

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
April 9, 2018

Ward 2 Councilmember Brett Luzader called the meeting to order at 7:58 PM

Call to Order - Roll Call

PRESENT: Luzader, Baker, Bryant, Skinner, Joseph

ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Public Service and Transportation Committee – Committee Meeting – March 12, 2018

RESULT:	ACCEPTED
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NEW LEGISLATION/DISCUSSION ITEMS

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY NUISANCE COSTS (2017) FOR COLLECTION BY THE FRANKLIN COUNTY AUDITOR --- Luzader. Public Service and Transportation Committee.

Mr. Sampson: Thank you Chairman Luzader, members of Council, this ordinance authorizes and directs the Clerk of Council to certify grass and weed cutting and nuisance/trash removal costs for 2017 for collection by the Franklin County Auditor.

Mr. Luzader: This is a yearly item we do that takes care of our overgrown grass areas in the city. Any questions?

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/9/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY NUISANCE COSTS (2017) FOR COLLECTION BY THE LICKING COUNTY AUDITOR. --- Luzader. Public Service and Transportation Committee.

Mr. Sampson: Thank you Chairman Luzader, members of Council, this ordinance authorizes and directs the Clerk of Council to certify grass and weed cutting and nuisance/trash removal costs for 2017 for collection by the Licking County Auditor.

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MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Caleb Skinner, Ward 1 Councilmember
AYES:	Luzader, Baker, Bryant, Skinner

ORDINANCE TO AUTHORIZE THE MAYOR TO PURCHASE AN INTERNATIONAL DUMP TRUCK AND RELATED EQUIPMENT FOR THE WATER AND WASTEWATER DEPARTMENT. --- Luzader. Public Service and Transportation Committee.

Mr.Sampson: Although approved in the 2018 budget, we would like to remove the emergency language from this legislation.

Mr. Hellman: I'm requesting the purchase of a dump truck from Rush Center for model number 20184300 International under State bid contract 023-18. Dump truck body from ARM Tough Equipment and accessories for a total of \$110,276.52. The money will be split from the water/wastewater department. The reason for the purchase is right now we have 2 small 1 ton dump trucks and when we go out to do a main break, we have to run those 2 trucks back and forth when we're excavating because they're only big enough to hold so much dirt and under OSHA rules, the weight of dirt is about 3500 lbs per cubic yard and it doesn't give us a lot of room. The new truck would give us enough room to do a pretty substantial size *** to fix the main break and or sewer break, whatever the reason for the dig may be.

Mr. Luzader: Would this be in addition to those 2 dump trucks or would it be replacing one of them?

Mr. Hellman: It would be in addition to. We would be able to have the gravel and dirt already on the one ton and then head out with the big truck to do the excavation. It will speed things up as we do breaks, it will save money, but I can't tell what that, I don't know the variable to explain the savings but.. we expect this truck to last 15-20 years. It will save on ** and overtime factors, gas, wear and tear, customer's water service down time.

Mr. Baker: Reading through this, why is the competitive asking to be waived?

Mr. Hellman: Because we got 3 estimates for *** that wasn't under a state contract. The ARM Tough truck was the one that was preferred to buy from, that's why I asked to waive competitive bid because we would have to put it out to bid and it would take a lot more time. It would just.. *** would take to get state bid pricing way beyond the time frame for getting the state bid contract and try to match it up, that's why we did the three bid price for the bed of the truck.

Mr. Luzader: Three quotes.

Mr. Hellman: Yes three quotes, not bids, that's why we asked to waive it.

Mr. Clemens: What is the total cost?

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Mr. Hellman: \$110,276.52

Mr. Clemens: I didn't catch what you said about emergency, I'm sorry.

Mr. Sampson: Just withdrawing the emergency language from the legislation even though it was approved in the 2018 budget.

Mr. Clemens: That's fine.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/9/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

LEGISLATION FOR THIRD READING

44-18

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1171.07 TEMPORARY SPECIAL LAND USE OF CHAPTER 1171 GENERAL REGULATIONS. --- Luzader. Public Service and Transportation Committee.

Mr. Luzader: Option B was the item that was approved by the Planning Commission on 3/8/2018. I don't know if everyone is real familiar with this still, but we've had this for quite awhile. This is the item that was brought to us by our previous Planning Administrator before he left and what this does is addresses uses on vacant property. When folks come in and get a special exception use permit, it limits it, option B limits that special permit to 30 days which I think was a reasonable accommodation. I don't think we want somebody coming in here all summer all winter, somebody come in here and set up the corner of Livingston and 256 and sell firewood all winter because they want to. I think this is a reasonable accommodation and I think this, the Planning Commission did approve it unanimously so are there any questions from the Committee?

Ms. Bryant: I'm trying to recall, I know during the course of conversation we had talked about whether there would be a renewable option for this but I don't recall where we landed with this.

Mr. Luzader: If I remember correctly, and I'd have to look at the minutes, Mr. Snowden said at the time that that leaves the door wide open to many variables because he would be, or whoever the Planning Administrator, they would be the ones to make that determination as to whether to say yeah they haven't caused a problem we'll leave them or these guys have caused a problem and we're not going to let them renew theirs. I think it was just an easier way to put a cut and dry this is where we're going to draw the line so we don't have that grey area to let somebody to say well you didn't allow me to renew mine because you don't like me.

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Mr. Clemens: Yeah, and I've said this before, these are the kinds of things the Council should make decisions on. Not committees. We should be making the decisions on what's right for the city and what's not. We talked about the 30 day deal or 90 day deal and how's it going to come out?

Mr. Luzader: That's what I said, the recommendation from the Planning Commission is 30 days.

Mr. Clemens: Ok, that's fine. You said unless they had a different decision to make.

Mr. Luzader: Well, no, that's what Ms. Bryant was asking, is if they would come back in and ask for a renewal, would it be extended and the recommendation from Mr. Snowden was no, we would leave it at 30 days period.

Mr. Baker: I see that it's still going to be one permit per year per person. So somebody can't come in and say they're not selling firewood, they're moving on to, I don't know lets say Easter Baskets by the road. They wouldn't be able to do that since they've used their one permit.

Mr. Luzader: That's probably the possibility. I don't know how you're going to address every issue. If somebody wants to come in and go through the process.

Mr. Baker: And I get that, just reading it, it does just say one permit per year, so that basically means you're only going to do it once for 30 days.

Mr. Clemens: I think the discussion, it all pertains really to the looks of the City of Reynoldsburg. That's what the discussion is about basically. Having people come in and we have some vacant corners that mean nothing really other than looks and to have someone come in and sell firewood or sell peanuts, whatever they want to sell for 90 days or as long as they want to without us **. That's why the 30 days is there. If not, lord only knows what the city is going to look like. We gotta protect it, do something that will make it look decent, better than what it does and that's what these ordinances are for. It may upset some people, so be it. But this being able to come in and just plop something down to be there the rest of the winter just doesn't get it. So I go with the 30 days.

Mr. Baker: Oh, I'm not against the 30 days. I totally agree with you on that. You shouldn't be selling firewood in the summer anyway. Another thing, seeing how the board makes the final decision if someone wants to come in and all that kind of stuff, can there be a repeal process in place to where they can come to Council and have a second opinion.

Mr. Luzader: I'd have to go back and look and see and I don't know if.

Mr. Hood: inaudible

Mr. Luzader: That's what I was going to say before I spoke out of turn. Thank you Mr. Hood. Yeah if their application is denied they can appeal to Council.

Mr. Baker: I just wanted to ask just to make sure because I didn't want to make an assumption **

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Mr. Luzader: Is there any more discussion?

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MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1151.01 INITIATION OF AMENDMENTS, SECTION 1151.02 PETITION FOR ZONING DISTRICT CHANGE WITH DEVELOPMENT PLAN, SECTION 1151.03 PUBLIC HEARING AND REFERRAL TO THE PLANNING COMMISSION, SECTION 1151.05 ACTION BY COUNCIL, SECTION 1151.06 AMENDMENT OF DEVELOPMENT PLAN, AND SECTION 1151.07 EFFECT OF APPROVAL OF CHAPTER 1151 AMENDMENTS. --- Luzader. Public Service and Transportation Committee.

Mr. Luzader: Is there any discussion/questions from members of the Committee on this item?

Mr. Baker: There was one question that, in this ordinance, it reads different than what I reads on the ballot language is kind of different from what was read in here.

Mr. Luzader: I don't know what one that was you're talking about.

Mr. Baker: It was 1151.

Mr. Luzader: We're looking at 5 different.

Ms. Bryant: There are a number of different amendments. There is some inconsistency between ballot language and what is being proposed. It would be my suggestion that we form a committee to review these given that Mr. Snowden is no longer with us. I think probably that 1151 may need and overhaul but I'm not so sure that what we have is what needs to be done.

Mr. Luzader: Mr. Hood, I'm assuming you had a chance to look a this and see if it...

Mr. Hood: I approved it by form, I didn't not approve the language. ** inaudible.

Mr. Luzader: I think that would be the best thing to do then since there is some question about it then. I will make a motion that we hold this in Committee and ask the City Attorney to take a look at that to make sure that what is being proposed does conform with what was proposed in the Charter amendment.

Second by Ms. Bryant.

All voted affirmative by voice vote.

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Actually before we get done there is a speaker on this, Mr. McKenzie, did you still want to speak on this?

Mark McKenzie 1014 Lancaster Avenue yes, I did want to address exactly the point that has been brought up so I do have a little information here. The language of the amendment of 4.11 it said there were 3 things that you could change, the manner of notice given of zoning district changes, two, establish review procedures of Planning Commission recommendations, and three set forth voting requirements for Council review of Planning Commission recommendations and that was it on the ballot language which was approved. None of those however, approved changes impact existing Charter language for the first two sentences of section 4.11 (a) and this will invalidate most of the changes that are proposed here in 1151. Those include that a change has to be recommended by a member of Council, that the President of Council shall set a joint meeting which are in this proposal and none of those will be impacted. The ballot language does not provide those provisions and I just wanted to bring that up tonight. Thank you.

Mr. Luzader: We'll bring that up when we talk to the City Attorney about that. Thank you. Any further discussion on this item?

RESULT:	ITEM HELD
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45-18

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED: CHANGING THE ZONING DISTRICTS OF VARIOUS CITY PARKS AND OTHER PARCELS OWNED BY THE CITY OF REYNOLDSBURG TO S-1 SPECIAL DISTRICT. --- Luzader. Service Department.

Mr. Luzader: This is basically to conform all of Reynoldsburg's city park lands to the S-1 District.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/9/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

46-18

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED: CHANGING THE ZONING DISTRICT OF A 10.58AC PARCEL KNOWN AS 7227 E. MAIN STREET, REYNOLDSBURG, OHIO, FROM CC COMMUNITY COMMERCE DISTRICT TO S-1 SPECIAL DISTRICT, AND REMOVING THE PARCEL FROM THE HISTORIC OVERLAY DISTRICT. --- Luzader. Public Service and Transportation Committee.

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Mr. Luzader: This is the parcel across the street where the city is building the new community center which will also be put into the S-1 district.

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MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED: CHANGING THE ZONING DISTRICT OF A 24.3 ACRE PARCEL ON THE WEST SIDE OF TAYLOR ROAD KNOWN AS 9366 TAYLOR ROAD SW, AND 9370 TAYLOR ROAD SW, REYNOLDSBURG, OHIO, FROM AR-2 MULTIPLE FAMILY RESIDENCE DISTRICT AND CC COMMUNITY COMMERCE DISTRICT TO PND PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT. ---
Luzader. Public Service and Transportation Committee.

Mr. Duggar: My name is Glen Duggar, I'm an attorney 37 W. Broad Street, I represent the applicant. I was in attendance of the hearing in March, it was long and productive hearing, we had a great deal that was discussed that night between the stake holders, the applicant and the Planning Commission. We'd like to continue those discussions, however and I don't want to ** Mr. Snowden who is no longer with the city, but he had determined previously, that we actually had to have a vote that evening and I didn't agree with Mr. Snowden, but that was his opinion at the time. What I wanted to do and under normal circumstances would do would be to table the application so that we could continue to have these discussions. That didn't happen that evening because of Mr. Snowden's determination. I've subsequently talked about that with Mr. Hood and he may or may not have an opinion on that but from the standpoint of the applicant, I believe there are a number of open issues that we couldn't address that evening that we'd like to continue to address. We've had some additional meetings with some of those stakeholders and I would respectfully request and make a request in part of the open Council meeting that the Council send this back to the Planning Commission so we can have additional discussions. There is a provision in your code arguably that required the Planning Commission to have voted on that application that night, that was done, so in my opinion, again I defer to Mr. Hood, but that is essentially a protection of the applicant, but in this instance the applicant was and is requesting that this application be sent back to Planning Commission for further discussions in accordance with both the public hearing and additional discussions we've had since then.

Mr. Luzader: Is that what you would like us to do, hold this in committee until after Planning Commission can review your amendments?

Mr. Duggar: yes sir we would like the opportunity to continue those discussions with Planning Commission. How we get there is really for Council and someone smarter than me.

Mr. Luzader: Questions for members of the Committee?

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President Joseph: Just for clarification, we wouldn't be holding this in Committee we would have to send this back to Planning. Let them deal with it and then it would come back. Mr. Hood, can the Committee do that or would it have to be Council.

Mr. Hood: inaudible.. If that is the purview of the Committee and Council, a motion to refer the applicant back to the Planning Commission would be in order with a second and a vote in the Committee making their recommendation to the City Council, if the City Council concurs with the recommendation of the Committee to refer it back to the Planning Commission, it will go back to the Planning Commission, we will notify our residents that are affected by it, we will have another public hearing at the Planning Commission, and they can unveil their newer application and I understand we are still waiting for the results of the traffic impact study that everyone has been concerned with that is something that is not required of the applicant but they have undertaken themselves. I know because I've sat in that hearing as well for a few hours. That was something a lot of folks were interested in, myself being one of them. So I think that's appropriate.

Mr. Duggar: To elaborate on Mr. Hood's remarks, we were required to do a traffic study. The boundaries were determined by the City Engineer. We did that study and submitted it. There was a great deal of criticism of us that we had inadequately done the traffic study, but we did the study that the Engineer asked us to do. We expanded the study and have gone back and are actually trying to respond to the request of those who said the study should be expanded. I think which will be helpful to everybody, but those aren't done yet. So I think the appropriate thing is to go back to Planning Commission, we'll have the results of that study amongst other things and we can talk about those items there.

Mr. Luzader: Questions from Committee? Members of Council?

Mr. Clemens: When does the Planning Commission meet?

Mr. Luzader: I don't know if it will actually make it to the May 3rd meeting because Planning Commission rules say they need to have it 30 days ahead of the application and I don't know if that is considered an amended application. So June or May.

President Joseph: It's kind of a re-application.

Mr. Luzader: I think that's something that maybe our Development Director...

President Joseph: If Council decides to send it, we can just send it without a date and then they can pick whatever date under their rules.

Mr. Luzader: Is that ok with you Mr. Duggar we can work that out? Other questions?

William Jenkins, 1096 Komrans Ct, Reynoldsburg: I've been a resident for 23 years. When we moved here we were looking to live in a community where they were either going to have homes built where people would have a commitment to the community, not to have a situation where we

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were going to be bringing in the type of buildings where we were going to have people who did not have a commitment to the community. I attended a meeting the other night with this gentleman who just left here (Mr. Duggar), and one of the things he said, I got into this in the middle, I saw a paper, this paper here on my driveway and I looked at it and I said I'm really troubled by that because we're looking to have a community where we had homes being built where people had a commitment to the community and one of the things I found out with this property what they're going to do is they're going to build apartment dwellings. Apartment dwellings normally people don't have property ownership. There's no ownership there. That means that they have no real estate investment in the property, there's no commitment to the neighborhood and also, it was in a meeting that they had that the builders had in regards to that, they said well you're going to have some money for Reynoldsburg schools. No what you're going to have is money to raise more police officers when you start putting that in our neighborhood. So, that was a difficulty that I have with this because we're going to have property, we're going to have folks that don't have a commitment to the neighborhood, they can come and go, they can trash the neighborhood and do whatever they want to the neighborhood. I'm told that the traffic on Taylor Road right now is really terrific, it's bad and one of the things they discussed primarily the people who live on the west side of Taylor Road. There is also a whole number of us who live on the east side of Taylor road that has to use the road as well as businesses that have to come down through there and now we get to the point we can't make a left turn sometimes in the evening because traffic is backed up all the way to Kingsley Ave. So what's going to happen is you're going to have, and the builder says we have no authority over the streets. So, they can have those big trucks come and trash the street and do everything and don't have any control of it. So they can just tie traffic up that's the way I see it at this point. I'm told that these new apartments are going to have trash compactors. Well those things get full and when they get full, people put trash all on the street and when they put trash on the street, you're going to have people that come to visit dumping their trash in their and I know that's a fact because I lived in an apartment that had a trash compactor. So the neighborhood now is beginning to sort as I did to run down. And if this zoning takes place, there is a large tract of land that is on the east side of Taylor Road and all those houses on that line over there are going to be effected by that. So if this thing gets passed, that means all those people over there stand to lose their property values to go down. I'm not a good speaker so I'm just trying to say a few things to kind of pass this thing on.

Mr. Luzader: Your three minutes are up. I'll give you a chance to wrap up.

Mr. Jenkins: That was really wrapped up but the west side of the street but if that large tract of land opens up and all those houses over there, we can see our property values just go down. Thank you.

Thaah Young, 9167 Taylor Rd, Reynoldsburg: Mr. Chairman can I ask Mr. Duggar a question about that traffic study?

Mr. Luzader: If he is willing to answer.

Ms. Young: is that a traffic impact study or is that just another access study?

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Mr. Duggar: I think this is emblematic as to why we want this to go back to Planning Commission. I don't know. But that's between our engineer and the city's engineer so, I guess that is another example as to why it should go back.

Mr. Luzader: Well that will answer some of the questions once that study is actually completed and we get the results from it.

Ms. Young: Well there is a very big difference between a traffic impact study and a traffic access study. The traffic access study that was done was done at Krogers and Taylor Road. Not even Main Street, not Moringdew, so I think its a legitimate question. Sorry, really short. *** the city Council members and the Committee today, I'm sorry another document I've asked a lot of questions and I do appreciate that. But I do want to say this out loud that the community opposition to this application continues to grow with evidence of standing room only at the meeting on April 5th. Many members of the community have attended, spoken, submitted concerns, questions at 6 public meetings, this is the seventh. Metro's application has been for public view since January 22nd. Metro has had countless questions and concerns from the community and City Council. Metro was given an extra 7 days to prepare for the Planning Commission. Metro elected not to submit any significant changes to the Planning Commission in consideration of density, building size, number of buildings, number of parking spaces, number of covered parking, lack of traffic impact study, loss of commercial property, inadequate construction notice makes the Metro proposal incompatible with the surrounding zoning districts in accordance with city of Reynoldsburg Zoning Code and city of Reynoldsburg Charter. We ask that you understand the community's concerns by having an immediate vote and deny this application. Thank you.

Mr. Luzader: any further questions from Committee or Council members. If not, I think is our due diligence to give the applicant the opportunity to address some of the concerns that were brought up on the Planning Commission and also brought up on the Public Hearing and the different meetings that they've had. So it is my recommendation that we send a motion to Council to refer this back to the planning commission.

Motion to move forward to Council with recommendation to refer back to Planning Commission made by Councilman Luzader, Second by Ms. Bryant. Vote as recorded.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/9/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

47-18

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ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED: CHANGING THE ZONING DISTRICT OF A 49.88 ACRE PARCEL OWNED BY THE STATE OF OHIO ON THE SOUTH SIDE OF E. MAIN STREET, KNOWN AS 8895 E. MAIN STREET SW, REYNOLDSBURG, OHIO, FROM CO OFFICES AND INSTITUTIONS DISTRICT AND CS COMMUNITY SERVICES DISTRICT TO GI GENERAL INDUSTRY DISTRICT WITH LIMITED OVERLAY; AND WAVING THE TRAFFIC STUDY REQUIREMENTS OF SECTION 1151.02. --- Luzader. Public Service and Transportation Committee.

Mr. Luzader: This is the piece of property that was formerly known as the drive in movie theater out on East Main Street that is now owned by the State of Ohio and they just want to change it to conform with their other property out there.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 4/9/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	