanitary Sewer Easement, 0.384 acres, Village at Slate Ridge. This item does come from the administration. Mrs. Reichard.

Mrs. Reichard: Mr. Gilbert, it's pretty standard. It's had a couple of re-drafts on it from the City Attorney's office, but it's a pretty standard sanitary sewer easement.

Mr. Gilbert: This can go through it's three readings?

Mrs. Reichard: Yes, sir.

Mr. Gilbert: Thank you. Are there any questions or comments from members of Service? (No response). Other members of Council at this time? (No response). None being heard, I'd like to make a motion that we forward this on to Council for its first reading on the Consent Agenda. Do I have a second? Second by Mrs. Newman. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 9, ORDINANCE TO ENACT A COMPREHENSIVE RIGHT OF WAY MANAGEMENT POLICY. This item has had its first reading. It was in Other Legislation. It has been requested to be brought back out for immediate consideration. This comes from Mr. Underwood. Let me just note, the members should have received in their packet this weekend, as requested from the City Attorney, the actual ordinance, and then the lined out portions of our current ordinance.

Mr. Underwood: A long list. A time table and responses to AEP and SBC comments. It will take quite a bit of reading and thought process. And we'll do three readings and then pass it as an emergency. I drafted emergency legislation and put it in the ordinance so the emergency clause is in the legislation. It should be ready to go but I think it will take some time to read all the material. I know it took me a long time. (Inaudible).

Mr. Gilbert: So this is for, you'd like to complete the final two readings and then pass it as an emergency?

Mr. Underwood: Yeah. The time table is the three readings. Do a second reading, back to committee, do a third reading, and the third time have the emergency clauses in it. That would give you time to read everything and think about it and contemplate.

Mr. Gilbert: Okay. Very well. Any questions or comments from members of Service? (No response). Other members of Council? (No response). None being heard, I'll make a motion that we forward this to Council for its second reading on the Consent Agenda. Do I have a second? Second by Mr. Baxter. All those in favor, please signify by saying aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I'll adjourn Service at 8:00 p.m.

Service Committee
- -Nancy C. Frazier, Clerk of Council
April 18, 2005
(Transcribed - Susie Smith)
FINANCE COMMITTEE MEETING MINUTES
APRIL 18, 2005

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

Mr. Stake: I'd like to call the April 18 Finance Committee to order at 8:01.

The second item on the agenda is approval of the minutes of the Finance Committee meeting held April 4, 2005. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted.

Item number 3 is approval of agenda. Any changes to the agenda? (No response). None being heard, the agenda will stand.

Item number 4 is Discussion, Amend Ordinance 1-05, Victoria's Secret Direct Enterprise Zone. Mr. Underwood, I believe this comes from you. Would you give us an explanation on this? Mr. Underwood, we're on the Victoria's Secret Direct Ohio Enterprise Zone Agreement. That came from your office. Do you want to give us an explanation on that?

Mr. Underwood: There was one sentence that the Licking County Prosecutor wanted in. And I don't think it makes any difference whether that sentence is in there or not quite frankly. Since they wanted it added, I think we have to go back and re-approve it. We should do that so we know what we've got when we're done with it.

Mr. Stake: Okay. So it's basically a housekeeping item that we're doing for the agreement.

Mr. Underwood: Right. So we know five years from now when everybody changes and names are different, somebody pulls it out, they can say, oh we did approve the final. So we're not looking at something else. That's where it is. I don't think it means, I really can't figure out why they want that added. But I don't think it really makes much difference whether it is or it isn't added in. If you take it out, it doesn't really change anything.

Mr. Stake: Okay. Are there any questions from members of the Finance Committee? (No response). Members of Council? Mrs. Newman.

Mrs. Newman: Thank you, Mr. Stake. This may be a dumb question but, does this entitle them in case they do not create any new jobs that their tax abatement will still stand?

Mr. Stake: Mr. Underwood, can you answer that question?

Mr. Underwood: What is your question, Mrs. Newman?

Mrs. Newman: Well, the fact that if they don't create any new jobs, will their tax abatement still stand and be effective?

Mr. Underwood: If they don't create any new jobs.

Mrs. Newman: Yeah. Because they're saying here that they will create zero employment positions and zero payroll.

Mr. Underwood: I can't answer that. I don't know what they're trying to accomplish by that. I don't think it makes any difference. Because they've told us what they're doing. They've put in there what they're doing, 930. They're bring out from there. And there's nothing about creating any new jobs.

Mr. Stake: Okay. Mr. Underwood, you have a gentleman behind Mr. Brandt. Does he have some information on this?

Mr. Ziance: Hi, Mr. Hills, Mr. Stake, members of Council. Scott Ziance, attorney for Victoria's Secret Direct. I want to respond to your question. I agree with Mr. Baxter about the need, I'm sorry, Mr. Underwood, about the need for this, but if you want to accommodate the Licking County Prosecutor's office. Mrs. Newman, to answer your question, the company is transferring to, and _____________ at, the project site, more than 900 jobs. The Enterprise Zone Agreement does require them to transfer to, and remain at, the project site, those jobs. So it is a matter of nomenclature. Are they creating jobs? Well, not really. Because the jobs are being moved from Columbus to here. But it absolutely requires the company to have those jobs.

Mrs. Newman: Thank you.

Mr. Stake: Thank you, Mr. Ziance. Any other questions? Mr. Baxter.

Mr. Baxter: I think you just answered my question. But the question I have is, if Victoria's Direct had an issue with the language we added to the Enterprise Agreement, if they don't have any, nor do we have any, I don't see the issue of making the change.

Mr. Stake: I don't believe I, he's shaking his head no, they don't have an issue with it.

Mr. Baxter: I made that assumption by his comments. They don't have any issues with the language being added.

Mr. Ziance: Correct. The company has no issues at all.

Mr. Stake: Okay. Thank you, Mr. Baxter. Any other questions from members of the committee? (No response). Members of Council? (No response). Okay. We don't need any emergency or anything on this, right? We can just let this run the regular course? Mr. Underwood, Mr. Ziance? (Tape Change).

Mr. Ziance: The company's fine with that.

Mr. Stake: Okay. Thank you, sir. Okay then, I will make a motion that we send this on for its first reading 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 5 is Further discussion, Funding for various projects, Reynoldsburg Major Commercial Corridors Streetscape Project Phase II. And I guess Taylor Road tonight, we would discuss. And we're talking about the funding for this. We received in our packets, actually received I think today, an update on the costs and the sources of funding. I know just getting this this evening, people have not had a chance to really digest this. But I believe on Main Street we're looking to, and I think this is probably a big issue right now for the Finance Committee is, the bond, do a bond for Main Street of $4,250,000. Correct, Mayor?

Mayor McPherson: (Inaudible).

Mr. Stake: And I know I've had some questions in regards to this. I know some other members of Council have had some questions in regards to this. I've asked a couple of people to come before us tonight to address this. One is, Megan Browning from Seasongood & Mayer. She is the, I believe she's working on the underwriting of the bond. Is she here yet? Is Dr. Whitney here?

Mr. Gilbert: I believe they're out in the lobby, Mr. Stake.

Mr. Stake: Okay. That would be good if they came in here. Dr. Whitney, at this time we're asking Megan Browning if she would come before us and explain, or at least let us know how this bond would be underwritten and then answer any questions that the members may have.

Ms. Browning: I don't know if you have direct questions that you wanted to start off with, or just to go over.

Mr. Stake: If you would please, just give us a quick couple minute overview on the process.

Ms. Browning: Sure.

Mr. Stake: And then maybe the members may have some questions for you.

Ms. Browning: Sure. Well to begin with...
Mr. Baxter: Excuse me, Mr. Stake. Can we find out who she is and _______________.

Mr. Stake: I believe I mentioned earlier that she's Megan Browning with Seasongood & Mayer. And she's the bond underwriter.

Mr. Baxter: Bond underwriter. Okay.

Ms. Browning: And we have a company, the city, last year on a rating, a trip to Chicago with the Mayor and with Mr. Whitney. And we will be assisting the city if you decide to move forward in the bond process. My understanding at this point is that you're looking at a bond issue of around $7,000,000. And really, where we come to play on this issue is, working with the Finance Director, with your team, and with your bond counsel to actually put together the cash flows to figure out what the principle and interest payments would be each year. And I know that Howard has something that he's put together to give to you with some information that I'd given him to show you what those numbers would look like. And then, as far as the process, really what we would require, and I think bond counsel who is Chris Franzmann with Squire, Sanders & Dempsey would agree, is that we would really need probably a couple of months. And I think the time frame of these as I understand it at this point, and you can correct me, the city was looking at trying to obtain funds by June.

Mr. Stake: I believe we need to start construction by June 27.

Ms. Browning: Okay. And given that time frame, to be very honest with you, it's really at the point where the team needs to get together. Chris Franzmann would need to work with his folks on putting together what we call, a preliminary official statement, which is the offering document that is put forth to investors. And that is a process that has been done pretty recently, but it would still require some work to get that updated. So it's really at a point right now where it's kind of the need to get going on it.

Mr. Stake: Okay.

Ms. Browning: And the second part of that, and I know you and I have had a conversation, and something that many of the members were concerned about was, the credit rating and what that process would be. I have had a conversation with _________________, and the process there would really be to get the rating of AA3 affirmed. And to get that done, _____________ would just require some updated financial statements, and also the offering document. And their processors are very busy this time of year, so they need several weeks to review that, which is another reason we need to get started on that.

Mr. Stake: And you're familiar with our financial situation currently?

Ms. Browning: Yes. Yes. And also, I wanted to let you know, post our conversation, I was able to have a discussion with Jack York who is at _____________ in Chicago that works on your account. And given his understanding of the bond issue, and the numbers that I was able to get him at this time, he is very comfortable with the rating of AA3 would not change.

Mr. Stake: Okay. Thank you. And that was my major question.

Ms. Browning: Right. And I know that that was your concern and I think it's a good one. But I did want you to know that I followed up with that.

Mr. Stake: Okay. Members of the committee have any questions for Ms. Browning? (No response). Members of Council? (No response). Okay. Thank you very much for coming.

Ms. Browning: Yes. But as I said, the numbers, just for your review, are included in the handout that Howard has for you this evening.

Mr. Stake: Okay. Thank you. Next if we could have Christopher Franzmann with Squire, Sanders. He's the bond counsel. Has been our bond council. And will be our bond counsel on this.

Mr. Franzmann: Good evening, everybody. Chris Franzmann, Squire, Sanders & Dempsey.

Mr. Stake: Chris, we had an opportunity to talk today, this afternoon in regards to the time table on this, and I guess some of the, we received some draft information over the weekend in regards to this with dollar amounts not filled in. And the draft information that we have, has a maximum in there, or I guess a "not to exceed" portion. And you were kind enough earlier today to explain to me why we should do that versus a fixed amount and I would hope you could do the same for Council.

Mr. Franzmann: I'm happy to do that. The process as most of you have probably been through when the city issued that, is that this Council, or the full Council will take action on a bond ordinance to authorize the issuance of debt. In Ohio, there are typically two ways that that legislation may be drafted. One way is, for the legislation to provide that Council is authorizing the issuance of bonds in the actual principle amount of ____________. The alternative way is, for the legislation to provide that bonds will be issued in a maximum principle amount of let's say, why. The draft legislation that you have in front of you is of the latter version. The latter version is probably the more commonly used version in Ohio. The reason for that is because it gives flexibility to usually staff, to complete the bond sale in a timely manner. And let me give you an example to explain why that works better. If you have received engineer's estimates on a project and as many times engineer's estimates will be, it will be a wide range. They estimate the cost to be 'x', plus or minus a certain percentage. If you go into the bidding stage, and you receive bids, and the bids do not come out to what the engineers had estimated the project cost would be, and if you had adopted bond legislation at that point that authorizes a fixed principle amount, you're likely to have missed the mark. Let's say we have Taylor Road, and let's say that the cost is $2,000,000, and let's say this Council adopts a bond ordinance authorizing bonds in the actual principle amount of $2,000,000, and the bids come in and it's 2.3 million is your low bid, you don't have enough authorization. Conversely, let's say the best bid comes in at 1.7 and you've authorized $2,000,000, well the bond counsel, we're not going to let you issue $2,000,000 for a 1.7 million dollar project. So you have a ________________ there. And the way to get around that typically is with a maximum principle amount of bond ordinance which authorizes bonds in the maximum principle amount. From my example, you would authorize let's say, 2.5 million dollars. You would ask engineers to give us a high ______________. That's what we would put in the blank, then when the bids came in, the City Auditor would have authority to fix the size of the bond issue at the appropriate amount based on their bid and would not have to come back to Council for further authorization. So when I was asked about a month ago about the timing for this financing, and most appropriate way to proceed, I was told that we would probably need money towards the end of June. Typically, you would sell your bonds two weeks before you need the money and you would get into the market with an offering document and official statement that Megan mentioned earlier, two weeks prior to that. So you really have a one month lead time from when you need money. And you really want your legislation to be in place and in effect at that point in time. And if you have a 'not to exceed' or a 'maximum principle amount' ordinance, then you have the capacity you need, the size ___________ based on the bids when they come in. So what is before you, or what was distributed to you over the weekend is draft legislation for both Main Street Revitalization and Taylor Road. If Council gets comfortable with a dollar amount to put in those blanks, then we will insert the dollar amount, and that's what will be presented to full Council for consideration. Does that make sense? Does anybody have questions about procedures, or?

Mr. Stake: Questions from the Finance Committee? Mr. Gilbert.

Mr. Gilbert: Thank you, Mr. Stake. Chris, the bond itself, with this being two separate projects, is it just a single bond, or would it be two notes for each particular project?

Mr. Franzmann: It would be separate legislation. We will separate these because they're really two discreet projects. So Council would actually take action on two bond ordinances. But the Ohio Bond Law allows us to combine that authorization for purposes of sale. So when you actually sold the bond, you would actually be selling one series of bonds for those two purposes.

Mr. Gilbert: And when that money then comes back to the city, it's separated out into a separate...

Mr. Franzmann: The City Auditor would separate that for purposes of the paying the cost of the project. But to facilitate the sale and achieve an economy of scale, you combine it into one.

Mr. Gilbert: Okay. Thank you.

Mr. Stake: Mr. Clemens.

Mr. Clemens: Yes. Chris, I want to thank you for your explanation. It's good to get an explanation from somebody we can understand. I appreciate you being here this evening.

Mr. Franzmann: That's my pleasure.

Mr. Stake: Any other questions from members of Council for Mr. Franzmann? Mr. Beougher.

Mr. Beougher: Mr. Franzmann, how do we arrive at the numbers that go into the maximum? Do we take the engineers estimate and add 10% because that's the highest bid we can accept? And add some construction contingency on that? How do we go through that process and arrive at that number? And how difficult a process is that going to be?

Mr. Franzmann: It really is a conversation with the engineer. And it is for the engineering firm to advise you on to what they think the high water mark would be. There's nothing wrong with actually even authorizing an amount in addition to that. What you authorize, because you authorize an amount, does not mean you're obligated to issue that money. So many times, I will be honest with you, it's probably more an art than it is a science in most cases. And most fiscal officer's will take the engineers amount and bump it up a little bit even more than that, present it to Council, make sure that he or she has the coverage that they need. And then when the bids come in, then you know exactly where you need to be. And that's when the City Auditor would prescribe the exact amount to be issued. So the problem with over-issuance is a federal tax law problem. And if you over-issue, then we can have problems on federal tax ___________.

Mr. Beougher: Now if we're only issuing bonds as a portion of the project cost, or projects costs, is that still a problem? I mean, the city and other sources are coming up with some funds. Some funds out of our Enterprise Funds and other sources other than just bonding and grants and low interest loans. So does that help us?

Mr. Franzmann: That actually does help you because you have some, let's use the word 'slush' there because you...

Mr. Beougher: We don't like that word.

Mr. Franzmann: Okay. Let's use the words 'additional funding sources'.

Mr. Beougher: Flexibility.

Mr. Franzman:: How about some flexibility. If your only source of money was bond proceeds, then it's a problem. If you have additional monies that can be used, then you can make up for a mismatch on your _____________.

Mr. Bougher: Thank you, very much.

Mr. Franzmann: One other thing I will tell you is, am I correct in understanding, our bids are coming in probably, when are our bids coming in? Some communities will actually issue notes for the construction site. And what they will actually do is, they will issue notes based on estimates. Engineer's estimates. Get the note proceeds in hand, bid the project. If there is a mis-match, they'll cover it until the notes, which are typically securities that mature in one year come due, and then they'll do the long term bonds because they know exactly what the project costs are. Some communities will take that road. Some communities will go straight to bonds. But the perfect scenario is, if we can have bids in hand to then determine what the sizing is for the bond issue, and that's what the maximum principle amount ordinance would allow you to do.

Mr. Beougher: Alright. Thank you.

Mr. Stake: Explain that issue in notes.

Mr. Franzmann: Some communities, it all depends on timing and not...

Mr. Stake: We don't have much time.

Mr. Franzmann: I know. So what some communities will do is, they will issue notes out of the shoot. A note issue is typically a security that matures no more than one year after the date of issuance. Bonds on the other hand, typically mature over a period exceeding one year following the date of issuance. And so what will happen is, you will in my earlier example, Taylor Road example, you would issue notes in the amount of $2,000,000 based on the reasonable engineer's estimates. If the bids came in, the low bid came in at 1.8 million, that actually would be okay under federal tax law. We would construct the project, the 1.8 million. The 200,000 that was remaining at the end of one year would be used to pay down debt. And then you'd issue a long term bond in the amount of 1.8 million dollars. So you can do it either way.

Mr. Stake: How difficult is that process?

Mr. Franzmann: The note issue is more stream line. There would still be legislation that this Council would have to adopt. You would not have to prepare an offering document. So instead of 30 days prior to the date that you need the money, the legislation could be effect more like 15 to 20 days prior. But you're going to issue two sets of securities. You're going to issue a note issue and then a year later you're going to issue a bond issue. So that's the con.

Mr. Stake: Okay. Thank you. Mrs. Newman.

Mrs. Newman: Yes. We would probably be looking at, by the time the bonds were issued, an increase in interest rates. Do you think? I know Mr. Whitney has mentioned that, that rates are going up.

Mr. Franzmann: Well, it's always a possibility. If I could predict that, I probably wouldn't be standing in front of you tonight. They certainly have been trending in that direction. Megan Browning, the underwriters pay a lot more critical attention to where the markets are and what direction they're going. But certainly, the trend has been for higher interest rates.

Mrs. Newman: So just to cut it short, the sooner we issue those bonds, in all probability, our interest rates are going to be lower. At least we will know that it's fixed.

Mr. Franzmann: That's probably a safe assumption.

Mrs. Newman: Thank you.

Mr. Stake: Thank you, Mrs. Newman. I believe Ms. Browning has a comment.

Ms. Browning: The only thing I was going to add is, I do think that's a point that I just don't want to get lost. What's going on right now, in the yield curve over the past, really three months, we've seen short term rates go up quite a bit. So in other words, you've seen a yield curve that ______________, it used to be very steep. And the front end's coming up. Now, as Chris said, you'd be on an island somewhere if you could predict interest rates. But our assumption right now in dealing with these kinds of issues is that, long term ____________ they can follow. Right now, long term rates haven't really moved a whole lot. So I think it's really something that I just wanted to make sure Council considers as you move forward on this issue.

Mr. Stake: We certainly will.

Ms. Browning: The only other option that I did want to throw out there is that, as Chris mentioned, the notes are certainly an option if it's the way you want to move forward. Another option is to think about an even shorter duration note. For example, a six month note.

Mr. Stake: Thank you. Any other questions? Mr. Stearns.

Mr. Stearns: Thank you, Mr. Stake. Will these interest rates be fixed?

Mr. Franzmann: The interest rate on the bond issue will be fixed. Yes. It's not a variable rate issue.

Mr. Stearns: Thank you.

Mr. Stake: Mr. Baxter.

Mr. Baxter: Thank you, Mr. Stake. I've got two questions here. This project is a three year project with the agreement, the road paving part of the project. Are there any value in looking at having this bonded in multiple sections over the next three years as we need the money rather than going from a total project requirement? Or, does it make more sense to go after it now? I know we've talked about the interest rates obviously, but again, that's speculative. So is there any benefit on holding off on bidding it in piece meal? Or do it all at once, is the first question.

Mr. Franzmann: How will the project be bid out? Will it be bid out piece meal, or will it be bid out as one project?

Mr. Baxter: I believe Mayor, correct me if I'm wrong, you've got it as a single project at this point.

Mr. Franzmann: The biggest problem you _________ yourself into is, when those contracts come in and you sign the contract, you need to certify as to the availability of funds. And if you do not have enough funds, if from borrowed proceeds or from OPWC, or what other funding source you have, including the General Fund monies, if the City Auditor cannot certify that sufficient monies are available to satisfy the financial obligations in that contract, you can't sign that contract. So if he has sufficient other monies to sign the contract, you could do the financing in phases. The risk you would run would be interest rate exposure. And you're going to pay for three separate issuances. So your issuance expenses will go from one, times three.

Mr. Baxter: Now is that issuance cost based upon the amount that you're asking for? Or is it based upon a standardized fee?

Mr. Franzmann: Well, it is both. I don't mean to evade the question.

Mr. Baxter: It seems it was like 116,000 I always remember. 119,000 for the issuance cost, for the bond issuance cost. So my question again was, if you broke it into three, would that be 119 times 3, or would that be a summation up to that, or maybe less, or more?

Ms. Browning: Some of the costs are going to be based on the _________ amount, or the total amount of the bond issue. But there are other costs that you will have to pay each time regardless of the size. So you can't, yes, it will cost you more to break it out ______________.

Mr. Baxter: I have a second question if I could. And thank you for answering my question. The second question is, you talked about contingencies and making sure that we get for the high water mark. You may not be aware, or maybe you are aware, contingencies are built in to the cost of the project from construction standpoint. Almost a 10% contingency of what I can see of $407,170. With that said, is your recommendation then to have an even higher water mark for a contingency for the bonding purpose? Or is that sufficient to have that contingency already built in to the cost of the project?

Mr. Franzmann: Honestly, I would probably even bump it up a little bit higher just to be safe. Once again, this is not, as bond counsel, there's going to be tax certifications that will require the City Auditor to sign off on. So I'm not going to let the city issue more than they actually need for the project. But, what I don't want to have happen is Council to adopt a piece of legislation that was cutting it really close, and then a month from now, the engineers change their mind and say, oh gosh, we missed this and it's actually $500,000 more, or whatever the number is. And then we're really in a pinch because then we'd have to come back to you for re-authorization, it would have to be done as an emergency, we'd have to have readings. So if we could bump it up a little bit just so we're all at a point where we're completely comfortable, knowing that the actual issuance would be what we actually need, I think that's the best course to take.

Mr. Baxter: Thank you.

Mr. Stake: Mr. Stearns.

Mr. Stearns: I have one more question. If the project comes in under budget, and you have say, 250, $300,000, how do you handle that funding? How does it go ____________?

Mr. Franzmann: The money goes into the bond. It can either be used for additional costs associated with this project. If it does come in under budget, and the engineers say, oh we should have also done this in addition to the rest of the project, it can be used for additional costs on the project to the extent you have any. And if you don't have additional costs, the money goes into the Bond Retirement Fund and is used to pay principle and interest on the bonds as they come due.

Mr. Stake: Any other questions from members of Council for Mr. Franzmann? (No response). Thank you, Mr. Franzmann. I appreciate you coming in tonight. Okay. We did receive some information here this evening and it looks like the Main Street Bond Issue will be $4,250,000, and Taylor Road would be $2,205,000, for a total of $6,455,000. There's information in here in regards to, and we'll get some recommendations or some options on how we pay this back. I think we're at the point right now that either way we go, we're going to have to pass this by an emergency. Correct? We don't have enough time to do it any other way. Do members of Council or members of the committee have any questions in regards to the information we received this evening? Mr. Clemens.

Mr. Clemens: First I'd like to say, I think it's becoming a bad habit to receive this information the night of the meetings. It would be nice to have the information so we can read it over the weekend and adjust to what it says instead of sitting here and trying to put all the figures together. Not only on this, but on other projects also. I think that's something we've asked for before, and I think that's something we should start receiving. I have no problem with the way the bonding was explained. 4.250 million for Streetscape being bonded. And also I think we ought to look at now, when we talk about this, let's look at the total bonding that we're into, which we don't bring up very often. But let's put it, what our indebtedness are we going to be in as far as Streetscape II is concerned. We're going to be indebted 1 million, 980 from Ohio Public Works. We've already bonded $334,365. So the total bonding that's required, has been done and is required is, $6,564,365 that we're going to be indebted on Phase II. Additional 2,205,000 for Taylor Road brings it up to $8,769,365. So I just want to get a point across on what our total indebtedness is when we discuss this. I appreciate the information we got, but I would like to have a chance to look at it before I do any voting on it.

Mr. Stake: I understand. We're going to have to do this as an emergency. I guess they want to have this in place by the end of May. So we have a month, better than a month to at least discuss this in future committee meetings and then bring it on forward if we're going to do that. Mayor, do you have anything to add to this?

Mayor McPherson: Thank you, Chairman Stake. Just to kind of respond to Mel, the reason that you got this tonight was because this is a living document more or less. We've been working on it almost every day of every week for months now. And we had a change today, in that one of our sources, we were fortunate enough to add a CDBG Grant of a quarter of a million dollars. And we knew you know, that you were going to have a whole week to look at it, but we wanted you to have the most current document that we had available to us so that during the week as you talk about it, you know, you'll have the most current. I think the thing that we have to look at is, the potential sources of our revenue for the debt servicing. And I think the last page I believe, that you have in the pack that we gave to you today, pretty well summarizes everything that you need to know about the financing on it. First of all, we've talked to you before about debt dropping off. And as the debt drops off, we use it to pay this. We also have in the past, and just not too long ago, passed the new allocations. So you've got 14% of our income tax revenue now going to debt servicing. And we have in there right now, about 1,281,996. And as you read through this, you're going to see that the City Auditor's recommending that we set a $600,000 debt ceiling on this, or on our debt, and that we take $200,000 a year out of this Debt Retirement Fund. That will allow, as you go through here, to look and see when the break point is between our subsidizing our debt with what we already have, and then the debt paying for itself. Because that will happen. We're already starting to see an increase on our interest rates that we receive from our investments. And I think at this time, it is the city's, the administration's recommendation that we start moving this forward, and that we finance both the Corridor Revitalization, and that we finance Taylor Road based on the figures that you have tonight. And of course, we're going to continue as the administration to try to cut costs wherever we can. And that's just an ongoing thing that we will always do. So I guess at this point, this is what we'd like you to look at this week. If you have any questions whatsoever on what you have in front of you, give us a call, come in, whatever. But I think this is probably the best that we're going to get at this point and we'd like to see it move forward.

Mr. Stake: At the next Finance Committee meeting?

Mayor McPherson: Yeah. At the next Finance Committee meeting with an emergency for the Council meeting so we can get our bond counsel and everything moving on it. As you heard Chris say and everybody else, that's a long process in itself.

Mr. Stake: Well, and I'm certainly committed to the revitalization of Main Street. As I've said time and time again, I think that we have a thriving business community. We're going to have people using those businesses, and people working there and paying taxes. And that helps fix the rest of the road from the city and everything else. So, I'm certainly in favor of that. I'm also in favor of making Taylor Road a safer road. Mr. Baxter.

Mr. Baxter: Mr. Stake, thank you for the time. Mayor, I've gone through this and I've worked with Howard on this quite a bit. First off, I want to thank Howard for a lot of work and time he's spent with me going through this. If I could request before we pass this on, have in our packet for next week, one of my concerns are is that, we are reaching into multiple funds to pay for Streetscape as well as other projects. My concerns here are based upon the Water Funds, Sewer Funds, Solid Waste. We're taking funds from each of these types of areas to help us with

Streetscape. Which we're improving those areas. I understand that.

Mayor McPherson: That's correct.

Mr. Baxter: My concern is, if you look at the Taylor Road, we have a 2.2 million dollar bond issue that we were going to put into it. Are we also looking to take funds from a source of revenue from any of these other locations to improve those areas on Taylor Road from storm, or sewer, or street, and have that also being funded through those revenue sources? I do see us focusing on Streetscape and I think that's appropriate. I don't see us focusing on Taylor Road. But the bond issuance is for both. So I'd like to see information based upon those programs, and if we're going to deplete those or not. Because we have a much bigger city out there that we also have need for. I know Waggoner on Main is getting awful damn bumpy. And I'd like to see that kind of fix too. So my point is, we need to focus on the entire city and I don't want to get so locked into this project that we miss the problems everywhere else. So if I could see that prior to issuance, I'd be much more happy.

Mayor McPherson: We'll work on that for you. Just while you mentioned Waggoner and Main, the ____________ plant's opened up, I think Wednesday of last week. That's a priority with us. We're going to be smoothing that out, hopefully this week.

Mr. Baxter: Great. Thank you.

Mr. Stake: President Hills.

Mr. Hills: A couple of things. And while we're on Taylor Road, just adding one thing. Certainly, break downs on that would be nice. But as you do want some questions, I guess I was a little surprised to see the 2.295 when there was one time we were talking about 1.5. Now I see this says, including engineering. So I don't know whether there's $750,000 of engineering or what. But I think a little break down on that would be along with Mr. Baxter's ___________.

Mayor McPherson: Where are you, Mr. Hills?

Mr. Hills: The cost including engineering of Taylor Road, $2,295,000. And I do see we're going to use $90,000 worth of Permissive Tax. I'd say it was a document prepared April 18, '05, but all of them were. And that's the second part of my question. But it's about 3 from the back.

Mayor McPherson: Yeah. I see it.

Mr. Hills: Because I know we haven't talked about Taylor Road a whole lot lately other than it was about a one and a half million dollar project and it looks to be 2.3 million.

Mayor McPherson: We'll get you a break down on that.

Mr. Hills: I'm not saying it's not, but I would like to see what would make it that.

Mayor McPherson: We'll get you a break down on Taylor Road.

Mr. Hills: And one further thing...

Mayor McPherson: Pretty much what Brett was asking for on Taylor Road.

Mr. Hills: And it just expanded and I want to see where the engineering is and why the cost has gone up $800,000 or whatever it's going to be. And I'd be neglect if I didn't mention, because I have asked for reports, any information to get to us on Friday. And obviously, more than just that $250,000 has been computed between now and then. But I know you feel that that's why we didn't get it. But I can assure you, and I think I speak for all of Council, we would have been very happy to have had the documents without the 250, then been added in tonight.

Mayor McPherson: I'm sorry. I thought you got it Friday.

Mr. Hills: No. This was...

Mayor McPherson: Did you not get a document just like this on Friday?

Mr. Whitney: About a week and a half ago I gave you a document that included everything but the 250.

Mayor McPherson: _______________ prepared one. You got one in your packet, Mr. Hills.

Mr. Hills: We have piece meal parts. Yes.

Mayor McPherson: Yeah.

Mr. Hills: Yes.

Mayor McPherson: That was the one prior to this.
Mr. Hills: If we had all this, you didn't have to pass it out to us tonight.

Mayor McPherson: We didn't have this until today.

Mr. Hills: And that's my point.

Mayor McPherson: Yeah.

Mr. Hills: That's my point. And all Mel is saying...

Mayor McPherson: So you want us to hold it 'til Friday?

Mr. Hills: No. I want the same thing we've always asked for, Bob.

Mayor McPherson: Wait a minute...

Mr. Hills: Is try to get something in the packet on Friday so we will have, we as Council end up working Friday, Saturday, and Sunday, looking at things preparing for Monday night. When we don't know what it is we need to be looking at, it makes it a little bit more difficult. Now, fortunately as Mr. Stake has said, this will still get addressed and have the time. But when Mr. Clemens brought up the statement, just sort of discounted about it, that we were adding things. But it is, and I will repeat for Council, and if Council wants to say I'm incorrect, please tell me so. Our preference has always been, whatever information, even if it's not 100% complete, in the packet so we can look at it and be a little bit more prepared on Monday night. Now Council, does anyone disagree with that statement? (No response).

Mayor McPherson: Well I think if you look at your packets, and I don't know the date, what was it, a week and a half ago we passed this out, you've had this a week and a half. And all we did was update the $250,000 for you today. So if you look through here, you'll see when you change the $250,000, it changes some of the debt service. But again, you got it as soon as we got it.

Mr. Hills: But we have had portions of this. We have not had this document in this form. None of the last three pages have been there. We can sit here and debate this all night.

Mayor McPherson: No. I think you had the first three pages, maybe four pages of this.

Mr. Hills: We've had some cost estimates. Correct.

Mayor McPherson: Right. Exactly.

Mr. Hills: We have not had, what the meat of this is what we've asked the questions on, we just received tonight. The only thing I'm doing is, as President of Council, on behalf of Council, again requesting administration, that if we're going to have a subject matter to be discussed on Monday night, try to get things in our packet Friday so we can see them. Even if it's not 100% complete documents, we would have understood what is missing and fill in the blanks.

Mr. Stake: Thank you, President Hills. When we do get them this evening, we are going to take some time to look at them and save them for the next, at least in the Finance Committee, we're going to do it that way. But I know we did receive some information prior. I don't think, some of the information on the last page was....

Mayor McPherson: It wasn't as complete. It was partial like Mr. Hills indicated. And this is much, much more complete than what you had before. But again, rather than wait until Friday, we chose to give it to you tonight.

Mr. Hills: Let's not wait until Friday. I'm talking about the previous Friday.

Mayor McPherson: We didn't have it Friday. We had it today.

Mr. Stake: Okay. Mr. Gilbert.

Mr. Gilbert: Thank you. If I can just point out on Taylor, because I guess I wasn't thinking we were voting on this this evening, so.

Mr. Stake: We're not.

Mayor McPherson: No. We're not.

Mr. Gilbert: Exactly. So that's not a big issue to me. The figures on Taylor Road, the engineering, is that to reimburse what we took out of the Capital Improvement Program for....

Mayor McPherson: I believe the reimbursement was included in that. Is that correct? Yes.

Mr. Gilbert: And I know part of the storm water system is already in place.

Mayor McPherson: That's correct.

Mr. Gilbert: Because I believe...

Mayor McPherson: We did that ahead of time.

Mr. Gilbert: Kim can correct me on this if I'm wrong but, that was put in to be able to go along with any roadway improvements that we had.

Mayor McPherson: Exactly.

Mr. Gilbert: And I don't know if Mr. Kipp's here this evening, but there was a portion of this that was going to impact the sewer, or water lines. And that's another component, if I recall in reading the original...

Mayor McPherson: You're recalling very accurately.

Mr. Gilbert: Okay. So, I think that's some of the additional funding areas that they might look at. And I don't know that the 1.5 figure is that much different when you factor in that we're just reimbursing what we took out of the CIP for the engineering. Would that be correct?

Mayor McPherson: Most of it. But we'll get a complete break down for you this week so that you'll have the complete break down _____________.

Mr. Gilbert: If there's any way you could do this to separate it out for...

Mayor McPherson: We will.

Mr. Gilbert: The revitalization packet information because you mentioned others. It's just confusing when it's mixed in with this because it is a separate project. Although the bonding approach is somewhat stream lined if they're pursued together.

Mayor McPherson: We'll separate that out for you.

Mr. Gilbert: Thank you.

Mr. Stake: Mayor, just one last question for me, after what Mr. Franzmann had said earlier in regards to how much we should do the bond for, are you comfortable with this $4,250,000 for Main Street? Or do you want to get back with the engineers and make sure that's going to be...

Mayor McPherson: Well, I think, we've already met with the engineers, and the answer is, yes. We're pretty comfortable with 4.25 million.

Mr. Stake: Okay.

Mayor McPherson: And you know, can it come in higher when it goes out to contract? Yeah. Again, like you said, it's not a science. It's an art.

Mr. Stake: Alright. Thank you. Mr. Baxter.

Mr. Baxter: Mr. Stake, I've got one last question for the Mayor, and it's a toughy Mayor. Because I look at this from another standpoint. So I'm not trying to put you on the spot. I'm just trying to get your input on it. When is it too much?

Mayor McPherson: I'm sorry?

Mr. Baxter: When is it too much to do the project? What is our high water mark when we put the city at jeopardy of spending too much? Do we know what that number is? I'm sure as administration, you have some figure in your mind where you're saying, this project isn't worth doing that. I'm looking at service.

Mayor McPherson: It's debt service. It's when our debt service gets to the point that I think we would have to take away from something else. And we're not there.

Mr. Baxter: And do we know when that 'there' is, is what I'm looking for. You said 600,000 was your feeling point on that.

Mayor McPherson: It fluxuates all the time.

Mr. Baxter: I'm just curious. Do we know what that number is so that at least from Council, being new to this area, I'm curious to know, when are we at risk? So that I have a feeling to know we're heading down the right path. Do you have that, like in your head?

Mayor McPherson: I don't have the number off the top of my head. No.

Mr. Baxter: Maybe some time we can sit down and we can talk about it. Like I said, I don't want to put you on the spot, but I would like to get a feeling for, is this the right project at the right time is what I'm asking.

Mayor McPherson: That's fine. I'd be glad to do that.

Mr. Baxter: Alright. Thanks, Mayor.

Mr. Stake: Mr. Beougher.

Mr. Beougher: Thank you, Mr. Stake. I have a question for Mr. Whitney, if he'd take it. Dr. Whitney, what is our minimum Debt Retirement Fund balance? Don't we have a statutory requirement?

Mr. Whitney: No.

Mr. Beougher: We do not?

Mr. Whitney: No. It was a recommended requirement of a million dollars which at the legislation last December, that was deemed by Council to be, not necessarily in ___________. But there's not statutory.

Mr. Beougher: And you've looked at the cash flow in and out of that fund as we service the debt? And having a $272,000 balance servicing a 1.162 million dollar debt that year is not going to be an issue?

Mr. Whitney: No.

Mr. Beougher: Alright. Thank you.

Mr. Stake: Okay. Any other questions from members of the committee? (No response). Members of Council? (No response). Alright. If there's no other questions, then we could hold this for two weeks and then deal with it at that time.

Mr. Baxter: Did I not hear Ron, we're going to be able to pass this for legislation next week?

Mr. Stake: No.

Mr. Baxter: Okay. So we are going to hold it for two weeks?

Mr. Stake: Yes.

Mr. Baxter: Very good.

Mr. Stake: The next item on the agenda is ORDINANCE TO AMEND THE "CITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL" ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 01, 2003. This had its first reading on April 11. This is at the request of the City Attorney, and this is to add the Assistant City Attorney to the overtime exempt list. Any questions from members of the committee? (No response). Members of Council? (No response). None being heard then, I will make a motion that we send this on for its second reading 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.

The second part of this is ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.05 "OVERTIME ELIGIBILITY". This deals with the ordinance portion. Same issue. Are there any questions from members of the committee? (No response). Members of Council? (No response). I'll make a motion that we send this on for its second reading on the Consent Agenda. 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 item number 8 is an ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO in regards to eligible securities. This came from the City Attorney. And he was striking the word "inactive". I believe we had some explanation on that at the last meeting. Any questions from members of the committee? (No response). Members of Council? (No response). None being heard, then I will send this on for its third reading for a recommendation for adoption. 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 I will adjourn the Finance Committee at 8:51.

Finance Committee
- -Nancy C. Frazier, Clerk of Council
April 18, 2005
(Transcribed - Susie Smith)