

SAFETY COMMITTEE MEETING MINUTES

March 16, 2009

Members of Safety Committee present: Fred Deskins, Jr., Ron Stake, Doug Joseph, Barth Cotner.

Other members of Council present: Donna Shirey, Leslie Kelly, Mel Clemens, Council President William L. Hills.

Mr. Deskins: I'll call the Safety Committee meeting to order at 7:40 p.m. The first thing on our agenda this evening - are there any changes to the agenda, from the Safety Committee, Council? If not, the agenda will stand as written.

I need approval of the minutes from our last meeting of March 2, 2009 Safety Committee Meeting. Do we have any changes to the minutes from Committee, Council? If not, they'll stand as written.

Item 4 - Discussion: Liquor Permit Request - TRFO - from GMRI, Inc. dba The Olive Garden Italian to N and D Restaurants, Inc. dba The Olive Garden Italian Restaurant 1760, 2439 Taylor Square Dr, Reynoldsburg, Ohio 43068. Chief Suci, can you discuss a little bit of this?

Chief Suci: Yes, Chairman Deskins. This is a corporate transfer of ownership for the Olive Garden, and we found no reason to appeal this transfer.

Mr. Deskins: Are there any questions for Chief Suci from the Committee, Council? If not, thank you very much Chief Suci. I'll return to the Clerk for her disposal.

Item 5 - Discussion: Authorize purchase of three cruisers; appropriation of funds- - on 1-20-09 at time of approval of agenda, item was held two weeks; on 2-2-09 item held two weeks; on 2-17-09 at time of approval of agenda, item was held two weeks. *On 3-2-09 item held two weeks.* I've got a request from the Mayor to send this to Other Legislation. Are there any questions from anybody on the Committee, Council? If not, I'll make a motion to send Item 5 to Other Legislation; seconded by Mr. Stake. All those in favor say "Aye". (All voted "Aye") **Opposed.** (No response). Motion passes. Thank you. I'll close the Safety Committee at 7:46 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

March 16, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES

March 16, 2009

Members of Service Committee present: Mel Clemens, Donna Shirey, Doug Joseph, Barth Cotner.

Other members of Council present: Ron Stake, Fred Deskins, Jr., Leslie Kelly, Council President William L. Hills.

Mr. Clemens: I'll call the Service Committee Meeting to order at 7:48 p.m.

The first item on the agenda is approval of agenda. Are there any additions or deletions to tonight's agenda? If not, it'll stand approved.

Item 3 - Approval of minutes of the Service Committee Meeting held March 2, 2009. Are there any additions or deletions to the minutes? If not, they'll stand approved.

Item 4 - ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (7305 East Main Street, proposed use - tattoo studio); applicant, _____ - - - added to 1-26-09 regular Council agenda and had first reading. On 2-2-09 item held two weeks. *On 2-17-09 item held until second committee meeting in March.* Is there anybody here representing the tattoo parlor? Yes, please give your name, address.

Attorney Jack Reynolds: Good Evening Council members. My name's Jack Reynolds. I'm an Attorney with Smith and Hale, 37 West Broad Street, Columbus, Ohio and we're here this evening, basically we're still gathering information, any concerns. We understand that we've got a third meeting, I think it's April 6th, in front of you all, and what we would like to do at that point in time, is come back in front of you as, as part of this process and make a full presentation to you concerning some of the comments that we've had from the community, as well as from yourselves, and see if we can't, how do I want to say this, if we can't resolve some of the issues that have been brought up. So again, we can answer any questions that you all may have for us this evening, but we're looking forward to coming back on April 6th and making a full presentation to you concerning our application for this Special Exception Use at the location.

Mr. Clemens: So you're asking then, would you want me to send this on for the second reading, Jack, Mr. Reynolds?

Mr. Reynolds: That would be fine because obviously, there's a third reading that would come on April 13th I do believe.

Mr. Clemens: Right. It would come back to Committee on the 6th.

Mr. Reynolds: On the 6th, that would be fine, because that's what we'd like to do is come back before you all and give, a, a much fuller presentation as to what we're proposing to do at that location and answer some of the questions that have been brought up over the last four weeks.

Mr. Clemens: I have no questions this evening Mr. Reynolds, but any member of our Committee

have any questions this evening or would you rather wait until the 6th, members of Council? If not, then I would like to make a motion to send this to Council for it's second reading. Do I have a second - could I ask for a five minute recess - just a couple of minutes.

Mr. Hills: As long as no one objects to that, it, let's just take a five minute recess.

Mr. Clemens: Thank you.

(Committee recessed at approximately 7:50 p.m.; and reconvened at 7:52 p.m.)

Mr. Clemens: I move to send the legislation to Council for the second reading.

Mr. Joseph: Second.

Mr. Clemens: All in favor say Aye. (All voted "Aye") Opposed. (No response) Motion passes.

Item 5 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (a) of Section 1175.08 "Side and Rear Yard Requirements for Non-Dwelling Uses Abutting Residential Districts." OF CHAPTER 1175 DISTRICT REGULATIONS.- -second reading 3-9-09. Aaron, are you handling this or is a....

Mr. Hills: Aaron or Luke or both.

Mr. Clemens: Luke, both of you.

Mr. Hills: Sometimes it's a team effort there.

Mr. Haire: (Inaudible)

Mr. Clemens: We've discussed this quite a few times, and we've had a lot of different opinions and a lot of discussions as far as the ordinance is concerned. The ordinance you know was started for a reason, you know, that we all know, pertaining to one piece of property, and the ordinance came out a little bit different where it involved quite a few different pieces of property or change in our zoning or so forth and I think there's been a lot of discussion on that and I think, I think Mr. Hills, President Hills could address this better, if he would.

Mr. Hills: Sure, I'd be happy to. When it came back to Council last week, we had discussed the possibility of, we know there's an issue that some zoning restrictions is preventing some economic development growth within the city as it is now, and I think there's a willingness from Administration and Council to try to adjust that property to try to allow for some potential growth, because, I'll be very candid and say, anyone that wants to move into the city and is producing income for the city, it's to the advantage of all of our citizens that have that base there. As I suggested last week, there's

been a number of Committee people, Council people who had indicated, why are we doing this all over rather than addressing just this one, and I think there's a feeling that we ought to try to address the one individual that's a problem now and then relook at one of, some of these others rather than taking things from 1,000 to 100, because there's some questions that are still out there as to why it was originally put on. Are we still going to be able to be within those requirements. I think the City Attorney needs to take a look at that and I think we need to review it, but I don't think there's any opposition to the Lancaster Avenue property as fixing that. I guess it's open. What is the best way to get that done and is that sort of a summation, Mr. Clemens?

Mr. Clemens: That's correct.

Mr. Hills: Councilman Clemens, what is the best way to do that? Can we do it through this or do we need another action and if so, is that action just by the city, which I think is the preferred way, in that we have beat the other horse to death unsuccessfully, so I think that it's best if we can do that, and Administration is backing doing that, and I guess what we don't know for sure, and we'd want to hear what Administration is saying, is this vehicle in front of us the one to do that or do we need a draft of something that just goes through on that single piece of property and then look at the others.

Mr. Clemens: Yes, and I agree Bill and Luke, couldn't this piece of property, couldn't this simply be handled by a variance?

Mr. Haire: It could be handled by a variance.

Mr. Clemens: I mean, wouldn't that be the easy way out? I mean, have him apply for a variance. Send it to the B&Z.

Mr. Haire: I mean, that's what variances are for, to evaluate each item on a case-by-case basis. As you know, that particular property on Lancaster Avenue, this has been going on since 2003.

Mr. Clemens: Then work on the ordinance, you know, change it around a little bit, but the quick way would be a variance, and I know that we've been doing this since 2003 and all he has to do is to come in and apply for it. I mean, I don't understand what the problem is. I'm sure he doesn't either, but I mean, that's the quick way to address it, I would think.

Mr. Haire: Another way, Mr. Clemens, that we could address this is we could amend the ordinance in front of you, the language on that to change to, to just change the GI District. The GI District effects only the property on Lancaster Avenue; property that's owned by the State of Ohio, Department of Agriculture; and Civic Park.

Mr. Clemens: Right.

Mr. Haire: So...

Mr. Clemens: And I've heard.....

Mr. Haire: ..and I don't know that there are any issues with what would go on, on the State of Ohio's properties.

Mr. Clemens: No.

Mr. Haire: So that would correct, you know, the two properties that have major potential for economic development in the city and then we can amend this ordinance that you have in front of you to accomplish that.

Mr. Clemens: And you know, that's been discussed and I, and I have no problem with that at all, because like you say, I know that it pertains to his property, and the State of Ohio, we've been close with them and they wanted to build another building, I'm sure we'd have no problem with that at all and certainly we're not going to have any problem with the Parks, so that would be one way to do it would be amend it, would be amend this. How does other members of the Committee, do you have a question pertaining, do any of you have a question pertaining to this? Do you understand what that would do, if we amend it, it would only involve three properties and it'd be Mr. James' property, the property where the Ohio Agricultural Lab is, and our park. That would simplify, that would not change all the others, you know. Councilman.

Mr. Deskins: Would this allow Mr. James to do what he wants to do in the meetings we've had out there? Would this clear things up so he's satisfied to get growth out of what he's got left out there?

Mr. Haire: I believe so, yes.

Mr. Deskins: (Inaudible)

Mr. Clemens: I agree, this would settle it. Members of Council, other members of Council? Mr., Councilman Stake.

Mr. Stake: Chairman Clemens, I'm not on your Committee, but hearing what President Hills has said and some of the discussion along the way, I think just changing it to effecting the General Industry Districts is the way to go.

Mr. Haire: Would there be opposition against changing the line in there that says "all Commercial uses must be 120 feet from a residential district" because that, that has some major implications for Main Street redevelopment.

Mr. Hills: Well, and I think that, we know where the goal is, and now we're adding step number two. The only concern that I would have Mr. Clemens and it's not a concern, it's just, has the City Attorney signed off on us trying to do it this way? And have you had the opportunity to look at it?

Mr. Clemens: (Inaudible) of course. Luke and I can talk this week and.....

Mr. Hills: Because I think certainly if we can send it forward under the concept we're talking about for third reading, but then if it doesn't piece together by next week, it goes directly back rather.....

Mr. Clemens: We can, we can send it forward for a third reading and amend it at the table.

Mr. Hills: Right.

Mr. Clemens: And if, you know if amended.....

Mr. Hills: And that way, these issues that are questions, could be looked at a little and we'll see a clean document that's actually going to be what we're trying to pass too, and because we do have the other restrictions of being sure that there is available land to look at developing remaining still within the city if that, if that would make sense, Councilman Clemens.

Mr. Clemens: We'll send it forward for third reading for adoption, and we'll amend it at the table, and if it isn't suitable, then we'll withdraw it and send it back to Committee.

Mr. Haire: I just one further question.

Mr. Clemens: Yes.

Mr. Haire: For Council, would you like me to leave in the last part there, the junk storage sales and keep those items at 1,000 feet? Because those are permitted uses in the GI District so.....

Mr. Hills: It, it.....I think it could easily be that's one reason I want you to talk with the City Attorney to be sure we're all covered, we're not.....

Mr. Clemens: Yes, yes.

Mr. Hills: ..we're not altering things by just talking about it and then seeing it. If you can get it put together where we can see it, it just makes it much clearer and understood.

Mr. Clemens: Let's do that. So.....I'd like to.....

Mr. Hills: I think, I think everything's headed in the right direction.

Mr. Clemens: I'd like to make a motion we send this to Council for third reading and for adoption. Do I have a second. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you. Thank you Luke.

Item 6 - ORDINANCE ACCEPTING UNRECORDED SPECIAL WARRANTY DEED FROM TARGET CORPORATION, A MINNESOTA CORPORATION (0.840 ac.)- -second reading 3-9-09. Are there any questions from Administration pertaining to this, members of the Committee, members of Council? I'd like to make a motion that we send this to Council for its third reading and for adoption. Do I have a second. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). And that ends the Service Committee Meeting at 7:55 p.m.

Service Committee

- - Nancy C. Frazier, Clerk of Council

March 16, 2009 (Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

March 16, 2009

Members of Finance Committee present: Ron Stake, Mel Clemens, Fred Deskins, Jr., Leslie Kelly.

Other members of Council present: Doug Joseph, Barth Cotner, Donna Shirey, Council President William L. Hills.

Mr. Stake: I'll call to order the Finance Committee Meeting at 7:56 p.m.

Item 2 is approval of the agenda. Are there any additions to the agenda by members of the Finance Committee? (No response).

Item 3 - Approval of minutes of Finance Committee meeting held March 2, 2009. Are there any changes to those minutes? None being heard, they'll stand as submitted.

Item 4 - Discussion: Appropriation of FEMA Reimbursement (September Wind Event). This comes from the Auditor, Mr. Harris.

Mr. Harris: Thank you Chairman Stake, members of Council. Back in September, I believe it was the 14th, there was a strong wind storm in the central Ohio area. Around the first part of October, there was information gathered and sent to Washington. The event was considered a disaster and therefore eligible for reimbursement of some funds through the Federal Emergency Management Association. We complied with all their wishes, turned in a request as you see here for reimbursement on \$26,648.68 worth of expenses and as per usual, FEMA gives you credit for 75% which would be \$19,987. The first part of March we did receive a check for that money. It's now in the FEMA Fund, Fund 201. In order to reimburse the departments as we did with the snow event last year, I will need the money appropriated and sent to the proper locations to reimburse the departments.

Mr. Stake: Okay, thank you Mr. Harris. Three readings on this?

Mr. Harris: Yes, there's no hurry.

Mr. Stake: Any questions or comments from members of the Finance Committee for the Auditor, members of Council? Then I'll make a motion that we send this item on for its first reading. Do I have a second. Seconded by Mr. Deskins. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Item 5 - **ORDINANCE TO MAKE and this should say "FINAL APPROPRIATION" - AN INTERIM APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2009 AND DECLARING AN EMERGENCY-** -
-read for the first time 3-9-09. We did receive over the weekend a revised Appropriation Request from the Mayor dated March 12, 2009 so things have changed even since last Monday. Mayor, do you want to summarize, go over this or talk about it at all?

Mr. McCloud: No. I guess, first and foremost, I've know Nancy Frazier almost twenty years and it's the, everybody has to make a mistake. I'm impressed it took her twenty years. That's a compliment, Nance.

Mrs. Frazier: I can't change the wording until they amend it.

Mayor McCloud: Oh, then I made the mistake. No, we have again, Mr. Stake, Chairman Stake, President Hills, everybody who gave input on this, I appreciate it; I think we have fairly gummed this to death. We have been through it line by line. It is to the black; we're in a much more envious position than a lot of municipalities across Ohio and across the Nation, so I don't have more to add than what is contained here.

Mr. Stake: Okay, well, since I've been on Council, I think we've always been very frugal, trying to do more with less. It seems to always be the situation every year here and nothing has changed. Of course, most of our expenses are in personnel expenses and those continue to rise and as long as we have the same amount of personnel they will continue to rise so, that is, I think our biggest challenge trying to see how we can get under control a little bit. Are there any questions or comments for the Mayor in regards to this budget from members of the Finance Committee, Councilman Clemens.

Mr. Clemens: Yes, I know that Mr. Harris and you and Mr. Hills and Jed worked on this and I want to thank you for the job that you did and the Mayor for balancing our budget, because it's an important situation that, and I appreciate it as one.

Mr. Stake: Appreciate you saying that Councilman Clemens. Any other questions or comments from members of Council, and of course, once we get this done, it won't be long, we'll be working on 2010.

Mr. McCloud: Looking forward to it.

Mr. Stake: Everybody is, I know. Okay, if there are no, this does need to pass next week so that we can get it in place by April 1st. If there are no other questions or comments from members of Council, I'll make a motion that we send this item on for recommendation for adoption as an emergency and amended in this revised March 12, 2009 budget. Is there a second? Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you. I'll adjourn the Finance Committee Meeting at 8:03 p.m.

Finance Committee

---Nancy C. Frazier, Clerk of Council

March 16, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)