

SPECIAL SAFETY COMMITTEE MEETING MINUTES

March 6, 2006

Members of Safety Committee present: Brett Baxter, Ron Stake, Doug Joseph, Donna Shirey.
Other members of Council present: Preston Stearns, Mel Clemens, Antoinette Newman.
Council President William L. Hills was present as Acting Mayor.

Meeting was called to order at 7:00 p.m.

Mr. Baxter: Joan Curnutte, 6739 Bartlett Rd., Reynoldsburg, Ohio would like to talk about code revisions. If she'd like to step up and discuss.

Ms. Curnutte: Thank you. I would like to thank Mrs. Reichard and Mr. Hopper for making the proposed revisions available to me for review, and for answering some questions that I had in terms of clarification. The proposed code revisions are a step in the right direction. The recommendation to adopt a reinspection fee schedule is an excellent one. More and more residents pay no attention, even to a city inspector, or inspectors request to obey codes. Reinspection fees are appropriate, and reasonable, and unfortunately necessary to obtain compliance. There are three items I'd like you to consider. Section 731.01(a) states that after collection of garbage and refuse, that within 12 hours, the containers be returned to one of three places. Either to an interior of a garage or an accessory building. Second, or a location adjacent to the side or rear of the residence or commercial building. Or three, to a location at the side or rear of the residence or commercial building that is shielded from the view of the adjoining property's occupants by barriers, or the residence, or commercial building, or by a constructed enclosure. You notice, essentially, the code says that the containers may either be left open for public view or shielded. Now what many people more and more prefer to do, is just to leave them open and on display. I would ask that you consider deleting the language, "or to a location adjacent to the side or rear of the residence or commercial building", and retain that same language that talks about the items being shielded from view. I would also ask that you consider including "trash not in containers", as well as the containers themselves. I have some pictures that I will pass around, but they apply not only to this case, but also to my third item. Next, I would ask that you consider making the code require householders to clear fallen leaves on their properties. The accumulation of these leaves is a health hazard as the leaves rot and mold. Also, it is a nesting place for rodents and insects that are another environmental hazard. When the leaves blow to neighbors yards, they transport their health hazards. Leaving the rotten leaves on the ground kills the grass and other plants. This is not a burden I think a householder should be forced to bear because of the lack of respect on the part of someone else. Last, I would ask that you please adjust the code so that residential neighborhoods are protected from businesses operating within them. This is an issue that, we have one ongoing issue where the business has 5 big red trucks that are parked in front of, and around the residential property from which the roofing business operates. This has been going on for 2 ½ years. So clearly, we don't have a code that protects us from business operations. I'm trying to keep this as short and brief as possible. I would like you to see this, pictures of this one property on White Butterfly. The trash, including discarded doors, storm doors, sliding glass doors, etc., is debris from the renters business. He has a remodeling business. And as part of his service to his customer, takes all that stuff away from their property and stacks it on the side of his yard in full view of the neighbors across the street, passing traffic, and his adjoining neighbor. So I just wanted to give you an idea of what is passing, to what we're being

exposed and expected to tolerate in our neighborhoods. Certainly economic blight on the neighborhood, on a property would be apparent to any of you, who I don't think would want to buy a house in such a neighborhood. I would like my pictures back. I don't have copies. I thank you for your time, and if you have any questions either now or later, I'd be happy to answer them.

Mr. Baxter: Thank you very much. Any questions? (No response). Hearing none, thank you. Okay. We'll now move on to the continuing discussion of International Property Maintenance Code. And the minutes have gone out and been sent to all of Council. Are there any changes, or additions, or corrections to those minutes? (No response). Hearing none, I'll go ahead and accept them as they've been sent to us. They're approved. But I would like to go ahead and pick up where we left off. And Chet, before we do that, I would like to have a discussion first on the changes that we've already talked about in the last couple of meetings. And I haven't seen anything come back with those changes on it. Was it your intent to do that at some period? Or what were you thinking on how to see those changes coming back to us? _____ we've spoken to previous code areas.

Mr. Hopper: My intention was to get through what we had done, and then make changes to the entire package and resubmit that as one additional package.

Mr. Baxter: Okay. Well, I would suggest by doing that, that's going to require us to go through this whole thing a second time and look at the revisions. If we would be able to see those ahead of time prior to each meeting, it would give the Council members an opportunity to review those, address them immediately, and then check them off and approve so that we don't have to keep going back and redo this one more time. It might be a better way of going. Secondly, if we wait until the end and review again, we may miss some things we spoke about.

Mr. Hopper: Okay.

Mr. Baxter: And so I've been trying to keep track of those things that we've spoke about and make sure we go back and get those correct. I don't want to drop the ball on this and miss something. So if we could do that and have that set and put in our packets prior to the Monday meeting, then we can address those changes, make sure we're okay with it, give opportunity for questions if need be, and then move on to the next set of new codes to discuss.

Mr. Hopper: Okay.

Mr. Baxter: Would that work for you?

Mr. Hopper: Sure.

Mr. Baxter: Members of the Safety Committee, any other suggestions? Does that sound alright to you? Okay. Great. Now, we left off last at 304.14, correct?

Mr. Hopper: That's correct.

Mr. Baxter: So you want to go ahead and talk to us about what you were thinking in this area?

Mr. Hopper: I haven't had an opportunity to look at what other cities are doing, but I was thinking

probably the first of April through the first of October would be a reasonable amount of time to have the insect screening in place. That would also give opportunity for somebody to, while the weather was still somewhat warm, to take them down and clean them up, that type of stuff, and get them put away to where they still have some decent weather to do that.

Mr. Baxter: And this would be only for those residents, let's pick on residents right off the bat, who already have screening? And you would ask them, if they take them down, to have them put back up by April, I think you said, through October?

Mr. Hopper: Yes.

Mr. Baxter: And if they don't have screening, then it's not going to be a requirement for them to get screening? And then have it up during those periods? Because I don't think we're addressing the fact that, for those who may not have a screen in place, would they be required to put one in?

Mr. Hopper: If there's an opening required for ventilation just as the code says, and those are not very often that there is an actual opening required for ventilation. Because all houses now have mechanical ventilation. So we're not looking at that as a real big issue.

Mr. Baxter: Okay. So for example, a kitchen window that doesn't have a screen on it would not be required to put one in.

Mr. Hopper: That's correct.

Mr. Baxter: Okay. I just wanted to make sure we're clear on that. Because when we spoke with this last week, that was what was going through my mind. Kitchen doors that had screens on them, that's not what you're talking about here.

Mr. Hopper: It's just if it's required for ventilation. Which again, I don't know how many residents we would have that would actually require a window to be open for ventilation.

Mr. Baxter: Okay. Was I the only one that was looking at it that way from last week? Or the week before? Mrs. Newman.

Mrs. Newman: Well, this section says you know, that every door, window, etc., outside opening, shall be supplied with approved, tightly fitting screens. All the windows have to have screens, and the doors.

Mr. Baxter: Well, that's how I read that too, Mrs. Newman. That's why I was asking that question. Because I was looking at it from screen and patio doors, as well as windows to kitchens, those type of things, in residences. And if they didn't have them, then would we require them to get them? If they didn't have, and they're removable...

Mrs. Newman: Well, it said, "shall be supplied with". It means they have to get them. They have to have them.

Mr. Hopper: But if you look at it, if it's openings required for ventilation of habitatal rooms. Screens, openings, and windows, and opening windows for ventilation is not a requirement if they can put additional ventilation in. Such as, heating in the winter time, air conditioning in the summer time. If there's a mechanical way to ventilate that residence, screening wouldn't be required. The window wouldn't be required to be open.

Mr. Baxter: Mr. Clemens.

Mr. Clemens: I think, and I brought this up last time, and I still think about it, I think we're getting into a situation where there's exceptions. And once we get into a situation where there's exceptions, it's hard to enforce. I'm not sure, I could be wrong, but I'm not sure that we want to get into situations where we require people to take their screens down, put their screens in at a certain time. And there are people that do use screens. We have a lot of homes that aren't air conditioned and a lot of senior citizens, older people, that we're making requirements on this. And it just seems to me, and as I look at it, and as I read it as Mrs. Newman did, we're putting ourselves in a situation where it's going to be hard to regulate. And I think that's what we're trying to get away from. It's something that you can give exceptions on. Maybe half the people would violate it, would not even be spoke to and the other half would be. Maybe I didn't do mine and my neighbor did, and didn't either, and I had to put mine in and my neighbor didn't. I just think we're getting into a situation where it may be one of these requirements where we're asking too much. And it would make it hard to enforce. And I think that's one of the things that we're trying to get away from. I mean, I could be wrong. That's just my thought on it. But I'm looking at the enforcement part of it. And with only two Code Enforcement Officer's, maybe one section of town would have the screens in and the other section wouldn't. That's just something to look over on what you're doing to yourself. I mean, I'm looking at the enforcement part of it.

Mr. Hopper: I think if you get beyond, and maybe don't look just solely at residential, I think if we look, this is probably put in place for commercial or businesses that are food preparation, cooking. That type of stuff.

Mr. Clemens: I can understand that. I agree.

Mr. Hopper: And there's some areas in town where they have a screen door at their kitchen so they can ventilate that kitchen area in the summer time.

Mr. Clemens: I have no problem with that. I understand the commercial part of it. I'm not speaking about the commercial part. I'm speaking about the residential.

Mr. Baxter: Well, I think the key phrase here Councilman Clemens, and I think this is what Chet's trying to address here is, that it says, "during the period from date to date, every door, window, and other outside openings". And here's the key. "Required for ventilation". We don't have a requirement for ventilation on residential homes, do we?

Mr. Hopper: It's addressed in the Building Code. And it's mechanical.

Mr. Baxter: It's a mechanical ventilation. So we're not talking about those type of things that for example, a window in a kitchen. And that's what I was trying to address because I might not want to do that.

Mr. Clemens: That's ventilation any way you look at it. So if it's open and there's no screen, it's still ventilation.

Mrs. Newman: Well, how about this? When used for ventilation, you have to have a screen on it instead of required for.

Mr. Baxter: Well, is there a Building Code that shows a requirement for ventilation on a residence?

Mrs. Newman: Well I mean, a lot of people would say...

Mr. Baxter: And do we have any of those today in the City of Reynoldsburg on residential homes?

Mr. Hopper: That's all addressed through mechanical ventilation.

Mr. Baxter: And so therefore, this is even moot, even in the City of Reynoldsburg. Because we don't have any residents that are fitting into that qualification. And I think that was the point I was trying to make is, that this is more for the purpose of ventilating a kitchen area that's going to be used for food preparation for not just a family, but other purposes.

Mrs. Newman: Well, a lot of people use their windows for ventilation for fresh air. And they like screens so the mosquitos don't come in. Well, I think when they're used for ventilation.

Mr. Baxter: But I think the point is, it's not a code requirement to add additional ventilation. For example, a fan.

Mrs. Newman: When the windows are open or the doors, they're being used for ventilation, they should be _____.

Mr. Baxter: I agree.

Mr. Hopper: And I don't think that we as a city are going to enforce one resident because they have their window open in the kitchen while they're cooking. And it may or may not have a screen on it. I don't think we're going to enforce that issue. I think it's more for if somebody calls us up and says, hey, this person at this restaurant has a back door wide open and there's flies coming in and out, I think that's where we're looking at the intent of this portion of the code is, now we have something that says, gotta have something on that door.

Mr. Clemens: It's true. Except it says habitatal areas which means, habitatal rooms means, rooms that you're in.

Mr. Baxter: Right. Or decks or...

Mr. Clemens: I can understand that. But if that part wasn't there, the screened in area is fine. I think it should be on restaurants, any place like that situation. But I see that one word in there and that word means habitatal rooms. That's means any, that means my room.

Mr. Baxter: Mr. Stake.

Mr. Stake: But Mr. Clemens, I appreciate what you're saying. But I think what Chet was saying was, earlier he says, the language says "required". And it's not required because you have other means of ventilation that are required in the Building Code. So even though they have it open, that's fine. But that's not the required means of ventilation. Correct? Am I interpreting what you're saying correctly?

Mr. Hopper: Correct. That's correct.

Mr. Baxter: And I think that was the point I was making. The key phrase here is "required for ventilation". Which means we'd be in our Building Code, requiring to have a specific type of ventilation in a food preparation area. And that would then be required to be screened from those periods. And so in this case here, the argument of even putting periods in, which your argument was, why have that argument in the first place of having dates on a required ventilation system of whatever it might be when it should not be something as I take it up and down like I do my windows, and my screen on my windows? This would be a permanent fixture in my mind is what I'm thinking, of ventilation system that then would be screened up all the time. And I think that's what you're trying to address in this section. Correct? Now don't let me put words in your mouth, but that's what I'm hearing.

Mr. Hopper: I just think it makes it easier to enforce. Because you could have an extremely warm winter and you have that situation and somebody sees that, like this winter, we've had extremely warm winter and we've probably had flies in December and portions of January. And now we've got a restaurant or some place that's operating a business with the door wide open to ventilate because it's warm outside. And I just think that it would....

Mr. Clemens: If that's what you're talking about, commercial, I agree. Leave them in year round. The way it first started out last week when we got into discussion, it was discussed about, it was not brought out that way. It was brought out that everybody should do it, would have to do it. And we even discussed that last week.

Mr. Hopper: Right.

Mr. Clemens: The homeowners and so forth. Commercial areas, I have no problem with them in year around. That would be fine as far as I'm concerned.

Mr. Baxter: Would it be simpler to just add "for commercial" in that section? And then it would make the residential area moot.

Mr. Stake: Well Mr. Baxter, I think if you interpret this the way I'm interpreting it, which means required. And we're not requiring windows to be a means of ventilation in a residence, then it's as you said earlier, it's a moot point. It doesn't apply to a residence. Correct?

Mr. Hopper: That would be correct.

Mr. Stake: So you wouldn't have to put just commercial. I mean, it doesn't apply to a residence the way I interpret it.

Mr. Hopper: That's correct.

Mr. Baxter: Okay. I agree with you on that. Councilman Newman.

Mrs. Newman: I think it does apply to residences. But only if these openings are required for ventilation. In other words, just as you said, if you don't have any other form of ventilation, and you're using these openings for ventilation, then they should be screened. And I think it's fine the way it is.

Mr. Baxter: Okay. Any other comments? So then, are we now saying that we're not going to put a date period in it? Or that we would like to put the date period in it? I think that's the last argument we need to have here. Would you prefer having dates, or no dates?

Mr. Stake: No date would be my preference.

Mr. Baxter: I think the consensus I'm hearing at the table here is, that dates aren't required. And I think that was your original recommendation. Was it not?

Mr. Hopper: That's correct.

Mr. Baxter: So let's go ahead and make that note where you have, "delete during the period from date to date". As go ahead and put that in there.

Mrs. Newman: Or just take it out.

Mr. Baxter: Or just take it out and have it deleted. Okay. Well that was a toughy, and I knew it would be specifically because of the residential issues. And I think we've resolved that.

Mr. Stearns: One question. What are you saying now is going to be the, are we going to let it go as residential is not involved in this?

Mr. Baxter: I think by definition of "required for ventilation". And it's not a requirement in residential areas to have that type of screening for additional ventilation, or ventilation that we're saying, yes. This is not going to be an issue for residential.

Mr. Stearns: Okay.

Mr. Baxter: Because it's not required on a home. Residence. Did I say that right? Chet, you want to answer and maybe you'll do it better than I did?

Mr. Hopper: I think that we've really looked into this and we've tried to pull more out of it than what the code really asks us to look at. If you look at the word "required ventilation", and again, I don't know of a house in the City of Reynoldsburg that requires a window to be the means of ventilation to ventilate that house. We have heating and cooling units in 99% of the houses in Reynoldsburg. So I think we need to look beyond that portion of it and look at what the intent of the code is. We're protecting consumers from going into a restaurant, or a bar, or some place

where there may be food preparation. And we're asking for screening to be in place where there's that preparation going on in cooking.

Mr. Baxter: Does that answer your question, Councilman Stearns?

Mr. Stearns: Yes, it does.

Mr. Clemens: That answers me. But the discussion, the reason we're having them delayed, this is not what was brought up last week. This is not what we discussed last week.

Mr. Baxter: I agree. That's why I wanted to bring it up again, Mr. Clemens.

Mr. Clemens: And I agree with your statements this evening and the way it should be. It's not what the argument was about last week.

Mr. Baxter: Correct.

Mr. Clemens: Or we would have settled it last week.

Mr. Hopper: Right.

Mr. Baxter: That's the reason why we wanted to put dates in it.

Mr. Clemens: Right.

Mr. Hopper: Well, if I can interrupt for a few minutes. Sharon and I have had some discussions about how this is being presented. And I also spoke to Mrs. Frazier about how we're presenting this. We are working on modifying our presentation. I hope to have that ready by next Monday. I think throwing all these different chapters in and referencing back to the ordinance has really muddied the water. It's made a lot of sense to me. It's made a lot of sense to the Code Enforcement Officer's. But I think that it's just muddied the water so much that I think my intention is to bring something back that would not have all of these references going back to the ordinance. And then the changes that we want to make in the ordinances, we will present as a separate package. And hopefully it will clean things up a little bit and make it a little easier to understand. Sometimes working at it too hard kind of defeats the purpose sometimes.

Mr. Baxter: Well certainly, you are at an advantage. You know the code inside out I'm sure. Especially going through it as you have with a fine tooth comb. And each of us are looking at it in segments and then reading into the verbiage, additional things that may not pertain to that. As we did with this particular section here. So I appreciate those changes. And hopefully, you'll give me a pre-copy on that so you and I can at least be aware of it.

Mr. Hopper: Yes. In the end, that's what this discussion is all about. To find out where we need to make some changes. And again, maybe presented a different way so that it makes sense to everybody.

Mr. Baxter: Okay. To give you an idea at this rate, we would finish it some time in 2007. So I

think you've made a valid argument that we've completed a section we started last week. And we got through it here and we have 6 minutes left for tonight. And I'm going to end that at this one here to give the Council members a chance to get up and walk around prior to our committee meeting. But I would agree, we can't finish this at this rate.

Mr. Clemens: And I agree with you. Because as I look at 304.15, and 304.16, and 304.17, and 304.18, I don't know how those are enforced. I mean, that's the problem I look at. And we have these. Does this mean we're going to do inspections on houses, or what? I don't know. We've got so many. And I'm like you, I'd like to see you bring it back in, really what you want to change, the important things. Because I know that we don't make sure that the secure of doors, and what kind of locks they use, or their window wells, what kind of rodent devices they use on all these houses. And yet it's required in here. I mean, it's required. So I think we're looking for the more important things that you can enforce with what you have, and that we want to enforce. At least that's the way I look at it. I mean, I've got points I'd like to see and I'm sure every other Councilman has too. And so, I think what you suggest is probably a better way to do it.

Mrs. Reichard: If I can make just a quick comment. Mr. Clemens, your point is well taken. But I think the thrust of this is not for just going around and checking every house.

Mr. Clemens: I understand.

Mrs. Reichard: The thrust of this is, when you run into a house where you've got problems, and it's decaying, it's got all of these different issues. Maybe rodents are getting in. This allows us the opportunity to enforce, to make the property owner make these fixes. And if it's not in here in this kind of detail, we can't do it.

Mr. Clemens: I'm not saying it should be...

Mrs. Reichard: But the ordinary house doesn't normally have these problems.

Mr. Clemens: I'm not saying it shouldn't be in there. Don't get me wrong. But it's things like that I don't think we have to sit here and go over. Because it is for the protection of the city so you can enforce it. So there's a lot of these things in here that doesn't _____.

Mrs. Reichard: Okay. Thank you.

Mr. Stake: Chairman Baxter.

Mr. Baxter: Yes, sir.

Mr. Stake: If I could just ask before everybody leaves, Ms. Curnutte, she had some questions. I was just wondering how those are going to be addressed and at the appropriate time I guess when they fall into what we would be talking about.

Mr. Hopper: I spoke to Ms. Curnutte today. And she does have some valid concerns and we need to address those. And I need to look into it further before I present it to you, Council.

Mr. Stake: Okay. I appreciate what she had to say and I just want to make sure that's part of our

discussions. Thank you.

Mr. Hopper: Yes.

Mr. Clemens: I have just one thing I'd like to bring up. And I agree with Ron on this. And maybe you're going to address this because of something that's happening right now and I'm having a problem with. People having stuff all over the front of their house. Leaning against their house. Leaning against their outside walls. In between their neighbors. I mean, just stuff stacked like from yard sales and all that. Stacked out 4 and 5 feet in front of their house. And I'm being told that you can't do anything about that because those are those people's treasure. It's not garbage. It's not trash. Yet it sure looks like hell and I'm telling you that. And if you lived across the street and if you lived beside and you've got a nice home and here this guys got a bunch of broken bicycles or, there's all kinds of stuff laying around. And this is a true story. I wouldn't be saying it if it wasn't. I could see if he had a chair sitting out in the yard or this, that, and the other. Okay. That's their treasure. I don't like it but they're presenting something. But when you just throw stuff and lean stuff against the house in front, you can't even lift your garage door because you've got stuff stacked out that far, and also beside the house. I'm being told that, well we can't do nothing about this because this is a treasure. It may not be to me. It is to him. It's trash. I don't care what you look at. Are you going to try to address things like that so we can get some enforcement in the code? Or do I have to sit here and argue about it every Monday when it comes up because I'm going to do it until we get it straightened up. Those are the kind of things that I'm interested in. Not the minor things. It is something that's happening right now. And they've been told that nothing can be done about it because it's really not evading the code. I can take you to three houses right away and show you what they look like. And you probably know. And we can't do anything about it? That doesn't make sense to me.

Mr. Baxter: Well Councilman Clemens, you made some great points here. But I'm going to make one as well. It's 7:29 and I am not going to take the time for the rest of the committees tonight. So I'm trying to get this closed on time. With that said, you and I can talk a little bit further later. Acting Mayor Hills.

Mr. Hills: Just one thing. And I think everybody's made some very good points tonight. And there's been a lot of emphasis on Council needs to understand and the people enforcing the code need to understand. But I think one of the goals that we ought to have, he who upon the code is being enforced, needs to be able to simply understand why they've been enforced upon. And that's one of the goals we have to have. Is the citations and then the fights that come up because of it, are always based on clarity. But whoever's receiving the citation, one of the goals here, or the chief goal in my mind, is to get the code set up and established and published in such a way that somebody reading the code can say, yep, you're right. I was in violation. And it takes some of the arguments away. Thank you, Mr. Baxter.

Mr. Baxter: Certainly. I appreciate your comments, President Hills.

And with that, I will close the special Safety Committee meeting at 7:31.

Safety Committee

March 6, 2006

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

SAFETY COMMITTEE MEETING MINUTES

March 6, 2006

Members of Safety Committee present: Brett Baxter, Ron Stake, Doug Joseph, Donna Shirey.
Other members of Council present: Preston Stearns, Mel Clemens, Antoinette Newman.
Council President William L. Hills was present as Acting Mayor.

Mr. Baxter: I'll go ahead and call to order, the Safety Committee meeting at 7:31.

And I will ask that we have approval of the agenda. Are there any changes or updates to the agenda? (No response). Hearing none, it'll stand as approved.

I'll be looking for approval of minutes of special Safety Committee meeting held February 13, 2006. Any changes or corrections? (No response). Hearing none, they'll stand approved.

3b is approval of the minutes of the special Safety Committee meeting held February 21, 2006. Are there any changes or corrections? (No response). Hearing none, they'll stand approved.

3c is approval of the minutes of the regular Safety Committee meeting held February 21, 2006. Are there any changes? (No response). Hearing none, they'll stand approved.

And with that, we'll now move on to Discussion, Liquor Permit Request, Transfer from DiTello Powell Corp. dba Pop A Top Carry Out to Bosco the Pup Co LLC dba Pop A Top Carry Out, 1735 Brice Rd., Reynoldsburg, Ohio. Sharon, I see you're coming up to the mike. Are you taking this one?

Mrs. Reichard: Just about all of these tonight. I'm here alone I think. In any case, the Reynoldsburg Division of Police did a very thorough investigation. And they have no problems with the transfer application.

Mr. Baxter: Is this going to be something that we should expect in the future, that you're going to address these? Because I do remember in the past, we had Chief Miller address to the one of the Police Department.

Mrs. Reichard: Chief Suci had a very important family function with his son tonight and asked if, since this is the only thing he had on, he begged off.

Mr. Baxter: Well, I don't see a problem with that. I think you do a fine job as well as he could. But if this was going to be the way we're going to head, I wanted to make sure that's where we're going.

Mrs. Reichard: No. And we have a full report if anybody wants to see it.

Mr. Baxter: Okay. Thank you. So with that said, we'll have no action on that at that point.

Number 5 is Discussion, Acceptance of Grant, and Authorization for Intergovernmental Agreement - Franklin County Emergency Management and Homeland Security Agency (gas generator and installation - Municipal Building).

Mrs. Reichard: I think you'll recall that when we had the ice storm, we had outages everywhere in some very critical areas. What we realized, probably already knew, but didn't think anything like that would ever happen was, there was a generator for the Police Department but there was not one for this building, nor was there one for the Street Department. And those two are the ones that we're addressing tonight. This is a grant from Homeland Security money that would be for the Street Department. I think at one time we talked about moving a generator and it was going to cost us about \$36,000. This one would be paid for in full by the Homeland Security Grant. And this is just requesting to apply.

Mr. Baxter: Excuse me, if I can interrupt. You said Street Department. Were you talking about the Municipal Building? Because that's the one we're on right now.

Mrs. Reichard: Okay.

Mr. Baxter: I just wanted to make sure. Because you said one was paid in full. Are they both paid in full?

Mrs. Reichard: Yes. Yes sir.

Mr. Baxter: Okay.

Mrs. Reichard: Both of them are.

Mr. Baxter: It's the same thing. I didn't mean to interrupt but I wanted to make sure we're talking about the right ordinance here.

Mrs. Reichard: Okay. So the first one, Intergovernmental Agency. I might have mine backwards. Emergency generator, Street Department. I apologize. I do. I'm talking about the wrong one.

Mr. Baxter: That's why I thought I'd interrupt. You were talking 6, we're on number 5.

Mrs. Reichard: Okay. The one for the city building has actually already been approved. There was, at the County Emergency Management Association was going to bid this out themselves, and I think something got changed somewhere along the way. The money is available to us. All we have to do is to bid it out. But they are also asking for, the Mayor is also asking for permission to enter into an Intergovernmental Agreement. And then also, we would develop the specifications and advertise for bids. But again, that's our part of it. Then they write the check, and they have it installed. But for some reason we have to be the ones to bid it. But it is completely covered.

Mr. Baxter: So will we see some legislation coming down additional to this?

Mrs. Reichard: No.

Mr. Baxter: This is what you want to move to Council?

Mrs. Reichard: Yes. This would allow the Mayor to enter into an Intergovernmental Agreement which is what we need to do in order to get this money.

Mr. Baxter: Okay. Also to clarify you said, "it" has been approved. "It" is being the grant you're talking about?

Mrs. Reichard: Yes sir.

Mr. Baxter: Very good.

Mrs. Reichard: The grant, this started some time last year. And it's just started through our casual conversation between our Maintenance Superintendent, Joe Taggart and the people at OEMA. And it happened very gradually actually. And Joe did not believe that we needed to bring it to Council ahead of time because there was no money. They were going to do it all. All we had to do is say we wanted it. They were going to bid it. They were going to write the check. They were going to install it, and we were just going to have it. And the deeper we got into it, the more we realized, the more I realized, we really needed to bring it to you whether any money's involved or not. Because you need to know about the grants. And I think these Homeland Security Grants are very important. And I think the public needs to know that some of that money's coming to Reynoldsburg.

Mr. Baxter: Well, I think you're absolutely right. Even if we aren't having to reach into the General Fund to pay for grants like we've had in the past. And you're getting the money ahead of time. I think that's great. And we absolutely commend your staff and the administration for reaching out for this. This is great that we can be able to insure that our municipal buildings and Street Department building has power in case of another emergency as we had just a year before.

Mrs. Reichard: And as you are aware, we are the backup to the county. The county system goes down, then we're, it's up to us.

Mr. Baxter: Very good. So with that said, do we have any questions from the Safety Committee on this? Mr. Stake.

Mr. Stake: Chairman Baxter, I just want to clarify that the Intergovernmental Agreement is between the Franklin County Commissioners and Reynoldsburg, right?

Mrs. Reichard: Yes. That is correct. Yes. Because they're the ones that actually write the check.

Mr. Stake: Right. Thank you.

Mr. Baxter: Very good. Then it wouldn't be with Homeland Security?

Mr. Stake: Franklin County Commissioners.

Mr. Baxter: That's why I was asking.

Mrs. Reichard: Yeah. The Homeland Security money passes through them.

Mr. Baxter: Thank you. Okay. Any other questions from committee or Council? Councilman Newman.

Mrs. Newman: Mrs. Reichard, I would just like to clarify, you say they will have it installed? Who is 'they'?

Mrs. Reichard: The county. They're the ones that, they pick up the tab for. It's through the Homeland Security money that goes through the County Commissioners to the local agency, Emergency Management....

Mrs. Newman: And we have to bid it out?

Mrs. Reichard: But they want us to bid it out.

Mrs. Newman: Okay. And then they'll sign the contract or whatever?

Mrs. Reichard: That is correct. They pay for it, they have it installed. So I don't know why they chose to do it this way. In the beginning, this is not the way it was. They were going to bid it out. Somewhere along the way that changed. And that's fine. We're getting an \$80,000 generator. I'm not going to complain.

Mr. Baxter: No. I wouldn't complain. It just seems a little odd that we would bid it out and not expect a check to be written from the City of Reynoldsburg. So that will be something we want to make sure that our Law Director's had a chance to take a look at and agrees that we're good to go on that.

Mrs. Reichard: But it's in your documentation.

Mr. Baxter: So I would ask that we have that go by him if we could and get clarity on that.

Mrs. Reichard: Okay.

Mr. Baxter: Because you know how these things happen.

Mrs. Reichard: Yes.

Mr. Baxter: They take a life on their own. So with that said, are there any other questions? Councilman Joseph.

Mr. Joseph: Thank you, Mr. Chairman. Mrs. Reichard, is there going to be any long term expenses of the city for maintenance or anything beyond that this grant would not cover long term?

Mrs. Reichard: I think once it's installed and it becomes ours, we're going to have to maintain it. Yeah.

Mr. Joseph: Do we have any idea what kind of cost we're looking at long term on that?

Mrs. Reichard: I don't know. I would have to ask Joe Taggart that. I could have that information for you by next week.

Mr. Joseph: Okay. Thanks.

Mr. Baxter: Any other questions? (No response). Hearing none, I move that we send this to Council for a first reading. I assume you're not looking to do an emergency on this, correct?

Mrs. Reichard: Correct.

Mr. Baxter: Very good. I would look for a motion. Seconded by Councilman Douglas, Joseph. All in favor? (All voted "Aye"). Any opposed? (No response). Motion carries.

Number 6 now is the one you were actually working on earlier. And it's the same

conversation if I understand, correct?

Mrs. Reichard: Right.

Mr. Baxter: And this is for the Street Department?

Mrs. Reichard: This is for the Street Department. Again, we lost the juice out there too when we had the ice storm. And we have known for, I think some time, and I think you'll see in the backup document that was included with this, we can really make a good case for having this. Originally it was going to cost us \$37,800. And that would have come out of our coffers. But this one is going to cost considerably more. The \$66,000. But again, it will be the same thing. It will have to be, we don't have to pay any money on this one. But again, I can ask about the cost for maintenance on it. I can get that information from Mr. Luzader.

Mr. Baxter: Do we know how much of the Municipal Building will be covered by the power that will be generated in case of an outage?

Mrs. Reichard: I think all of the building is going to be covered. But it won't run air conditioning or anything like that. But it will run the electricity, you know, with the power. The lights, the computers and so forth.

Mr. Baxter: Okay. Is there any other additional hardware we need to add ourselves? Battery backup systems, switching systems, those type of things? Because the generator may just be, and I hate to say that, the generator, and there's additional systems that are required to integrate that into our buildings. And I would want to make sure that was all part of the deal. And if not, what that cost might come to the city.

Mrs. Reichard: We'll find that out too. We'll have that. We should have that in your packets Friday when you get them. Okay?

Mr. Baxter: Great. Any other questions with the discussion on the Street Department's electrical generator? (No response). Hearing none, I'll move that we send this to Council for its first reading. Seconded by Councilman Joseph. All in favor? (All voted "Aye"). Opposed? (No response). Motion carries.

Number 7 is an ORDINANCE APPROVING THE NAMING OF FIVE ALLEYS. This is the Buckeye Alley, Hickory, Elm, Ash, and Maple Alley's. And it had its second reading on 2-27-06. This hasn't changed much.

Mrs. Reichard: No. It has not changed.

Mr. Baxter: There's still the need. The need is to be able, for safety.

Mrs. Reichard: It's a safety issue. Yes.

Mr. Baxter: To be able to find these streets and be able to name. Has there been any questions since this has come up last time from Council or committee? (No response). Hearing none, then I'll recommend that we send it to Council for its third and final reading with a recommendation for adoption. Second with Councilman Stake. All in favor? (All voted "Aye"). Opposed? (No response). Motion carries.

The last is an ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1511 FIRE PREVENTION CODE, SECTION 1511.01 "Edition Date"; SECTION 1511.02 "File And Distribution Copies"; SECTION 1511.03 "Definitions"; SECTION 1511.04 "Enforcement"; SECTION 1511.10 "Establishment Of Fire Lanes On Private Property, Devoted To Public Use"; SECTION 1511.11 "Appeals"; SECTION 1511.12 "New Materials, Processes Or Occupancies Which Require Permits"; and SECTION 1511.99 "Penalty". It had its second reading on 2-27-06. And do we have anyone here from the Fire Department tonight? And they have been here for each meeting and I think this is pretty clear. What we're trying to do is adopt the Ohio Fire Code. Are there any questions from committee?

Mrs. Shirey: Actually we do. _____ out there.

Mr. Baxter: Is he out there? I want to give him an opportunity to discuss any issues if he has. Are there any questions from committee or Council while we're waiting?

Mrs. Shirey: I did have a question.

Mr. Baxter: You did have one?

Mrs. Shirey: Yes.

Mr. Baxter: And you're up.

Mrs. Shirey: I know that we had, it was said that we have a copy of the Fire Code. But I wanted to find out if it's on the web site yet and if we have access to that.

Mr. Baxter: Could you give your name and address, please?

Lt. Shirey: Yeah. I'm Lt. Mike Shirey with the Truro Township Fire Department. I live at 7319 Roshon Avenue. The web site we were told, was going to be up. We went to the code update. We went in January and as of now, it is still not on the web site.

Mr. Baxter: Do you have any anticipated date when that might be up?

Lt. Shirey: No. I'll make a call tomorrow to Michael Craft and see what's going on with that. We were told it would be on. We thought it would be on by now.

Mr. Baxter: Okay. So is it a requirement that that be there? Would anybody be uncomfortable if it's not? I think it's additional information for citizens to be able to get that and I think that's

important to be out there.

Mrs. Shirey: Right. It was additional information I think that we were, when we first were presented with this, that we were asking for the web site instead of having everybody get a copy of the Fire Code. That if anybody wanted to see the additional information, they can access it through that. So we were told that it was possible that it might be up on the web site within a few weeks but we hadn't gotten any confirmation back on that and I just wanted to follow up with it.

Mr. Baxter: Well, I do appreciate that.

Mrs. Shirey: Thank you.

Mr. Baxter: President Hills.

Mr. Hills: Mr. Baxter, if I could clarify, when we're talking about the web site, we're actually talking about the State of Ohio Fire Marshall's Office web site.

Lt. Shirey: Correct.

Mr. Baxter: Correct.

Mrs. Shirey: Correct.

Mr. Hills: Not the city web site that you'll find this. You'll need to go to the State of Ohio.

Mr. Baxter: Thank you. Any other questions? (No response). Hearing no other questions, I'm going to recommend that we send this back to Council for its third reading with a recommendation for adoption. Do I have a second? Councilman Stake. All in favor? (All voted "Aye"). Opposed? (No response). Motion carries.

And with that, I will end the Safety Committee meeting at 7:45.

Safety Committee

March 6, 2006

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

SERVICE COMMITTEE MEETING MINUTES

March 6, 2006

Members of Service Committee present: Mel Clemens, Doug Joseph, Preston Stearns, Donna Shirey.

Other members of Council present: Ron Stake, Brett Baxter, Antoinette Newman.

Council President William L. Hills was present as Acting Mayor.

Mr. Clemens: I'd like to call the Service Committee meeting to order at 7:46.

The first item on the agenda is approval of the agenda. Do I have any additions or deletions? (No response). If not, it'll stand approved.

The next item is the approval of the minutes of the February 21, 2006 Service Committee meeting. Are there any corrections? (No response). If not, they will stand approved.

The next item is a discussion item. A Special Exception Use Permit for Calvary International Worship Center, Inc. It had been added 2-21-06 and I left it on the agenda for this meeting. We've had discussion on it the last committee meeting, and also at the last Council meeting. As of this evening, I don't see anything to be discussed really at the present time, other than the petition has been served to the Board of Elections and it will be up to them to decide on what next action will be taken. And we'll be notified of that. What I would like to do at this time, I'd like to have Council appropriate from the General Fund, to an account for City Council, the sum of \$10,000 for Council representation for legal advice pertaining to the subject of the Special Exception Use Permit. There's issues I think, members of Council have discussed and we'd like to have looked into. At the present time, President Hills and as Service Chairman, we're in the process of interviewing a few attorneys that have been recommended by different firms, and also recommended by the Ohio Municipal League. There's been a few of them. So that we can meet with City Council in a special Executive Meeting which we hope could be possibly next Monday night. But we would like to get this started as a first reading, these funds, for Council to be set aside for legal counsel. And I can get the ordinance straightened up and have it on our next committee meeting, or have it on our next agenda. I'll have to meet with Nancy on exactly what it would say. What it is, is to appropriate from the General Fund, \$10,000 to have it there so when we do hire, approve of who we wish to hire, that we know we'll have the funds available to pay. So I would like to send that to Council for a first reading if I have a second on it. Second by Mr. Joseph. All in favor, say aye. (All voted "Aye" except for one). Opposed? (One "Nay"). Now what I'd like to do is put this in Other Business until such a time that there'll be more discussion on this. Either from the Board of Elections or from our special counsel that we'd like to bring forward to the public. I think it's something that, and the whole point about it is, and I think we all decided (Tape Change). Want to do what's fair not only for the church but the citizens of Reynoldsburg. And we'd like to get it cleared up for everybody. And I think that's Council's mission, and that's why I've proposed this. So we'll send that on to Council for a first reading, and also we'll put this item in Other Legislation for its status. Are there any other questions from the committee on this? Members of the committee? Service Committee? (No response). Members of Council? Yes, Mr. Stearns.

Mr. Stearns: Mr. Clemens, I just have got a question. Your purpose of doing this is for what purpose? I understand you want to do it for, to get clarification.

Mr. Clemens: That's correct.

Mr. Stearns: You don't feel that the City Attorney's, new attorney that we will be having some time soon, will be able to do this? I don't see the reason that we need to spend extra money at this time when there's other things that money needs to be spent for.

Mr. Clemens: I don't feel to be, it's something that has to be done now. And I don't feel that bringing somebody new in who we've discussed, and it's not for me to bring up this evening on who it's going to be and so forth, that doesn't have any, that really has very little civil experience, to throw them in a situation like this. Because they would rely on their former attorney and Assistant Attorney for their opinions. And I would not blame them for that. Because you're walking into something, you're walking into something that's been discussed for the last 6 months. I think this, and what we've discussed, and I've discussed with other members, this consultant, this legal attorney, will meet directly with City Council. This is not an administrative matter, period. Our legal attorney, our new City Attorney, the attorney that we have, or our new City Attorney will not be involved in this. This will be strictly a Councilmatic action, a Councilmatic matter. It will be handled through the President of City Council and members of Council. Now, when it's all said and done, whether his opinion would differ or not, I don't know. If it does differ, that I don't know either. But I think we're at a stage where, and this has nothing to do with a Special Exception Use Permit as a referendum. This has to do with some, with basically some legal opinions that have been brought up within the last three weeks or so that need clarification. Now I don't look for it to be a long situation but any member of Council, and that's why we'll have a special meeting, Executive Meeting. We'll have the opportunity to bring up any questions they feel that should be looked into. Not only me. This is a Councilmatic matter for everybody. And certainly if you don't agree, that's fine. I have no problem. I'm just trying to, I'm trying to get an answer that's acceptable to everybody so that we can clear this issue for everybody concerned. And I think it's been agreed, and it's been my thought, and I think it's the majority of Council, that this is what we need. And I think that's why it was brought forward.

Mr. Stearns: One other question if I may. Who would this special counsel report to?

Mr. Clemens: Report directly to City Council.

Mr. Stearns: City Council.

Mr. Clemens: All members of City Council.

Mr. Stearns: Okay.

Mr. Clemens: It will be handled directly through President Hills. But any questions, or any report, or anything that's going to be done, will be directly through City Council. The only thing we're doing now is trying to interview somebody that has the, that operates in this type of zoning

situations, and that has no connection with the City of Reynoldsburg, period. Or the city schools, or any connection to anybody that's involved in the whole situation. We want it to be independent. Every member of Council will have the opportunity to ask any questions they want, anything they want looked into. And the only thing we're doing now is trying to find somebody and interview somebody that we feel is capable, and then introduce them to City Council members, and we'll go from there. We're hoping to be able to have somebody Monday night. Yes, Mr. Stake.

Mr. Stake: Thank you, Chairman Clemens. I am supportive of Council getting an attorney that reports directly to Council. I think the waters have been muddied quite a bit ever since that Special Exception Use Permit was passed. And I certainly would like to see an outside opinion on this. So I want to let you know that I am supportive.

Mr. Clemens: Thank you. And I think that the majority of Council feels that way. Mr. Baxter.

Mr. Baxter: Councilman Clemens, I as well support you on this. Because Council has been argued in the press and other places as being biased, or even prejudiced. Which the members of this table I would say, are neither. And having a counsel come in and look at what is the fact, what are the facts, and then be able to give it to us shows that we're trying our best to give the most and fairest opportunity to both the church and the administration to get an answer. So I agree with you. This is the right way to go to give us an opportunity to get answers that are independent.

Mr. Clemens: And I expect this counsel, the one we hire, certainly will meet with Mr. Underwood and discuss it, what's his opinion and so forth. And members of the staff, the Mayor, and so forth. And that will be his job. And we won't interfere with it. I mean, this will be fair for everybody. And that's the way we want it done. Mrs. Newman.

Mrs. Newman: I just wanted to say as well Mr. Clemens, that I support you in this. I have felt many times, quite uncomfortable, and I'm sure other Council members have too with the various legal opinions that have been batted back and forth. And I too would really appreciate having an independent opinion. Thank you.

Mr. Clemens: And I'd like to say, I've probably, and I've been outspoken and I realize that, and some times I say things that I shouldn't. And if I'm incorrect on some of my thoughts, I'd be the first to apologize to Mr. Underwood for the way I've been. And I haven't done this to be mean or anything like that. I've done this because I've felt that we weren't being represented correctly. And like I said, and if that all turns out that I've been wrong in this whole situation, I'd be the first to apologize because I put him in the situation. And that's why I think it needs cleared up. And I think we all feel that way. And that's why I brought it forward. Yes, Donna.

Mrs. Shirey: Mr. Clemens, you said that you were hoping to have a representative chosen by this evening. Is that correct?

Mr. Clemens: I'm sorry?

Mrs. Shirey: You were hoping to have a representative chosen by this evening. Is that correct?

Mr. Clemens: Not by this evening but by Monday so we could have them for a special meeting, Executive Meeting.

Mrs. Shirey: Okay.

Mr. Clemens: We're in the process. We've had to make some changes, so we're still at it. Are there any other questions? Yes, Mr. Stearns.

Mr. Stearns: I've got one more thing, Mr. Clemens. You said something concerning an apology. And I think that last week, the way that you sounded on the City Attorney, he does deserve an apology. Simply for one, because he wasn't here to defend himself. And then some of the ways that you express yourself. Because we have students here and they see what goes on at Council. We are the leaders here and we need to set much better examples of what we say and how we act at Council. So I really think the way you did last week, he does deserve an apology.

Mr. Clemens: Let's put it this way. Mr. Underwood was here. He felt to get up and leave. That's his problem. What I said last week, I won't apologize. How I act before Council, I won't apologize any more to you. I will say this one thing. I don't quote out of the Bible or anything like that in front of Council which, things like that. I've never questioned you on your thoughts. Don't question me. Because how you feel means absolutely nothing to me as far as you asking me to apologize to anybody. I said I would apologize for certain things. Maybe I was wrong on certain things. Not on how I spoke to Mr. Underwood. As long as you understand that.

Mr. Stearns: I understand you perfectly well.

Mr. Clemens: Just keep it in the back of your mind.

Mr. Stearns: We both have an opinion tonight.

Mr. Clemens: Just keep it in the back of your mind. Are there any other questions? (No response). If not, we'll move on to the next item.

Mrs. Frazier: Mr. Clemens. Did you want to send that to Finance?

Mr. Clemens: I was just going to send it for a first reading. I might as well send it to Finance, too. I'll send it to Finance for this evening.

Mrs. Frazier: I think you better send it to Finance.

Mr. Clemens: Okay. The next item on the agenda is the Discussion, Resolution of Necessity, Rodebaugh Road Sanitary Sewer. Mrs. Reichard.

Mrs. Reichard: Thank you, Mr. Clemens, members of Council. I think most of you are aware that this has been on the Capital Improvements Program since 1999. And last year, very early last

year, some folks from Rodebaugh Road came to me and asked if they could get this process started. That they are having problems with their sanitary, do they still call them leach beds? I don't know. But in any case, they wanted to get on the city sewer system. And so we began having some meetings. I told them that they needed to go get, make sure that everybody on the street was in line with doing this. That they were all ready and willing to give up the easements and do whatever they needed to do to get it done. Knowing what the price is, what the hook up cost is, and so forth. They all want it. And they're all willing to give their easements. They're ready to go. They know what it's going to cost them. They know that the rates went up. Of course, we can only charge them \$2900 per ordinance, per property. But for them to hook up to the system is going to be a considerable sum of money, and they still want to do it. What you have before you tonight is the beginning of a rather lengthy process to get this done. And it's the Resolution of Necessity. We've been working with bond counsel, with Chris Franzmann, to make sure that all this is done correctly. And I think you will find in your packets, there was a scope of services from EMH&T. And it really does walk you through the process of how all of this happens. First with the easements, and the permit applications, and the preliminary cost, and the bid documents, and so forth. What we do, once this Resolution of Necessity is passed, and I might add, that it does take a three quarter vote for the Resolution of Necessity from Council. And it does have an emergency clause on it. Then we, as I understand it, then we do, we apprise the property owners. They get the official letter. They know what it's going to cost them. Then we have, I believe we have a public hearing. People have the opportunity to object. Of course, we don't think anybody's going to object. And then after that is when we come back to do the plans and specifications, and advertise for bids. So we'll be back a couple of more times before this gets down the road. But I think that's another reason to have the emergency on it. If we can just get it moving. And I know the people on Rodebaugh Road will be most grateful.

Mr. Clemens: Then what you're asking us to pass this evening is the resolution declaring it a necessity.

Mrs. Reichard: That is correct. That is all I'm asking.

Mr. Clemens: Okay. We have in our packet, it's a Resolution declaring it a necessity to improve Rodebaugh Road between certain termini by constructing a sanitary sewer line, providing service connections, and acquiring necessary interests and real property. Together with all necessary appurtenances thereto, and declaring an emergency. That's the one you want us to pass.

Mrs. Reichard: That is correct.

Mr. Clemens: Okay. Do we have any questions from the committee for Mrs. Reichard? (No response). Members of Council? Mr. Baxter.

Mr. Baxter: Thank you, Mr. Clemens. First off, I would ask that, are there any other homes outside of this area you're talking about that we could incorporate into this project? Obviously, it would be less expensive to look at it from an entirety than to go back 5 years from now and say, okay now this section of the homes need to have their sewage upgraded, and their costs are going to be more, and the price of the construction's going to go up. Would it not be prudent of us to

look at any additional homes? If there are any at all. I don't know. That's why I'm asking.

Mrs. Reichard: That is a Mr. Parkinson question.

Mr. Baxter: Do we have a Mr. Parkinson here today?

Mrs. Reichard: Yes we do.

Mr. Parkinson: There are a number of pockets throughout the town, a handful, that do not have sanitary sewers. Deerfield Estates jumps out as being a significant one. There's another section of Rodebaugh Road that does not have sanitary sewers. There's a section down Palmer Road. Countrybrook Lane and David Lane.

Mr. Baxter: I was just thinking more of within that area. So it would make sense, if you're digging up the road and inconveniencing the homeowners, would it not make sense to do it one time instead of multiple times?

Mr. Parkinson: There's a second part of Rodebaugh Road in the vicinity. The two are not connected. So it would not necessarily be an extension of the sewer that we're talking about tonight. Also, there are, that other segment would serve property that is not currently within the city. So they would not have access to it now, nor could we provide them access to it through our contract with Columbus. They would have to annex into the city in order to be able to do that. So we could not assess them, is my understanding. As a result, we wouldn't get any benefit from that. So we felt that narrowing our scope to the 7 or 8 homes here that wanted the sewer, that came to us and said, please. And this was part of a larger program that we started in 1999 to provide sewer service to these areas. There was some, there was a lack of enthusiastic embrace of this project by a lot of the residents. And so it kind of stalled a little bit. We did get Cobblestone and some other areas. But this one, they came to us. And so that's why. And there really is, to answer your question more succinctly, there is no continuation of this that would allow us to gain some additional benefit.

Mr. Baxter: That's what I was looking for. You can't have additional savings by enlarging that scope.

Mr. Clemens: Are there any other questions from the committee pertaining to this Resolution of Necessity? (No response). Members of Council? (No response). If not, I'd like to send this to Council as an emergency. Do I have a second? Second by Mr. Joseph. All in favor, say aye.

Mr. Baxter: Just one other question before you vote on this.

Mr. Clemens: Yes.

Mr. Baxter: Does this commit us to the project by doing the Resolution?

Mr. Parkinson: (Inaudible. Speaking off mike).

Mr. Baxter: The answer was no for those who couldn't hear that from Mr. Parkinson.

Mrs. Reichard: It was no.

Mr. Baxter: I didn't mean to interrupt, but I wanted to make sure we weren't locking our self into something.

Mr. Clemens: That's fine. It's been seconded by Mr. Joseph. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item on the agenda is the Discussion of Acceptance of Sanitary Sewer Easement, 1.002 ac., Murphy Development Company/Taylor Chase LLC. Mrs. Reichard.

Mrs. Reichard: Thank you, Mr. Clemens. Again, this is an unrecorded sanitary sewer easement. We're talking about the Taylor Chase Condominiums that are going in on north Taylor Road. We have the sanitary sewer, and the next one will be the storm sewer.

Mr. Clemens: Okay. Are there any questions for Mrs. Reichard on this subject from members of the committee? (No response). Members of Council? (No response). If not, will it be alright to send this on for a first reading, Mrs. Reichard?

Mrs. Reichard: Yes. That's sufficient. Thank you.

Mr. Clemens: If not, I'd like to make a motion that we send this to Council for its first reading. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

The next item on the agenda is Discussion, Acceptance of Storm Sewer Easement, .630 ac., Murphy Development Company/Taylor Chase LLC. Mrs. Reichard.

Mrs. Reichard: Thank you Mr. Clemens. This again, this is the storm water, the unrecorded storm water, storm sewer easement for the same development over on the, the condo's on Taylor Road. The Murphy Development.

Mr. Clemens: Are there any questions for Mrs. Reichard from members of the committee? (No response). Members of Council? (No response). If not, I'd like to make a motion that we send this to Council for the first reading. Do I have a second? Second by Mr. Stearns. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you. Thank you, Mrs. Reichard.

Item number 8, ORDINANCE AUTHORIZING EVANS, MECHWART, HAMBLETON & TILTON TO DESIGN AND ADVERTISE FOR BIDS FOR THE TAYLOR ROAD 12" WATER MAIN - PHASE I. It had its second reading 2-27-06. Mrs. Reichard.

Mrs. Reichard: This is the loop from the Slate Ridge Elementary School to Taylor Road that will give us far more sufficient service. And I think we've had quite a bit of discussion about this. Nothing's really changed.

Mr. Clemens: Alright. We'll send this for a first reading.

Mrs. Reichard: It's ready for its third reading.

Mr. Clemens: I'm sorry. I'm sending this to Council. It doesn't need to be an emergency. We'll just send this for its third reading. Are there any questions from members of the committee for Mrs. Reichard pertaining to this water line? (No response). Members of Council? Brett.

Mr. Baxter: Once it's passed Mrs. Reichard, when will they begin the project?

Mrs. Reichard: Well, 30 days after its signed by the Mayor, it will become law and they can proceed.

Mr. Baxter: The reason I'm asking the question is that, is that going to impact the school any in that area for being able to travel with the buses? And you may want to be able to hold that off until school's out? _____ project. And if you pass it, do we have any issue of having it starting between a certain period?

Mrs. Reichard: Well, it has to be designed. Right, Dave?

Mr. Parkinson: Correct.

Mrs. Reichard: Yeah. I don't think it's going to interfere with school. It sounds like a summer project to me. That's what I thought.

Mr. Baxter: That's what I was looking for. To make sure we don't run into issues with the school.

Mr. Clemens: It will be a summer project you believe?

Mrs. Reichard: Yeah. There's not enough room on that road to share construction with buses, is there?

Mr. Baxter: No. That answers my question. Alright. Thank you.

Mr. Clemens: I'd like to send this to Council for a final reading, and also to the Finance Committee. Send it to Council for approval. Do I have a second on this? Second by Mr. Joseph. All in favor, say aye. (All voted "Aye"). Opposed? (No response). Thank you.

And that will end the Service Committee meeting at 8:10.

Service Committee

March 6, 2006

- - -Nancy C. Frazier, Clerk of Council

(Transcribed - Susie Smith)

FINANCE COMMITTEE MEETING MINUTES

March 6, 2006

Members of Finance Committee present: Ron Stake, Mel Clemens, Brett Baxter, Antoinette Newman.

Other members of Council present: Donna Shirey, Preston Stearns, Doug Joseph.

Council President William L. Hills was present as Acting Mayor.

Mr. Stake: And I will call to order, the Finance Committee at 8:12.

The second item on the agenda is approval of the agenda. I believe we do have some changes to the agenda. I have some changes. Does anybody else have any changes? (No response). I would like to make 3a, Refinancing of 1999 and 2000 Bonds; 3b, the financing, or the setting up the account and financing for Council attorney for the Calvary International Special Exception Use Permit; and 3c, the Taylor Road Water Main. And I don't believe I need a second. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 3 is approval of the minutes of the Finance Committee meeting held February 21, 2006. Are there any changes to those minutes? (No response). None being heard, they'll stand as submitted.

Item 3 a is the Refinancing of 1999 and 2000 Bonds request from City Auditor, Richard Harris. Mr. Harris.

Mr. Harris: Thank you, Chairman Stake. This is Mr. Brad Sprague from Prism Financial. And this is a unique opportunity for the city to save a fair amount of money in refinancing two bond issues. First bond issue is the 1999 TIF Bonds. The second issue is the 2000 Public Safety Building issue. This will be the first time we've done this particular thing. This is what they would call an advanced refunding. Refunding we have done before is when the bonds were callable, and the interest rates were lower, we would call the bonds, pay off those bonds, and issue new bonds. We're going to do a similar thing with this one except we have to set up an escrow account because the call date has not been reached yet on these particular bonds. If you look in your handout, two tables that look like this, Table 1 would be the approximate savings on the Series 2000 Bonds which is the Police Building Bonds. We have done what they call 'front loaded' this because of the necessity to save some money over the next 3 or 4 years to pay the shortfall in General Debt Retirement. We would use this as a way to offset that particular shortfall. The second one is the, Table 2 is the 1999 Bonds which is the Taylor Road TIF Bonds. The money saved from the Taylor Road TIF Bonds is pretty much for the schools. They are financing that through their property taxes. I've talked with Mitch Beaderman at the schools. He's the Treasurer of the schools. He is on board with this. They are meeting with their, Finance Committee is meeting this Thursday to discuss this. He will give me something in writing on Friday. If they decide they do not want to go through and do this, we will be doing just the year 2000 Bonds. The disadvantage of doing this is, once we do an advance refunding on this particular issue, we will not be able to do another advance refunding. However, there's significant dollars on, especially the 2000 Bonds. There's a 7.8% savings. Any time you get over 4%, it's something you really need to consider doing. Between 3 and 4 becomes a little dicey whether you should or shouldn't do it. The way this works, we would put money in an escrow account from the sale of the new bonds. Once the escrow account is set up, the old bonds, the '99 and the 2000 Bonds as far as the financial world, don't exist any more. Those are considered paid off. This does not raise our debt ceiling. It does not raise our payment. It actually lowers the payment we will be making on the current bonds so that we do save the appropriate money. The monies you see listed in the Table 1 and Table 2 are net all the cost of reissuing the bonds. I'm going to let Mr. Sprague give you some of the particulars on this and then we'll be certainly glad to answer any questions anybody would have. Just to let you know a little bit about Mr. Sprague, prior to 2002, he had issued bonds for the city for 10, 12 years. Those people who have been around for a while like Mr. Hills and Mr. Clemens, are well familiar with Mr. Sprague. Just so you know, that he has been around. He's the person that helped us get the bond rating we have today. He also does a lot of bond issuance for Franklin County and for SWACO. So I'll let him explain the rest of this to you. If you have any questions, we'll be glad to answer them.

Mr. Baxter: Mr. Stake. A question for Mr. Harris. What is the total cost of the bond re-issuance and the total savings? I know we can look at it but I'd like the public to hear.

Mr. Harris: We will, I don't know, do you have everything put together on the... We don't have the total cost put together at this point. It really depends, part of it depends on whether the 1999 TIF Bonds are going to be as part of it. So I can't really give you any kind of final numbers until

that decision's been made by the School Board on whether they want to participate. The number in fact, Brad has some new numbers that A G Edwards ran on this bond today which were even a little better on ours than what this one was. One of the reasons for doing this now is, we have what's called an inverted yield curve. Which means, short term interest rates are higher than long term interest rates. This is an unusual occurrence. It's only happened, this is the 6th time in the last 40 years this particular phenomenon has happened. This is one of the reasons that it makes sense to do this now. The other thing is, we're not refunding 100% of both issues. Because we want to make these bank qualified. By making them bank qualified, and Brad will explain to you, there's a little better margin in what we can get for these bonds. Because banks can purchase them rather than just people like Merrill Lynch or brokers. So we will give you those numbers as soon as we have a decision from the school. But the estimated savings here are based on with the cost of issuing the bonds out.

Mr. Baxter: I thank you, Mr. Harris.

Mr. Stake: Mr. Baxter, I think Mr. Sprague may cover some of that in what he has to talk about and what our net cost would be I guess. Correct?

Mr. Sprague: Yes.

Mr. Stake: Thank you. Go ahead.

Mr. Sprague: Thank you very much. That was actually a pretty good summary of how this process works. One thing I would like to say is, we've redone the numbers from the tables that you have before you as of the close of business last Friday, and the savings numbers that would be generated. If we were in a position to do the bond issue, last Friday would have been a little bit higher than what you're looking at. On the 2000 Bonds, we were looking at a present value savings prior to, I mean on the table you're looking at, of somewhere around 340,000. That number is now up to around 360,000. The TIF Bonds, we're looking as savings of approximately 156, 157,000. That number's up now about \$23,000 more, to 179. Unfortunately, the market changes every day.

Mr. Stake: And that is net of any cost _____, right?

Mr. Sprague: That is net of what we estimated the cost to be. But we haven't pinned down a budget with the bond attorneys, with the rating agencies, with everybody involved. But I think it is safe to say that if the deal had been done now, those numbers and the numbers you looked at before were net of what we're estimating as to costs.

Mr. Stake: Okay. Thank you.

Mr. Sprague: And Mr. Harris mentioned a couple of things that I'd like to touch upon. Number one, this concept of advanced refunding. These bonds, the 1999 Bonds, we can't call them back from the people that hold them until 2009. 2000 Bonds, we can't call back from the investors until 2010. So in that sense, it's very different than what you do when you refinance your mortgage. When you refinance your mortgage, you pay off the old one right away. We're refinancing them now. As Mr. Harris said, we put the money in escrow. We no longer have any

obligations on the old bonds. They're considered _____, which essentially means for all legal purposes, gone. The escrow account is the only source of money that bond holders have to rely on for payment until 2009 and in 2010 when the bonds are redeemed. What we're going to be asking, and the legislation that's going to be coming, the bond ordinances that are going to be coming to you are going to authorize us to issue bonds as certain perimeters are met. They're not directing us to issue the bond. If the perimeters aren't met, we don't go forward. The ordinances will establish minimum level of savings, maximum maturity dates, maximum interest rates. And they'll give us some flexibility because the market changes on a daily basis. But we're going to have to hit the thresholds or we will not proceed with the sale. Why are we asking for your approval in advance? Because the market moves quickly. And when the market conditions are right, we want to be in a position to strike. And it's that simple. That's the reason we're asking in advance for approval. And I believe the process is going to be that there'll be a first reading next week. And then a second reading the following week. And then we're asking I believe for a third reading and passage on the third week.

Mr. Harris: We're asking the first reading for next week, go back to committee, and then at the second reading, passed as an emergency. And the reason we need the emergency is not so much, we don't want to give you the time to discuss this. We're going to give you four weeks to discuss it. However, we can't wait the 30 days after that for it to take effect or we may miss a chance. This is going to be a fairly short window of opportunity. And if we're going to take advantage of this, we're probably going to look to sell these bonds somewhere around the end of April. And if this doesn't get past the 30 days, we can't get the stuff done that we need to get done to be in a position to sell these. So it's a very short window of opportunity for us to take advantage of. Now that being said, this is not something we just cooked up in the last week or so. We've actually been working on this for about a month. It is now to the point where we've brought some, certain members of Council and the administration in on this and now we're ready to discuss this in public and go forward with it.

Mr. Stake: Okay. Thank you.

Mr. Sprague: I believe that's basically all I have to say. That's the purpose of the ordinance, is to authorize the bonds. And I think we've, at least amongst ourselves, come to the conclusion that on the 1999 Bonds, we don't refinance them even if we feel the appropriate savings levels are there if the schools don't agree. Because as you know, those TIF Funds, if there's any TIF Funds left at the end of the year, they flow through to the school district. So the savings on those bonds will accrue to them. And we feel that they ought to be 100% on board if we're to proceed.

Mr. Stake: I agree. If they want to participate in this, we need to have something from them in writing that states that. Thank you.

Mr. Harris: We'll certainly answer any questions anybody would have.

Mr. Stake: Okay. Are there any questions for these to gentlemen from members of the committee? Mr. Baxter.

Mr. Baxter: Yes. I have a few questions here if I could. First off Dick, what I'm looking for here is, the improvement by making these changes to the bonds, how will it improve our rating or

disposition for the city?

Mr. Harris: Any time you go before the rating agency, there's always a chance that you will have your bonds downgraded. Now, the person who was in charge of this at Moody's last time, now works for A G Edwards. So we are looking to be in, we've been in contact with him a couple of times already concerning this issue. He's going to look over this prior to us going to Moody's for a rating. If we don't think that this meets muster, we will not do it. That's why we've asked that the legislation be done this way. If there's any chance, in my opinion, that we would lose the rating, we would not go forward. However, that being said, Moody's can look at your bond rating at any time. I mean, we could send the caffer at the end of June and they could make a decision to look at the bond rating. So I think this shows a certain amount of responsibility on the part of the city that we are putting ourselves in a position to save this kind of money over the next few years. And we don't think at this point, that with other things that are going on, that we're looking at taking care of the city's budgetary problems for the long term. I think that will be looked at as a positive rather than a negative by the bond rating company.

Mr. Baxter: Very good. And the second question I have, Mr. Stake, and that is dealing with, and you mentioned it slightly there in your comments Dick, is when we're going to realize these savings? And these are actual savings. You don't know the number at the moment, I understand that. We'll have it at the time you do the purchase. But those will be actualized savings at the time you do the issuance.

Mr. Harris: Well, where you will see it, if you look at Table 1 on the Series 2000, which is the bulk of the savings, in 2006, we'll be saving around 96,000. In 2007, 8, 9, 10, and 11, around 50,000 a year for each one of those years. There are some things coming off of our bond, debt service over that time. So between that and this, it will make the rest of the bond debt service a little more easily to take care of budgetary wise. So that's the reason we looked at front loading this rather than taking the savings over a long period of time. We feel the present value savings up front is more advantageous for us at this point than the long term savings. In the year 2025.

Mr. Baxter: Right. And therefore, your strategy being working to try to get the debt that we have today under control where we need to, manage it better. And therefore, in the future, with that under control, we won't need those savings spread out to long term.

Mr. Harris: We're still not in any year, going to pay more than what we're currently scheduled to be paid. However, we want to front load it because our immediate needs are bigger than our long term needs.

Mr. Baxter: Very good. Thanks Dick. I appreciate it. Thank you, Mr. Stake.

Mr. Stake: Thank you, Mr. Baxter. Are there any other questions from members of Council?
Mr. Stearns.

Mr. Stearns: Thank you, Mr. Stake. Mr. Harris, when will these loans, or bonds be retired?
What year?

Mr. Harris: The same as what they're schedule now which is 2025 on the 2000.

Mr. Stearns: That doesn't move them back at all, right?

Mr. Harris: No. And 2023 on the '99. No. We're going to take the same length of time that we are currently. We're just going to save the money up front in the _____. We're not extending, we certainly don't want to extend the debt any further than it is right now.

Mr. Stearns: Okay. It sounds like a good deal. Thank you.

Mr. Stake: Any other questions from members of Council? And I did, I thought it was maybe something we should seriously consider, and that's why I agreed to have it added to the agenda this evening. I appreciate Mr. Sprague and Mr. Harris giving us information on this tonight. So I guess the questions remains really at this point, whether the schools are going to want to participate or not. And we can change that. We're going to have a couple of readings on this. Does anybody have any problems with the emergency language in this? (No response). Okay. Then I will make a motion that we send this on to Council for its first reading. Send it on to Council as an emergency for its first reading. Do I have a second? Second by Mr. Baxter. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes. Thank you.

Item 3b is the setting up the account, appropriating \$10,000 from the General Fund for a Council attorney to look into the Calvary International Special Exception Use Permit issue brought by the Service Committee. Mr. Clemens, are we, I guess the question I have Mr. Hills and Mr. Clemens, since you folks have been talking about this and getting an attorney lined up, do you want to set up a special account for this? Are we going to have an account for this? Do we have a number? Or how would that work?

Mr. Clemens: No, we don't have. We can have that for Monday nights Council meeting and get it all worked out.

Mr. Stake: Okay. And 10,000 from the General Fund.

Mr. Clemens: Right.

Mr. Stake: Okay. Are there any questions from members of Council or members of the committee? (No response). Okay. Then none being heard then, I will make a motion that we appropriate \$10,000 from the General Fund to the, I guess we'll call it the City Council Attorney Account.

Mr. Hills: Special Counsel Account.

Mr. Stake: Special Account.

Mr. Hills: Now we've got one too.

Mr. Stake: Okay. It's about time.

Mr. Hills: I don't know about that.

Mr. Stake: Alright. As I said earlier, I think this is something that we do need to get clarified, and we do have some issues within the city here in regards to this. And it would be nice to have an outside view on this. So I'm certainly in favor of that. So I made that motion. Is there a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Motion passes.

And item number 3c is the Ordinance authorizing EMH&T, I guess the appropriation to pay EMH&T to the design and advertise for bids for the Taylor Road 12" Water Main. And I guess, this comes from the unappropriated Water Fund. And we would need \$12,500. That's correct?

Mr. Clemens: Correct.

Mr. Stake: Okay. And it would go into account number 710.735.5331. Did I get all that right?

Mr. Clemens: That's correct.

Mr. Stake: Alright. Are there any other questions or comments in regards to this? (No response). Okay then, none being heard, then I will make a motion that we appropriate \$12,500 from the unappropriated Water Fund to be allocated to account number 710.735.5331 Miscellaneous Engineering. Do I have a second? Second by Mrs. Newman. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

Item number 4, Discussion, Appointment to Design Review Board to fill unexpired term. Monica DeBrock, who was a member of the Reynoldsburg Design Review Board resigned, so there is an opening there. I believe her term will end at the end of this year. So it would be for the end of this year. And Council will make another appointment next year. Are there any questions or comments in regards to this from members of the committee? Mr. Clemens.

Mr. Clemens: Other than I think that we should accept resumes that anybody that's interested. And I believe it can be, it doesn't have to be a specialist, our appointment.

Mr. Stake: It does not have to be a design professional.

Mr. Clemens: That's correct. Yes.

Mr. Stake: And does it have to be of any particular political persuasion?

Mr. Clemens: No.

Mr. Stake: Okay. Then if members of the press would help get the word out, we are looking for somebody to fill in an unexpired term on the Design Review Board. It will be a Council appointment. They can be of any political party. And hopefully, we can get some resumes in. Mr. Baxter.

Mr. Baxter: Councilman Stake, would you like to put a date on that when we're accepting too. We did that with the last appointment as well to whereas a deadline.

Mr. Stake: My general inclination is not to put a date on it right now. Let's see what we get. And I was just going to hold this over until the next committee meeting at this point if that's okay with members of the committee. Okay? Well then, the word's out there. Anybody out there would like to apply, please give us your resume. Get it to Mrs. Frazier. And we can take a look at what we have by next committee meeting. So I'd like to hold this for two weeks.

Item number 5 is a Discussion, Police, and Parks & Recreation Impact Fee Study. This was added January 17, 2006 meeting agenda and held for three weeks. Item was held on February 6, 2006, and also on February 21. And I believe we do have a speaker here. I'd like the speaker to come on up at this time. Malcolm Porter.

Mr. Porter: And Mr. Porter, if you'd just let us know who you represent and where you're from and that kind of stuff, we'd appreciate it. And then just give us your thoughts I guess. That's what you're here for.

Mr. Porter: Thanks very much, Mr. Chairman. My name's Malcolm Porter. I'm here on behalf of the Building Industry Association of Central Ohio. It's 495 Executive Campus Drive in Westerville. The BIA represents a little over 1,000 builders, sub contractors, and support service companies in Central Ohio. Approximately 20 of them are located here in Reynoldsburg. First off, to be clear, we support your need to come up with resources to provide services for your citizens. And we understand that Impact Fees are legal in Ohio. In some communities, we have worked collaboratively with Councils and Administrations in development of those fees. In some cases, it has been a more contentious situation. It is certainly our preference to be involved in a conversation when negotiated kind of approach if at all possible. And to be clear, we make that request of you tonight. We are concerned from our prospective about how the services that you provide are funded, and how Impact Fees are implemented. To be clear, we see an Impact Fee as a tax that has an impact on our residential consumers. Our research shows, that for every \$1,000 increase in the cost of a dwelling, that approximately 2100 Central Ohio families that would have otherwise qualified for a mortgage, will no longer qualify. That's based on a 30 year mortgage, fixed rate of 6 ½%, and \$150,000 house. Central Ohio is currently in its second year in decline in residential construction. As your study itself indicates, construction here in Reynoldsburg as well is in decline. And uniquely perhaps, in the country, Central Ohio is largely dependent on its construction industry in its job creation pattern for our economy. We have the second highest rate of new jobs being attributed to construction of any urban area in the country. Specifically, we have a couple of questions, and I won't go to many details tonight. I appreciate your time and I know that the night's getting late. Around this specific study, the study itself states, that it's based on a 1.8% rate of growth for the community. And we question, based on our experience, and the experience of other, if this makes Impact Fees a cost effective way to acquire resources. The study indicates a 31 to 52 year period for build out in Central Ohio depending on the 100 to 170 dwelling units per year. Paul Tishler, who is from the Tishler, Bice group, which has done, at my last count, about 450 of these studies all across the nation. Almost all exclusively on behalf of municipalities I might add, indicates that they believe that a minimum 3 to 5% growth rate is appropriate to make it cost effective for implementation of Impact Fees. So it raises questions in

our mind in terms of the rate of accumulation of fees, and the needs that have been identified, and the time restraints that are placed upon you for when you receive the money, and how long you can hold on to that money before you make a capital expenditure. And I know those have been issues that have had some mention in the discussion so far. We also have a few particular questions around the utilization of existing dwelling units as the appropriate measure for the impact based on the study. Our question would be to the city and to Council as whether or not you anticipate future growth to be reflective of your current housing mix. I think the study indicates a 28% multi-family mix currently, as well as 3% mobile home as examples. Whether or not you would anticipate that for your future rate when you calculate the Impact Fees that are being discussed. And I think finally, just a couple of real quick things. We had a struggle in finding the connection in the recommendation that there was 3 calls per dwelling unit for the police service per year back to the data that was presented early on. We have a concern about the inclusion of the Senior Citizens Center in the recreation fee. The \$1800 park fee that is contemplated, would be the highest in Central Ohio. And actually, it would be more than the national average for park fees from the latest study that we've seen. And so we have a question about that. And certainly there's some language also about the park fee in the service areas and whether or not it's appropriate to move fees from one benefit area to another. And that's a question that our folks would like to have some more discussion as this comes together. I won't take any more of your time tonight other than to be happy to try and answer any questions. And again, ask if there is a process that is preferred from your end, if we can have input into that process, and have further discussion.

Mr. Stake: If you could please submit your questions in writing, that would be very helpful and get that to the people who are producing the study for us so those issues can be addressed.

Mr. Porter: I'd be happy to do that.

Mr. Stake: Okay. And I appreciate you coming here tonight. I've been wondering when you might play in on this. I've been interested to see what the building industry had to say about this. And this is in, right now it is in the discussion phase. We're in the process of reviewing the, and updating from time to time, the Impact Fee Study.

Mr. Porter: If I might Mr. Chairman, I do complement you on your process. Mrs. Frazier was quite helpful in getting us information as it became aware, and the way you have your meetings. And opportunities like this, we certainly appreciate that. And to say perhaps, not all communities approach the same manner, and thank you for that.

Mr. Stake: Well, thank you for saying that, and Mrs. Frazier does a fine job. Are there any questions or comments from members of the committee for Mr. Porter? Mr. Clemens.

Mr. Clemens: No. Other than I agree with Mr. Stake. It's important that we do get the views of the building community. It's an important issue, and it's an important issue to us. And I appreciate you coming here this evening too. And I'm sure we'll be in touch with you after you send your questions in and so forth.

Mr. Porter: Thanks very much.

Mr. Stake: Okay. Thank you. Now I do see our Impact Fee Study folks over there? Mr. Parkinson, what's on your agenda tonight I guess from your end?

Mr. Parkinson: Well I will open with an apology. I was unable to get you the proposal to complete the transportation facility element of your Impact Fee report in a timely manner. It was delivered this evening and we wrapped it up today after much discussion of the level of efforts required (Tape Change). A portion of the Impact Fee Study should you decide to proceed with it. And he's here to, we know that we didn't give it to you in time to generate any questions. But if you had any, just general ideas on the transportation facilities, he's here to help with that. One thing I did want to just briefly say is, that as you read through this, you'll see that it's a two phased approach to your needs. As we discussed somewhat early on with the Parks and Rec, the lack of a master plan for Parks and Rec made it, we had to explore other opportunities. And we used national standards and other published documentation to develop what we thought was a reasonable projection for your parks needs. With transportation facilities, we don't have that ability. We really need to establish, at the beginning, what Reynoldsburg's needs are specific to Reynoldsburg. And what makes it somewhat challenging is, in transportation, it isn't just Reynoldsburg. There's everybody around you. And so we have to integrate these efforts with the planning tools that are out there for your neighbors in Pickerington, and Columbus, and Franklin County. And we need to do some real world traffic counts. And we need to fully understand what the trips are, where they are, and then we can grow the population, grow the background, so we can figure out what we need. And we have to know what we need in order to be able to put cost to them. And so you'll see. I think it's 7 pages long. He's an attorney. He gets paid by the word. And we have provided you a very comprehensive approach which we think is necessary to prepare the analysis of your Impact Fee for transportation facilities. So as you read that, I'm sure you'll generate many questions. But that's why it's as thorough, and as detailed, and as involved as it is.

Mr. Stake: Okay. Thank you, Mr. Parkinson. Are there any questions from members of the committee for Mr. Parkinson? Mr. Clemens, yes.

Mr. Clemens: I'm glad Dave has given us the opportunity to read this because I know it's a thorough study. And give us time to look at it.

Mr. Stake: Well, yeah. We just received this study this evening and obviously we need some time to take a look at this. But I didn't know, since you had brought the expert here, if anybody had any questions at this time. Mr. Baxter.

Mr. Baxter: Councilman Stake, the only questions I would have is, as you know Dave, I like to get to the brass tacks of this. Get down to the bottom line. And what I'd like to try to do is find out, is it worth us spending the money that it will cost the city to identify if Impact Fees for traffic and other areas are worth our endeavor? And without paying the money to find out it's not worth our endeavor it's kind of, you know, we're chasing our self here, or chasing our tail. So I'd rather get a high level of understanding, is it worth our effort? Have we built out our roads to the point where Impact Fees don't make sense?

Mr. Parkinson: From the City Engineer's position, it is absolutely worth your effort, worth your money, and worth the time to do it.

Mr. Baxter: You're getting paid for it Dave, so that's a little biased there.

Mr. Parkinson: Well, it is. It is. But let's, it's been 19 years since the City of Reynoldsburg has touched its thoroughfare plan with any significant level of effort. There have been some very minor modifications in '91 or '92, and again in '99. Very minor. They involve no study what so ever. They were adding a road, or a street, or taking off a bridge, or something to that degree. Having an up to date thoroughfare plan is just another tool in your tool box as your master plan for your community, your zoning text, all of those things come together to help you manage and move forward as a community. And so we think it is absolutely a positive thing to do. We have been discussing it internally for a number of years as to when would be the best time to bring to you, an initiative to update your thoroughfare plan. The last few years, as we all know, the budget has been a little tough and we have kind of sat on this. Maybe we shouldn't have. Maybe we should have let you decide that it wasn't right to do. But we didn't. We sat on it. Then this came up. And it was, okay we have to bring it now. Now's the time to do it. We need it for the study. If you choose not to do the study, we still think you need this. But and again, if the money's an issue, we can discuss, perhaps ways of stretching it out or whatever. But yes, we think it's a very worthwhile and valuable tool to have.

Mr. Baxter: Very good. Well thanks, Dave. Thanks Mr. Stake.

Mr. Stake: Okay. Are there any other questions from members of Council for Mr. Parkinson or Mrs. Keefer or anybody else? (No response). I guess we're still waiting for some ordinance language and that kind of stuff on if we're going to proceed with this I guess. We're waiting to see that yet, and a final copy. Are we not?

Mr. Parkinson: Are we working on that?

Mrs. Keefer: (Inaudible. Speaking off mike).

Mr. Stake: You're in the process of crafting those now. Okay.

Mr. Parkinson: I'll have a memo drafted this week with our schedule for when we think we can have something to you on those draft legislatures.

Mr. Stake: That would be great. Thank you. I know the administration has a committee looking into this as well. Anybody from the administration care to comment on this? Or are there any comments or anything? (No response). No? Not at this time? Mr. Baxter.

Mr. Baxter: Councilman Stake, are we drafting this legislation separately for the Police and the Parks and Rec? Or is it being drafted as a one piece? So if we decide we want to go with one and not the other? Or both? Or separately?

Mr. Stake: I believe the Parks and Police language is being drafted separately from, we haven't done anything with other issues. Am I correct?

Mr. Baxter: I understand that. I just wanted to make sure. Are we doing it separately?

Mr. Stake: Yes.

Mrs. Keefer: Are we drafting two different ordinances? One for Parks and Rec, and one for Police? (Inaudible. Speaking off mike).

Mr. Baxter: Correct. That's my question. Yes.

Mr. Stake: No. Parks and Rec would be one and the roads would be another one.

Mrs. Keefer: Parks and Rec and Police are one? And roads...

Mr. Stake: Parks and Rec and Police would be one. Right?

Mr. Baxter: Well, that's what the question is I'm asking. If there would be two? Parks and Rec and Police, so we'd have an opportunity to choose one of the other or both. And I'm not even considering the traffic stuff at this point.

Mr. Parkinson: They're currently being written as one.

Mr. Baxter: Written as one. Okay. Thank you.

Mr. Stake: Okay. Mrs. Newman.

Mrs. Newman: Yes. Thank you, Mr. Stake. One thing Mr. Porter mentioned was that you had to have a 3 to 5% growth rate for this kind of thing to be cost effective just for having it prepared. Does that kind of alarm anyone? He mentioned that our growth right here in Central Ohio is 1.8%. So is it even going to be worthwhile for us to spend the money to do this?

Mr. Stake: I think we've already spent the money for the Police and Parks and Rec, haven't we?

Mr. Baxter: Yes.

Mrs. Newman: Well, is it worthwhile?

Mr. Stake: I don't know. And I heard that number and that comment earlier, and no disrespect to Mr. Porter but, that's coming from, I think somebody who might be opposed to Impact Fees. So I guess we need to find out what the issues are.

Mr. Clemens: I think they were going to present his questions and we'll get some answers back on it.

Mr. Stake: Right.

Mr. Clemens: Get both sides of the story on it. So I think when they come back then we can...

Mr. Stake: But as far as paying for the study, we've already done that. So that's water under the bridge either way.

Mrs. Newman: Well, don't we have a proposal here?

Mr. Stake: This is for another one and that's certainly something to consider whether we want to go ahead with this other study or not. Are there any other questions or comments in regards to this? (No response). Okay. Then I guess I would ask that we hold this for two more weeks. I'll make a motion we hold this for two more weeks. Second by Mr. Baxter. Any further discussion? Mr. Clemens.

Mr. Clemens: Just one thing. And I think we handled it right. I don't see a big hurry. And I think you're handling it correctly by not pushing it. I think something like this should have a lot of discussion.

Mr. Stake: Absolutely.

Mr. Clemens: And input from the public or from any organization. And give us time really to study it. Because once this is done, it's done. So I think you're handling it correctly, not pushing it. And I don't think we should.

Mr. Stake: Well, thank you for your support Mr. Clemens. All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes. This will be held for two weeks.

Item number 6 is ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR PURCHASE OF CASE FILE FOLDERS. From the Clerk of Courts Office. It had its first reading February 27. And I see Mrs. Nofziger here tonight.

Mrs. Nofziger: Well, I first presented this two weeks ago, giving you information about the need for a supplemental appropriation to purchase the number of case file folders that I anticipate we are going to need in 2006. It did have its first reading last week. I just didn't know if you had any additional questions at this time.

Mr. Stake: Are there any other questions from members of the committee? (No response). Members of Council? (No response). None being heard, then thank you for coming this evening. Then I'll make a motion that we send this on to Council for its second reading. I have a second by Mrs. Newman. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes. Thank you.

Item number 7 is ORDINANCE MAKING APPROPRIATION FOR PAYMENT OF PRINCIPAL AND INTEREST ON BOND RETIREMENT FOR THE BARTLETT ROAD STORM WATER IMPROVEMENT PROJECT. It had its second reading on the 27th of February, 2006. Are there any questions or comments in regards to this item from members of the committee? (No response). Members of Council? (No response). Okay. Since its had two readings, it will go for its third reading. I would make a motion then, we send this forward for its third reading with a recommendation for adoption. 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 8 is ORDINANCE MAKING TRANSFER OF FUNDS FROM GENERAL ADMINISTRATIVE ACCOUNTS TO MAYOR'S OFFICE, AND DEVELOPMENT DEPARTMENT ACCOUNTS (Reimbursement). This is a housekeeping item. It had its second reading on February 27, 2006. Are there any questions or comments from members of the committee? (No response). Members of Council? (No response). Okay. Then none being heard, I will make a motion that we send this on to Council for its third reading with a recommendation for adoption. Do I have a second? Second by Mrs. Newman. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And item number 9, ORDINANCE TO WAIVE SECTION 941.13 "ADDITIONAL TAPPING FEE FOR UNASSESSED PROPERTY" OF CHAPTER 941 UTILITIES (SANITARY SEWER IMPROVEMENT FOR TAYLOR ROAD, REYNOLDSBURG, OHIO IMP PLAN #815). It had its second reading on 2-27-2006. Are there any questions or comments from members of the committee in regards to this item? (No response). Members of Council? (No response). Okay. Its also had two readings. So then I will make a motion that we send this on to Council for its third reading with recommendation for adoption. Do I have a second? Second by Mr. Clemens. Any further discussion? (No response). All in favor, state aye. (All voted "Aye"). Opposed? (No response). Motion passes.

And I will adjourn the Finance Committee at 8:51.

Finance Committee
March 6, 2006
- - -Nancy C. Frazier, Clerk of Council
(Transcribed - Susie Smith)