

SAFETY COMMITTEE MEETING MINUTES
TUESDAY February 17, 2009

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

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

Mr. Deskins: I'll call the Safety Committee meeting to order at 7:31 p.m. The first thing on our agenda this evening is the agenda and we have a couple changes. I want to add as 3a the Mayor's Report and I want to move to hold Item 6 - the discussion of the three cruisers until two more weeks. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Changes to the agenda are approved. Thank you.

I need approval of the minutes for February 2, 2009 Safety Committee Meeting. Is there any changes to the minutes from Safety, Council? The minutes will stand as written.

Item 3a - As I was discussing the Mayor's Report. Brad.

Mayor McCloud: Thank you Chairman Deskins, members of Council. Just an update on White Birch Crescent. As many of you know, approximately 2:00 p.m. last Wednesday afternoon, a construction crew was working on shoring up one of the second floor concrete walkways and in the process of that, using the shoring jacks, the second floor walkway fell and it fell rather than this way, it fell like this and blocked a number, a small number of occupants in their apartment for several minutes until they could get out with the ladder over the concrete. The next morning, our Chief Building Inspector, Lt. Shirey from the Fire Department and an Engineer did an inspection of the premises. At that point the Engineer determined and concluded that the structures were unsafe. All eight apartment buildings at that complex were structurally unsafe for human occupancy and an Order of Condemnation was ultimately issued. Those residents, there were 95 I believe, occupied units that were affected. The townhouses were not part of that equation. It was purely the apartments. Of those 95, they are in the process, most of them have moved out or are moving out. The Management Company's working with them to relocate them. I know that the night of the collapse, the Red Cross was there to bring in clothing and blankets and food because those folks couldn't get anything out of their apartments. So I do know that the City Attorney has been working with the Management's Attorney. I don't want to delve in to the specific legal issues of that. I believe there's a hearing scheduled very soon if not tomorrow but those eight structures have been condemned as unfit for human occupancy. Any questions?

Mr. Deskins: Thank you Mayor, appreciate it.

Item 4 - Discussion: Liquor Permit Request - TRFO - from Brent & Nick LLP to Main Brands LLC dba Just Off Main, 1371 Hentz Drive, Reynoldsburg, Ohio 43068. Officer O'Neill you want to talk a little bit about it, please.

Lt. O'Neill: Thank you Chairman Deskins. Per our investigation that was conducted by Officer Bock, the recommendation came from him that we do not oppose or appeal the application for transfer of this permit. We shouldn't see any impact one way or another. It's an existing bar that's going to continue to operate as is so we shouldn't see much change there.

Mr. Deskins: Basically, just a name change, right.

Lt. O'Neill: The two individuals that were operating it as Nick and Brent or Brent and Nick, LLP, they were the Brother-in-law's the new owner, or the new permit holder who happens to be the owner of the building.

Mr. Deskins: Okay. All right. Is there any questions for Officer O'Neill, Safety, Council? Thank you very much. I'll return it back to the clerk for her disposal and any action from the Safety Committee. Thank you.

Item 5 - Discussion: Authorize application for grant - State of Ohio Department of Development - replacement of two salt trucks - (Listed at direction of Safety Chairman Deskins)

Pam do you want to tell us why this is a street deal.

Mrs. Boratyn: Good Evening Chairman Deskins, members of Safety Committee and members of Council. On January 26th, Street Superintendent, Larry Ward became aware of an opportunity to place two 1993 salt trucks through Grant money that's being made available with the Diesel Emissions Reduction Grant Program offered by the State. You should have a copy of the RFP in your packet which fully explains the program and we are seeking approval of Legislation to apply for money under this Grant and we would need to make a commitment that if we were funded, that we would make the purchase of the trucks. It's a Reimbursement Grant. There's a need to move quickly as applications are due by March 2nd so I'm going to briefly address the matter. Mr. Ward is here and we will be happy to respond to any questions but under the terms of the program, we have salt trucks that are part of our diesel fleet, that qualify to be replaced for purposes of emissions reduction. With replacement, we can reduce nitrous oxides between 74% - 92% from these two trucks which would benefit the air quality. Our City is located in the Counties, Franklin, Fairfield and Licking which are on the cusp of being considered for required tail pipe emissions testing and any reduction that we can do could help prevent slipping further toward those requirements. This is an 80-20 funding match. Two trucks will cost approximately \$250,000 and our net cost would be \$50,000 once all is said and done. If we are to accept another program, we are committing to expending \$250,000 with reimbursement to follow. The \$250,000 would be advanced from the Unappropriated Street Funds to the Motor Vehicles line item in the Street Budget. We would pay upon delivery and submit our bill to the State and discussions with the City Auditor. The money does not have to be appropriated at this time because we won't know until May 1st, 2009 whether or not we will be accepted, the City of Reynoldsburg has been accepted for funding and we could transfer money at that time, once the trucks are ready. We would expect then to get our 80% reimbursement within 3 to 5 business days of turning our money in, of turning in that we had received delivery of the trucks and we don't anticipate any additional expenditures beyond possible small cost of destroying and disposing of the old engine if we cannot find a re-manufacturer who would be willing to take them. So these trucks are sixteen years old, the Grant is a good opportunity to replace them and we would ask for your support and the Safety Committee move the Legislation forward to Council for a vote next Monday night. So that in a nutshell is what we're doing and Mr. Ward, as I said, is here and we'll be happy to try and answer any questions.

Mr. Deskins: You have seven trucks in your fleet right now and you're wanting to replace the two oldest ones.

Mrs. Boratyn: The two oldest ones.

Mr. Deskins: Mr. Harris, the money that she's talking about, is it in the.....

Mr. Harris: There's \$1.1 Million dollars unencumbered in the Street Fund and certainly the \$250,000 would be available out of that so there's plenty of money in the fund to cover that, money until it gets reimbursed.

Mr. Deskins: Is there any, it's my understanding that we're going to have to upfront \$250,000 when the trucks are delivered.

Mr. Harris: That's correct.

Mr. Deskins: How long after that, do we have to wait to get our reimbursement of the \$200,000.

Mrs. Boratyn: It is my understanding that we will get reimbursement between 3-5 business days once we turn, turn over that we have paid for them, paid for the trucks so if we get funded, if you were to pass this, we are agreeing that if we are funded, we will follow through with our commitment and we will pay for the trucks so we would order them, they would have to be put together, I mean I think the body and I think the engine and the chassis are different from, separate from the body, they're put together and when they're delivered to us, we would pay for them. Then we would submit that paperwork to the State and be reimbursed.

Mr. Deskins: That payment of \$250,000 that you would have to hold for a month, maybe two months, that wouldn't create a problem in the Budget for the Street Department?

Mr. Harris: No.

Mr. Deskins: Okay, ah, Mr. Hills.

Mr. Hills: The question that I just want for my own clarification, bottom line is what you're here tonight is asking for the authority to apply for the Grant. If you're accepted in the Grants, and okay, this will qualify, then the \$250,000 needs to at least be earmarked and the trucks are ordered. The trucks come in, the \$250,000 is formally appropriated and paid and we wait for \$200,000 coming back.

Mrs. Boratyn: Correct, the only thing is that I believe that we, whatever we pass next week, has to be a commitment that if we are funded we will pay the money.

Mr. Hills: Which is just a statement from the Auditor saying that there's funds available but applying, if we're not granted, we certainly, you're not out anything so all we're doing is not saying let, we need to file an application that has to be filed by March 2nd and with that is oh, by the way, we have \$250,000 in an account that can pay for the trucks should you give us the Grant.

Mrs. Boratyn: Correct.

Mr. Hills: And then once the trucks are ordered, we certainly would owe the money for them and then submit the bill and we'd be.....

Mrs. Boratyn: Reimbursed.

Mr. Hills: Reimbursed, roughly..

Mrs. Boratyn: Eighty percent.

Mr. Hills: Roughly, \$200,000.

Mrs. Boratyn: Right.

Mr. Hills: That one.....

Mrs. Boratyn: Yes Sir.

Mr. Hills: Doesn't come along, but I also look at it as Department of Development, it's some third frontier money, it's some funny money, there's money out there for people that may be in the business of doing it and why not try to take advantage of it because it's, I did see that it's under their DERG Program.

Mrs. Boratyn: Correct.

Mr. Hills: These are emissions which are tied with EPA, so it's, clean the air, we'll help you pay for it so, why wouldn't we apply as a City and say let's see if we can get that. If we have a use for those vehicles.

Mrs. Boratyn: Absolutely.

Mr. Deskins: Thank you Mr. Hills. Ron.

Mr. Stake: Thank you Chairman Deskins. I know that we've been looking to get another salt truck for awhile so this is a great opportunity to get two maybe for \$50,000 so I appreciate your looking into that and applying for this. The only question I have is it 80 - 20? Is it 80 - 20 or nothing or can there be a variation of that?

Mrs. Boratyn: No, it's 80 - 20 when you look at we want to replace because of just the age of these two trucks so we're not looking to do something else but if you look into Section 5, it says 80% of the total project costs.....

Mr. Stake: Okay, so they wouldn't come back and say, hey, you know what, we're not going to give you 80%, we're going to give you 20%.

Mrs. Boratyn: No, the only thing that I could see them doing is if we scrap any of our, parts of our

trucks and it would reduce the costs, they get to reduce that from their 80%. We'll always be out our 20%. We shouldn't be out anything more than our 20% in terms of money but if we were to get scrap, you know scrap, they could reduce their 80% but we would never have to pay more.

Mr. Stake: Okay, I just know some Grants that we've applied for in the past, not like these, I think they're probably MORPC Grants or OPW , something or other, they'd come back and we try and get 80%, we might get 40% so I didn't know if this is set in stone or not.

Mrs. Boratyn: You know, we will double, we will make absolutely sure of that before Monday night, before next Monday night but I think Mr. Ward, it is 80 - 20, correct?

Mr. Ward: Yes, and no other amounts were ever discussed.

Mr. Stake: Okay, all right, sounds good to me.

Mrs. Boratyn: Okay.

Mr. Deskins: Also, there might be some expense and we're not really sure what at this point, what it could be. We've got to get rid of those old trucks, that's the deal in getting 80% but.....

Mrs. Boratyn: Shouldn't be much.

Mr. Deskins: Shouldn't be that much at all.

Mrs. Boratyn: We're trying to find somebody who might want a transmission, take the engine..

Mr. Deskins: Is there any other questions from the Committee, Council?

Mrs. Boratyn: Thank you very much.

Mr. Deskins: Pam, thank you very much. I'll make a motion that we send this legislation to Council with recommendation for adoption as an emergency authorizing them to ask for the Grant. Is there a second? Seconded by Mr. Stake. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion carries. Thank you very much. That will end the Safety Committee Meeting at 7:45 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

Tuesday February 17, 2009

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

SERVICE COMMITTEE MEETING MINUTES

Tuesday February 17, 2009

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

Cotner

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

Mr. Clemens: I'll call the Service Committee Meeting to order at 7:46 p.m.

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

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

Item 4 - Discussion: Acceptance of unrecorded Special Warranty Deed from Target Corporation. Acting Service Director, Pam.

Mrs. Boratyn: Thank you and Good Evening Chairman Clemens, members of Council, members of Committee. This is a deed from Target to the City for, if you should have a copy of all the documents in your package but there's a Taylor Park Drive Extension that's part of the project out there. They built this extension and then they'll deed it back, they're deeding it back to the City. It has been accepted, I mean it is okay, it's been checked through any punch lists that the road is all right so that we could accept it and we would be, ah, just accepting dedication of that extension for us to be responsible for maintaining the concrete curbing and the blacktop road surface for that Taylor Park Extension. That's what we would be accepting, now attached to this, you'll see there's a maintenance agreement but that is Target agreeing to maintain landscaping that would be in the right of way around the road and some other areas over there and if accepted, would be recorded. And if you have any questions, I'd be happy to answer all.....

Mr. Clemens: Are there any questions from the Committee, members of Council?

Mrs. Boratyn: There's no emergency on it. You could go have all the hearings, have the three readings of it. It's just a some point when we're done, we need to record it.

Mr. Clemens: I'd like to make a motion we send this to Council for it's First Reading. Seconded by Mr. Deskins.

Mrs. Boratyn: Thank you.

Mr. Clemens: All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you Pam.

Item 5 - Discussion: Authorize preparation of bid documents and advertise...

Ms. Frazier: Excuse me. Mr. Deskins is not on that Committee.

Mr. Hills: Can we, can we get another second? Seconded by Councilman Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response).

Item 5 - Discussion: Authorize preparation of bid documents and advertisement of bids for painting of Broad Street Water Tower, and appropriation of funds. Mr. Miller.

Mr. Miller: Thank you Chairman Clemens, members of Council. As you're all aware the Columbus Water Tower at the intersection of Taylor and Broad is complete. That will enable us to take our Water Tower out of service to recoat it inside and out and I'm asking tonight for a motion to advertise the bids and to appropriate the funds necessary to advertise and prepare the bid documents for painting the Broad Street Water Tower. Any questions.

Mr. Clemens: Any questions for Mr. Miller pertaining to this subject? I think this is something that we've known we're going to do for a long time.

Mr. Miller: Correct.

Mr. Clemens: Yes.

Mr. Joseph: Mr. Miller, how long is this tower going to be out of service? Will there be any significant changes in water service during the periods off line?

Mr. Miller: No, you, um, it, it more than likely will not even be noticed. The Columbus Water Tower that's right next door has a 2,000,000 gallon capacity. We have a 1,000,000 gallon capacity tower and Reynoldsburg is going to be fed from the Columbus Tower while ours is being maintained. As far as the time frame, I would anticipate the painting operations to begin in May and probably continue until August, September.

Mr. Joseph: Thank you.

Mr. Clemens: Are there any other questions from the Committee, members of Council? If not, I'd like to make a motion to send this to Council for adoption. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you, thank you Jim.

Mr. Hills: Councilman Clemens, does that need to go to the Finance also for the funding?

Mr. Clemens: You don't have the funding for it?

Mr. Miller: I had requested that some money to cover the cost of advertising and preparing the documents.

Mr. Clemens: All right, we'll send it to Finance Committee. Next item on the Agenda,
Item 6 - Discussion: Authorize application to Ohio EPA - for financial assistance for painting of water tower. Pam.

Mrs. Boratyn: Thank you. Piggyback on Jim. We also became aware of that through the Ohio EPA that are, there is funding for drinking water projects and our CIP Project for Water Tower is one of those that would qualify and we may be able to rate high on getting some funding for that so if we're successful, that's why I'm here tonight, just to ask that's there no financial impact or commitment by the City, financial commitment by the City on this one. This is simply granting us authority to file an application. There is a March 15th deadline to file the application, that we

file and see if we can get in that ranking and see if our Water Tower Project will bring us to all of the funding or part of the funding or whether they come back and say that we qualify for a low interest loan you could consider. All tonight is just simply asking that we have authority to apply.

Mr. Harris: As part of this, the cost of doing this water tower has gone from \$350,000 which what was initially thought it was going to be up to about \$800,000 or \$900,000, paying this out of the water fund in one lump sum is now not going to be a possibility so. We're going to have to finance this project either through this particular grant, if we can get all the money or a low interest loan or go out to a lending institution to see if we can get it. From doing some preliminary checks, the loan if we can get it through here, would be at about 2 ½% less than market for that, so that would be a good deal but they seem to think because they're looking for economic stimulus as we've all been reading about a lot in the paper, that this projectis basically ready to go and it is part of the EPA money would be one that would probably rank very high on their list and there's a real good opportunity that we could get most if not all of this paid for, and I'll answer any questions.

Mr. Clemens: Are there any questions from members of Committee, members of Council? Yes.

Mr. Deskins: Councilman Stake, I just have a quick question. How often on the average does the water tower have to be painted or

Mr. Clemens: Every twenty years.

Mr. Deskins: Every twenty years, thank you.

Mr. Clemens: You're welcome. Any other questions. Pam.

Mrs. Boratyn: Thank you.

Mr. Clemens: If not, I'd like to send this to Council for adoption. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item7 - ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (7305 East Main Street, proposed use - tattoo studio); applicant, Michael Craig- - added to 1-26-09 regular Council agenda and had first reading. *On 2-2-09 item held two weeks.* Mr. Craig.

Mr. Hodge: Good Evening, Mayor, members of Council. My name is David Hodge, I'm an Attorney with Smith and Hale here tonight on behalf of the.....

Mr. Clemens: David what, I'm sorry.

Mr. Hodge: Hodge. I'm here tonight on behalf of the applicant, Rich Morrison. If I could just take a few minutes, ah, ah, I'd like to, if I could try to frame some of the discussion and, and, and give you a little background and information about Mr. Morrison and his business. You know, we are not operating under the delusion that, that tattooing is not a historically stigmatized use. We understand that and, and, and that's why we are willing to put certain conditions on the approval that was previously granted by the, by your Board of Zoning Appeals. You know, this is

not slimy Joe's tattoo's. This is not in the other half of a pawn shop. Mr. Morrison is a well known and very well respected artist. In a conversation, out in the hall, prior to tonight's meeting, I learned that his hourly rate is higher than my hourly rate. It's interesting, so I'm going to ask you to take a step back, take a disimpassioned look at this proposal, remove your preconceived notions about, about what this is and what this will be. A tattoo studio is a permitted special exception use in this zoning district in your Zoning Code. So what we can't do is base a decision on a belief that this is an undesirable use. To a certain extent, that ship has already sailed because the City Council back when Chapter 1145 was written and adopted as law in the City of Reynoldsburg, made that decision at that time to include this as a permitted Special Exception Use. I think what we have to do is to analyze whether this specific user, not just the use, but this specific user meets the standards and requirements of Section 1145.09 our your Zoning Code. Mr. Morrison was appropriately scrutinized by your BZA, he was appropriately scrutinized by your City staff, the City staff recommendation for Mr. Morrison's use of the property was a recommendation of approval. The City's BZA voted unanimously by a vote of five to zero to approve Mr. Morrison's use. This afternoon, a representative went out and walked the neighborhood, met with several business owners along this strip of the road. Of the twenty people that were visited, 16 signed a document that said they support Mr. Morrison's use. Three people weren't comfortable signing the document because they weren't the owner of the establishment and didn't want to go out there on a limb, they're an employee and the one "no" was a woman who wasn't fluid in English. She, she spoke broken English, she seemed to indicate that she was in approval but I think there was an issue with being able to read the document in English and so she wasn't comfortable signing it. So, I think I put that in the "maybe" category. Some items that were discussed at the BZA Meeting but, but I understand weren't formally put into the record, some additional conditions that, that Mr. Morrison is happy to include with his Special Exception Request, are restricting the hours of operation between 1 p.m. and 9 p.m., Monday through Saturday. To have tattooing in the, on the second floor of the establishment only, to have the stairs up to the second floor roped off. The first floor will be an art gallery. Also, you're probably aware that, that, that a Special Exception can have a, a, with a variance it typically runs with the property. We'd be willing to say that this runs with the specific user so the next person who wants to come in and open this type of an establishment would have to come right back through this process and you'd have to, you'd have to meet him, you'd have to hear his, about his establishment before an right could be given. With respect to all of that, I think, in my opinion, that if Mr. Morrison can't open his studio at this location, that there's nobody that can open this type of use at this location and if that's the case then it shouldn't be listed as a Special Exception Use in the zoning district. It ought to be removed from this section of the Zoning Code. I'm happy to answer any questions. Mr. Morrison is here with me, he's happy to answer any questions related to the specific nature of his business and his experience and what it is that he does.

Mr. Clemens: Thank you, thank you, Mr. Hodge. The, of course this is a decision Council will make, not B and Z.

Mr. Hodge: Sure.

Mr. Clemens: Ah, as I read the minutes, there was a lot of discussion pertaining to the tattoo parlor during the discussion under a variance, under a variance that was granted to a zoning.

When it came to the discussion on the use permit, Special Use Permit, there's exactly no discussion, as a matter of fact, it couldn't have lasted over 2 - 3 minutes. There should have been discussion, there should have been discussion within that period of time. That was a Special Exception Use Permit that was before the B and Z. Before their approval, they should have discussed items. There's eight, there's eight requirements that ah, have to be met for a Special Exception Use Permit. Those weren't considered period. Now, they were talked about, hem-hawed around during the discussion in the prior meeting which had nothing to do basically with Special Exception Use Permit. That's what Council will make their decision on. Ah, those should have been discussed and they should have been in the minutes on, on Special Exception Use Permit for the B and Z. That should have been discussed within their meeting before they took their vote. It wasn't, it's not my fault, it's not your fault, but anyhow, those are the items that will be considered by the members of Council, as far as it's concerned. I of course, have my own feelings on it and I'm sure every member does. I don't basically have any questions for you tonight but I do have one question for Mr. Morrison. This, excuse me, the bottom part is going to be an art studio.....

Mr. Morrison: Correct.

Mr. Clemens: Am I correct? Ah, you have a website that has all this art on it. Is that, is that the type of art that's on your website that will be included in your art studio?

Mr. Morrison: Not necessarily. We're looking to include a lot of local painters to have in the gallery.

Mr. Clemens: But you will be using the same type of art, the art that's on your website.

Mr. Morrison: Not necessarily. It depends on the artist that would apply to be part of that.....

Mr. Clemens: It depends on what you choose to put there is what you're saying.

Mr. Morrison: Yes, correct. That's correct.

Mr. Clemens: And I think Council should get the website and.....

Mr. Hills: Mr. Clemens, I think we, it may be available to be put up tonight and I think the concern that we'd have, you're, you've made some, before BZA, and again, BZA's, all their discussion was limited to the exception to the 1,000 feet, okay, that says that you can't have this within 1,000 feet and they said, yeh, you can. You know, they said what they said and David you've been here before on this type of thing but then they didn't say anything about what type of things needed to be Special Exception Use Permit and that's sort of what we're talking about tonight, but in some of those minutes, you spoke of art galleries and you all's art and secondarily then having classes and things and I've heard you made a reference tonight and a couple of weeks ago about some local artists getting involved. But certainly if you're going to have an art gallery and you don't have local artists, you're going to put the art you've got in the, in your show room, right.

Mr. Morrison: I know thousands and thousands of well respected painters that I would be approaching to actually display art in the art gallery as well.

Mr. Hills: Ms. Frazier, do we have that where you can put it up? You're now beyond my expertise. Hah!

Mr. Clemens: This is good since I don't do this at home. This is like going to the movie.

Mr. Morrison: Keep in mind that I will not be showing my own painting in my gallery.

Mr. Hills: Okay, now you're not going to be showing your own paintings.

Mr. Morrison: I never said that I would, I would, I will have my artwork in my tattoo room but as far as the art gallery, I probably will have my own show.

Mr. Hills: So the paintings, the art we see up here, would be more in your.....

Mr. Morrison: A lot of the art that you're going to see on there as far as my paintings, have either been sold or hanging in my home.

Mr. Hills: I think we hit on the art one, don't we.

Mr. Morrison: Yeah. You're looking for paintings? It's going to be theup top.

Mrs. Kelly: I'm sorry, can I jump in and ask a question?

Mr. Hills: Yeah.

Mr. Morrison: Yeah.

Mrs. Kelly: The paintings that are actually on here because I actually spent quite a bit of time, I know all about you.

Mr. Morrison: Some may not be appropriate to show.

Mrs. Kelly: Yes.

Mr. Hills: I guess maybe that's why it may be appropriate to ask the question.

Mr. Morrison: I don't want you guys to pull up anything.....

Mrs. Kelly: I guess my questions, are these all the artwork on here, is this all artwork you have done that's on here?

Mr. Morrison: Yes Ma'am.

Mrs. Kelly: Okay, well.

Mr. Morrison: Thank you.

Mr. Hills: Now, you can hit on any of these and they become full size pictures for people who haven't.....

Mr. Morrison: That's what I'm saying.

Mrs. Kelly: Go up.

Mr. Deskins: Scroll up for us.

Mrs. Kelly: There you go.

Mr. Deskins: There you go.

Mr. Clemens: Yes, Mrs. Shirey.

Mrs. Shirey: Thank you Chairman Clemens. Ah, two things. Number one, why did you choose the downtown part of the Olde Reynoldsburg? Why did you guys choose that location?

Mr. Morrison: Ah, why I've lived here, I've been a home owner here for almost nine years. I look at that location constantly when I come to the end of Lancaster there and I thought it would be a great location. I knew it was available.

Mrs. Shirey: Okay, um, I actually shocked at the website to be honest with you. I'm having a picture here of a woman answering a door that looks to me like either cupcakes or cookies and a little boy with a knife that has blood on it behind his back. That to me is not the type of business that we want have in the City of Reynoldsburg. That's not what we want to portray to our children in Reynoldsburg. I can't go along with type of a business coming in here.

Mr. Morrison: None of that artwork would be displayed in the studio at all. Like I said, a lot of that stuff is personal collection. It's not available to anybody at all and would not hang in the studio.

Mr. Hills: When we went to your website, we promptly lost some of the personal ownership, part of it, I think when everybody in the world saying, here it is, this is my art.

Mr. Clemens: Thank you Bill, thank you Nancy. Ah, Mr. Hodge, I, do you have thestandards and the special exceptions.

Mr. Hodge: I do, I do, it's a.....

Mr. Clemens: My problem is, and I'll just give you a head's up on it is (a), (b) and (f), (a) (b) (c) and I don't feel it meets those to be honest with you but those are the ones that mostly concern me.

Now the proposed shall be in harmony with existing and intended character of the district and nearby effected districts. It shall not change the essential character of the district. To me it does and I'm speaking how I feel about it. I think it does.

Mr. Hodge: To, to, to you it does meet a or it does not meet a?

Mr. Clemens: It does affect the areas so and I don't think it meets, I, I think it wouldn't meet that requirement because it affects the area around it. It's different than the character intended. The character intended for the district is Olde Reynoldsburg and I think would affect the use of the adjacent properties, we have vacant property across the street that we hope that somebody will come in and buy and build on and I think, I think, and I have no problem with it. I know that Mr. Morrison has a good shop. I've heard of him and seems to be an outstanding person but this is right at our main intersection. As people come right in Lancaster Avenue, they face that building and to me, that draws away from section of town that is supposed to be Olde Reynoldsburg. I don't think it's the proper place for it, and it doesn't, and I mean if it doesn't really meet the land use plan that was proposed for that area and that's why Special Exception Use Permit, and that's why you had to get a variance on the zoning that was there to even have this approved. If you hadn't got the variance on the zoning, you couldn't have had the Special Exception Use Permit there. You did require the variance, so that's a mute point, not with me it isn't but it's a mute point as far as the City's concerned at this time so I do have a problem, I do have a problems with it.

Mr. Hodge: And if I could just take a quick second to address some of the..... you know, I went out and walked the area today. There's an automotive services, a vet clinic, a Chinese food drive-through, a Chiropractor, a barber, a nail salon, a permanent cosmetic studio, a music studio, a hardware store, dog grooming, pizza shop, funeral home, florist, offices, a bridal store, a video and video game rental, a hair salon, a dentist, clothing store, Smoker's Preferred, the next door neighbor. Several of these people signed a petition today saying that they are in support of Mr. Morrison's application, and you know, as I stated earlier, we are not under the delusion that this is a historically stigmatized type of use and you know, with reference to that, there are several, I think appropriate conditions that we are more than happy to add to any decision of approval. One of the things we discussed, there could be a concern with an image for the City of Reynoldsburg. You don't want people riding through Main Street and saying "oh, there's a tattoo parlor, that's what Reynoldsburg is, a tattoo parlor. Well, you know, the signage would say something to the effect of "Red Tree Studio and Gallery". It's not, you know, tattoo parlor and so, you know, we think that we've done or are willing to do all of the appropriate things to make, to meet the standards of, of, of 1145.09. You know, the, the owners in the area, the business owners in the area, they think that this meets (b) and that's why they signed a piece of paper this afternoon in support of it. That one reads "You shall not adversely affect the use of adjacent property owner". The very next door property owner signed a petition in support of this today. You know, with reference to Section (f) I believe you mentioned, in accord with the general and specific objectives, purpose and intent of the Zoning Code. You know, the purpose and intent of any zoning code is to ah, ah, ah, have the highest and best use of property. Zoning by it's very nature, tells an individual you can't do this with your property. So any time, any time that there's a close call, any time that there's an ambiguity, any time anything's vague, I think what the law requires is that you permit that user.

Mr. Clemens: I don't consider it vague. The Special Exception Use Permit was put on for a reason. As I said before, you would have not had the Special Exception Use Permit if you hadn't go the variance to start with. So that shows you what it was there for. It was for that district, it's been changed with the variance, that's what changed it. Are there any other questions. Yes.

Mrs. Kelly: I have a couple. I wasn't here the last time there was a conversation so I apologize if I'm asking things more than once, but before I ask the questions, I would kind of like to make a statement about what, is it David.....

Mr. Hodge: David.

Mrs. Kelly: About what you had said David about that you think the ship has sailed on whether or not this is an appropriate use because we have it in our special requirements for special exceptions.

Mr. Hodge: Well, I think what I said, and if this is not what I said, then I want to, want to correct myself.

Mrs. Kelly: Okay.

Mr. Hodge: I think what I said, that whether or not this is a desirable use.....

Mrs. Kelly: Okay.

Mr. Hodge: That ship has sailed.

Mrs. Kelly: Okay, and I think on that what I want to kind of reiterate to that, when I look at this, under special exemptions, I don't, and unfortunately tattoo parlors are put in with adult bookstores, they're put in with adult video stores, adult motion picture theater, ah and I can guarantee you that that's not desirable.

Mr. Hodge: I agree with you.

Mrs. Kelly: So at least from my perspective, and so I don't think that because it is in that section, that means that ship has sailed. I wasn't a part of when all these zoning laws were created and these zoning ordinances but I don't think, I don't think that ship has sailed. I think that is because it's put there, I don't think anybody was saying that it's less desirable or more desirable, but I wanted to say that. I do have a question and I would love to get a copy of the people who all signed, if you have a copy of that, if not, you can give it to Luke or somebody can give it to me. Ah, and then, have you had contact with the Church, the day care facility that are part of that 1,000 foot variance.

Mr. Morrison: My business partner has spoken to them.

Mrs. Kelly: Okay, great.

Mr. Cain: Hi, my name is Jim Cain. Your question again.

Mrs. Kelly: Have you had contact with the owners of those people that are, those ah, entities that are within that 1,000. The schools, the day care facility, the two churches.

Mr. Cain: Yes and no. Actually, I had time this afternoon and went out and spoke to twenty business owners up and down the street. I did have roughly a fifty minute conversation with the Pastor Trent Hayes which he was not in support yet not, you know, in, in against but he and I had roughly a fifty minute conversation on the phone today. Unfortunately, I could not meet with him nor did time in the day allow for me to get these twenty signatures or actually meet with the day care center although they're still on our list to contact personally. Prior in the process, Richard Morrison had sent out a letter to most of the establishments that fell within the restrictions that limited our ability to go ahead and open the shop and reached out and said hey, we're going to be approaching the City Council about opening a tattoo and art studio gallery. If you have any objections, please contact to discuss them, please contact or show up at the hearings and to date, we've had no one that has stood up and objected but also when I spoke with Pastor Trent Hayes at the New Antioch Bible Fellowship, he had not personally received or reviewed the letter, which is why our conversation ultimately ended up taking fifty minutes instead of five. So we have sent the letters out, we have not received feedback from the Community in this forum to object but we're actually going out and trying to get proponents to sign the documents that I just, that were just handed to Ms. Frazier.

Mrs. Kelly: Because I would be really interested to see what the schools and what for example, the Presbyterian Church and the Antioch, how they feel because that's, they're the people who the variance were created, you know the kids, those entities and so that would be something I know I would be really interested to here from them. I have one more question. When I went on your website,Mr. Morrison, when I went on your website, I noticed pig feet? Can you explain that?

Mr. Morrison: That was for an art show.

Mrs. Kelly: Okay.

Mr. Morrison: It was at a tattoo studio, it was called Six Feet Deep and we tattooed pig's feet on the butcher's.....

Mrs. Kelly: But there wouldn't be pig's feet like for sale.

Mr. Morrison: You guys need to understand too, my website will not, the Red Tree website will not have any of that stuff on there. It's only going to have the showings that are going on that month and then tattoo work.

Mrs. Kelly: Okay, and then you your sign, I just want to clarify for myself. Your sign will not say tattoo, studio or tattoo parlor?

Mr. Morrison: Correct.

Mrs. Kelly: Can you tell me what it will say?

Mr. Morrison: Red Tree.

Mrs. Kelly: Just Red Tree?

Mr. Cain: And there was some discussion that it would be Red Tree Gallery or Red Tree Studio and Gallery, something to that effect.

Mrs. Kelly: I've got one more, another question. Ah, how long have your, most of your staff who's going to be there, because I read in here that you're very hands on business owner, I actually spent quite a bit of time now just on your website. You're out there all over, if you Google your name, there's just tons of things so I spent quite an afternoon learning all about you. How long have your workers that will be your tattoo artists, that will be with you, how long have they been with you? Ah, that will be participating in this, in this store?

Mr. Morrison: Right now, my Manager's been with me for over 12 - 13 years. I've known him since I've you know been a teenager so he's my Manger now, so he'll be working there. As far as artists, we're kind of waiting to put out the artist calls until we get approved and it can move forward.

Mrs. Kelly: And then how long, what would forsee if this got approved, your hours, like how often would you forsee yourself being at the business?

Mr. Morrison: I'm usually there all the time, hours before it opens, cleaning, placing orders, doing my drawings, getting ready for my day.

Mrs. Kelly: Okay, and I have to tell you, reading the articles that I've read, I read your biography, ah, I think you ah, are very talented and art that I saw in here, well some of it I also found to be very dark, but I think you're very talented. My concern is and I just want to be up front with it that's why I'd really like to hear from the Churches and see those copies of those things is that I also don't know when you think about historic Reynoldsburg and that area, it just isn't something that rings to you, when you think about that, and I worry very much about the whole idea of kind of setting a precedent there. My fear is, down the road, somebody comes in who might not run such a great facility, does not have all these letters of support, ah but more importantly, focusing just on, on you and what you bring, I kind of share the same kind of thought. I'm just not convinced that, I'm just not convinced that it's the right fit and when I look at these, when I also look at the Special Exemptions, (a) (b) and (f), I have to, I have to say right now, those are the ones that stand out to me that I need to see more because I'm just not convinced that it is something that I think fits there. I myself drive down Lancaster and see that French House, I think we call it, the building and I've talked about it would be nice to have you know, a book store, or different types of things that seem to fit more with that area. I can tell you, a tattoo studio wasn't something that ever hit my brain but that's just because I'm not real familiar with it. I've actually had people who you have tattooed that I actually know who gave you high, high marks so I don't, I want you to understand, I don't think at least from my perspective, it has nothing to do with your, you as a person or your quality I think of what you can do, it is just, is that the right fit? So I know, I would like more information and if you seek out and talk to those people. Thank you.

Mr. Clemens: Thank you Mrs. Kelly. Are there any other, Mr. Stake.

Mr. Stake: Thank you Chairman Clemens. Ah, I guess my concern is you know what door are we opening? I guess the tattoo parlor is an adult type business, they got the variance so I guess what door would be opening there but I guess another question I have, I noticed on the website you had something that said Hell City. Can you explain that to me.

Mr. Morrison: Ah, that's a tattoo convention.

Mr. Stake: Okay, that's, I know the last time here you spoke about Conventions.....

Mr. Morrison: Yeah, it's one of the largest tattoo conventions in the Country.

Mr. Stake: That's something you put on?

Mr. Morrison: Yes.

Mr. Stake: Here in Columbus and then it's called Hell City?

Mr. Morrison: Correct.

Mr. Stake: Will you have that on your building in your building?

Mr. Morrison: No Sir, no sir. I might have post cards out for it to advertise the basic clientele that's already there doing business, but no, there's not going to be Hell City banners hanging outside.

Mr. Stake: You know, I think some things like that are what concerns me. Ah, and especially opening the door to adult type businesses in that area. I, from what I've seen, you're a great artist, I think you're fine business people, if you get twenty people to sign a petition today saying that they're in favor of you. Obviously, you're out there selling your concept. These people probably hadn't been to your website, or nobody else was able to give the other side of the coin and I'm a business person myself. I know, I hate when Government gets in your way when you try and do business but some of the concerns that I think we have up here are, is it appropriate for the area given that we're trying to keep adult type businesses out of areas like that and this may open the door for that so that's the concern that I have for that. Thank you.

Mr. Clemens: Thank you Councilman Stake. Mrs. Shirey.

Mrs. Shirey: Thank you. I just want to take it one step further and say, I know you guys have gotten signatures from the businesses but what's more important in the City of Reynoldsburg is the Citizens and it's what they'd like to see happen in the City. Ah, the majority, I mean a lot of people come up to me and they are not in agreement so have you guys actually gone out and spoken to some of the citizens not within that area but gone out and talked to them and see if they were in favor of it because I know they're not, there's a lot of them that are not and it's them, their

voice counts in the City.

Mr. Morrison: I've developed friendships with a lot of people in this City just from doing my daily errands, running around, people at the Post Office, people at the Bank and they all seem to be very favorable of it. Nobody's expressed to me any concern about it being a, a you know, a bad, you know, business and then it's not going to have good face. So yeah, the people that I have met, I'm usually working so, I'm not out hanging out at the bars or anything like that to talk to citizens or anything but I.....

Mr. Clemens: Mr. Cotner, did you have something?

Mr. Cotner: Yes, I think you.....

Mr. Cain: Excuse me, just to further answer your question. In today's efforts between you know, 3 p.m. and 6 p.m. when I went out and approached the local businesses, to answer your question, I didn't get to the owner immediately. I was actually speaking with several clerical people, several desk people, people that were running the different shops before I actually got to the owner and while I was waiting for several owners, several Physicians, Chiropractors, actually talked to them and try to get a feel for the aptitude or the attitude of the owner prior to me spending my time because I want to use it wisely and what was really even surprising to me is I took twenty applications out into the community not thinking that I would actually connect with twenty business owners over a three hour period before dinner and meeting here this evening and what was shocking was the immense support that we got from the line staff, from the support staff and the owners within the signed documents that we have shared. I also, Rich and I had talked about this, but obviously, once this proposal is released, obviously it's put in the Reynoldsburg Newspaper and we've suggested to several business owners if they're opposed to it, to come in and speak their piece, or speak their mind. What may make sense isn't an attempt to reach mass amounts of people, is either take out an ad or take out some article suggesting that if there are oppositions, that they come here and support their case or argue their case at another meeting because obviously, with the number of people that reside in Reynoldsburg, you're going to get, you know a very small portion of which Rich Morrison or Jim Cain or Tony Carroll can actually speak with and obviously the we're speaking with, we're not going to come back and tell you the ones that are against us, we're going to promote the ones that are for us, where likely if you're against us or you're against us, you're obviously going to propose, you know, a share of the sentiments of, of your group so I mean maybe it makes sense for us to reach out of the paper and ask anyone opposed, to actually show up in the next meeting to discuss and really get an idea of what the public really feels.

Mrs. Shirey: You might have some citizens that can't come so if you have an email address where they can courtesy copy us on it, by all means, go ahead and let us know what the email address is because, as I stated before, I have not had anybody come up to me and say they're in favor of it and their voice is what counts in the City of Reynoldsburg. There's been too many things happening in the past and we need to make it more favorable for the City and make better things happen for the lives of the children so.....

Mr. Cain: We absolutely.....

Mrs. Shirey: If you have an email address, you know, you guys can go ahead and let us know what it is, let the citizens know so that way, they can voice their concerns to both of us.

Mr. Cain: I don't disagree what so ever. I think it's a brilliant idea.

Mr. Clemens: Councilman Cotner.

Mr. Cotner: Thank you Chairman Clemens. Just a couple different things if I may. One of the things you talk about is some art lessons. Is that adult art lessons, is that for students, what kind of, who are we marketing and targeting that toward?

Mr. Morrison: It would be for anybody that would want to learn basic techniques in painting, oil painting, acrylic.

Mr. Cotner: I mean so okay, my first assumption with that is we're talking again, students, high school students, something like that but their prohibited from coming into your business so doesn't that make it kind of difficult to have classes for.....

Mr. Morrison: That was just thrown out, that wasn't a solidified idea.

Mr. Cotner: Okay.

Mr. Morrison: The art classes would be held down in the basement. We were going to refinish the basement. You wouldn't even come in to the studio, you would come in through the back door and into the basement there.

Mr. Cotner: Okay, and on what Mrs. Kelly had said, I have talked with the schools, I talked to the Principals that are affected here, I've talked to the Churches and while no ones's given a glaring red flag, there's reservations I think that they have is why we're here tonight to try to cover some of those questions and issues and potential concerns and if I may, just put him on the spot and forgive me if care to not say anything, but Dr. Hayes from the New Antioch Bible Church is here tonight and I just want to see if you would care to share any thoughts since you took your time to come tonight, is there anything you'd like to share since you are an effected person by this. Could you come up to the microphone then? Again, I'm sorry to put you on the spot but I know you cared to be here this evening so, just wanted to see if you had some thoughts.

Dr. Hayes: Good Evening everyone. Um, Mr. Cain, I just yesterday, received a phone call pursuing interest in one of members to see if he could contact me so this was the first time that I had gotten full disclosure on what was going on. I think I was here two weeks ago and a meeting for our Church sign and Mr. Cotner just ask me, did I know about the tattoo, I had no idea. I didn't say that we didn't, that doesn't mean that you didn't send the letter, I just didn't get the letter or that you didn't call, I just didn't get the call. But my position was, from my understanding of the law, is that any Church or school within 1,000 feet of that particular facility maybe, I'm not sure what they have say or whatever, that needs to be taken into consideration. I may not be quoting it correctly but that was the law and I'm a practitioner of abiding by the law, and I know that there's a variance that could create opportunities and so on and so forth so that was that. I

believe as a historic Reynoldsburg member, that I want to do everything that is within the confines of keeping historic Reynoldsburg with a certain perception. That's one thing. My second and last thing to say is from my position as a Pastor and what we teach principle from the Bible, and I shared this with Mr. Cain. Markings of the body are not something that we support that we project as acceptable. So from my perception as a Pastor, it would be, no we don't want to do anything in that frame of mind that's marking the body because we don't promote that from a principle from what we do as an institution and so that's the position we take. Whether that's telling you we reject it, it's just that I wouldn't receive anyone that would do that within the framework of what they're trying to do as a business or a personal suggestion but because we are in the, we are a facility within the confines of the established footage, and I ask again, you know, I want to make sure that if my statement has any weight to it, that it's weighted on these two principles that, if we all have a law, then I think we all should abide by that law. Number two, and then secondly, from a institutional point of view, we don't support markings of the body.

Mr. Clemens: Thank you Sir. Mrs. Kelly.

Mrs. Kelly: I have another question for Mr. Morrison. How would you, or what is your plan to insure that minors do not enter the shop and is the plan to have minors not be able to get into the gallery or just up to the tattoo place.

Mr. Morrison: I've been tattooing for twenty years now and I've owned a studio for about 15 years, Stain Skin Studios up on Campus there, one in Newark, Ohio. We're voted Columbus' best seven years in a row. We're know what we're doing. If somebody comes in that's underage, we either ask to ID them, if they don't have identification or underage, they are ask to leave and that's, the receptionist is right there inside the front door. They're not going to get.....

Mrs. Kelly: So down by the gallery as soon as they walk in the door, receptionist.

Mr. Morrison: Right by the front door, you're greeted by my receptionist and the whole alcohol thing and the minor thing, if we smell alcohol on you, you're ask to leave. If you're looking underage, you're ID'd and ask to leave if you're not of age.

Mrs. Kelly: Do you ID because I will.

Mr. Morrison: Absolutely.

Mrs. Kelly: As somebody who works a lot with kids...

Mr. Morrison: I have some myself.

Mrs. Kelly: Some of our students look a whole lot older than what they are. Do you ID, I know like alcohol, I think I ID if you look younger than 35 or something along those lines. Do you have it arranged like that, that you ID pretty much walking in?

Mr. Morrison: Every single person gets ID'd and you have to fill out a release form as well.

Mrs. Kelly: Okay.

Mr. Morrison: Stating that you are presenting proper verification of your age as well.

Mrs. Kelly: Great, thank you.

Mr. Clemens: Thank you Mrs. Kelly. Are there any other, yes, President Hills.

Mr. Hills: I just have one, because I know that there's a first floor and a second floor and tattooing was on the second floor and the art gallery's going to be on the first floor but I gather now you're going to finish the basement and that becomes the studio? I mean you commented about going in the back door and going downstairs which, so I'm assuming that there's a basement in the building. I haven't been in the basement.

Mr. Morrison: Yeh.

Mr. Hills: Okay and that's going to be the studio so people who are.....

Mr. Morrison: That would be if we did, if we moved forward with painting classes, that would be converted into like an art studio with easels and painting supplies.

Mr. Hills: Okay, so.....

Mr. Morrison: There's no tattooing going on.

Mr. Hills: So you learn in the basement, you come up and I'll sell it on the first floor and then you grow up enough you can go ahead and have your tattoo on the 2nd floor.....

Mr. Morrison: If you come around front.

Mr. Hills: Thank you Mr. Clemens.

Mr. Clemens: You're welcome. Are there any other comments from Committee or members of Council? I am going to send this on for second reading and Mr. Hodge, I want you to understand your comment about the ship has sailed, I don't think the oars are in the water yet, so we do want you to come back for the next meeting.

Mr. Hodge: Okay, Mr. Clemens, if I could, I'm sorry Mr. Clemens to interrupt you but Mr. Morrison has a business trip out of town in 2 weeks. Would it be possible to come back therefore in a month.

Mr. Clemens: I'd love it because I'm going to be out of town. You'd love that too, wouldn't you.

Mr. Hodge: Politically expedient timing I think.

Mr. Clemens: When would be the time for you to come back?

Mr. Hodge: Ah, a month.

Mr. Clemens: Do you know what date that would be?

Mr. Morrison: I'll be out of town.

Mrs. Kelly: So today's the 17th so.....

Mr. Morrison: I'm gone until March 2nd.

Mr. Hills: March 16th will be the second Committee Meeting in March.

Mr. Clemens: Would March 16th be, would that be fine for you?

Mr. Hodge: Yes.

Mr. Clemens: Okay, then I'd like to make a motion that we hold this until Committee Meeting on March 16th. Do I have a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). And I do want to thank you Gentlemen for coming this evening.

Mr. Hodge: Thank you all very much for your time.

Mrs. Kelly: Thank you.

That ends the Service Committee Meeting at 8:35 p.m. Thank you.

Service Committee
- - -Nancy C. Frazier, Clerk of Council
February 17, 2009
(Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

February 17, 2009

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

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

Mr. Stake: I'll call to order the Finance Committee Meeting at 8:36 p.m.

Item 2 is approval of the agenda. Are there any additions to the agenda? I believe we have one addition, make it 3a, the funding for the advertising for bids for the painting of the water tower would be 3a. All those in favor say "Aye". (All voted "Aye") Opposed. (No response).

Motion passes.

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

Item 3a - Funding for the advertising for preparation of bid documents, distribution, advertise for bids, review of bids and preparation of bid tabs for the painting of the Broad Street Water Tower Project and to appropriate \$5,000 from the Unappropriated Water Fund 710.109.5621 and this came from the Service Committee.

Mr. Clemens: Yes, this comes from the Service Committee with recommendation for adoption.

Mr. Stake: Okay. Are there any questions or comments from members of the Finance Committee in regards to this item. Ms. Frazier.

Ms. Frazier: Mr. Clemens, you didn't put any emergency on that. Did you want an emergency

on this, because if you pass it.....

Mr. Clemens: Yes, I'd like to have an emergency on that.

Ms. Frazier: Mr. Stake would you include that in your motion please?

Mr. Stake: I sure will.

Ms. Frazier: Thank you.

Mr. Stake: Okay, if there are no questions or comments in regards to this item, I'll make a motion that we send it on to Council with recommendation for adoption as an emergency, the appropriation of \$5,000 from the Unappropriated Water Fund 710.109.5621. Is there a second? Seconded by Councilman Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 4 - Discussion: Appointment to Design Review Board. I believe we have an end of a term coming up, is it March 14th I think, March 10th. Okay, for Design Review Board, I believe Stephanie McCloud is serving in that position at this time. I have not heard from her whether she wishes to continue. I do know that in previous announcements in regards to these coming up to an end we did receive some letters from some folks who did show some interest. I guess, when is the next Design Review Board Meeting? March 5th., okay but her, that doesn't expire until March 10th so we wouldn't have to worry about that. I guess I would like to make an announcement, maybe the press will put this in the paper as well that, that is coming due and also see if there's any desire from Ms. McCloud to continue to serve and hold this for two weeks unless there's a burning desire by anybody here on Council to go ahead and go forward tonight. President Hills.

Mr. Hills: The only question, if I could, Councilman Stake, I do know that there was a reference earlier sometime late in December of some approaching dates and Planning Commission was one and this one and there have been a couple of letters received specifically on Design Review so certainly anyone who has an interest ought to get it in pretty quickly but there was an announcement made by Council and I'd have to check with Nancy as to when that was as to upcoming, upcoming, excuse me, it was Board of Zoning and Appeals and also Design Review and in fact it was Planning Commission but there, and that was done sometime in late '08, I can't remember when but we have, there has been some interest come in.

Mr. Stake: There has, yes.

Mr. Hills: If there's continuing interest, They certainly ought to submit.

Mr. Stake: Right, and I would, I guess I would like to close that out on Wednesday, February 25th. Any problem with that. Okay, then I'll make a motion that we hold this item for two weeks. Anybody's who's interested, please send your letters of interest in to the clerk by February 25th. I'll make a motion to hold this item for two weeks. Is there a second? Seconded by Councilwoman Kelly. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 5 - Discussion: Confirmation of appointment to Civil Service Commission to fill

unexpired term. This is coming from the Mayor, Mayor.

Mayor McCloud: We do have a candidate that I'm recommending for appointment, Chairman Stake and that is James Sharps, formerly the Chief of Truro Township Fire Department.

Mr. Stake: Okay, and we just need to send this forward as a motion, so there's no need for any emergency, correct Mrs. Frazier? See I'm learning. Okay, any questions or comments in regards to this confirmation of appointment of James Sharps to the Civil Service Commission, by members of the Finance Committee, members of Council? Well, then hearing none, then I'll make a motion that Council confirm the appointment of Mr. James Sharps to the Civil Service Commission. Mr. Sharps will serve the final three years of Mr. Rob Amiet's term which expires on January 14, 2012. Do I have a second. Seconded by Councilman Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes and this will go on to Council.

Item 6 - Discussion: 2009 Final Appropriation-- -held 1-20-09. *On 2-2-09 item held two weeks.* We did receive a revised final appropriation from the Mayor which was dated February 5th and I believe there probably are some revisions being made to that. Okay, Mayor, do you have anything you'd like to say in regards to this item at this time?

Mr. McCloud: No.

Mr. Stake: No, okay. Anybody on the Finance Committee have any questions or comments or anything they'd like to say in regards to the budget at this time?

Mrs. Kelly: Not yet.

Mr. Stake: Councilman Clemens.

Mr. Clemens: It's my understanding it's being worked on, am I correct on that Brad? You're working on it?

Mr. McCloud: Yes, we are.

Mr. Clemens: No, I, you're working on it too.

Mr. Stake: We're working, I was in a meeting with a few other folks talking about this the, yesterday, I believe and yes, it is being worked on, I think we're working towards a balanced budget which we've always had and I believe that'll happen. President Hills.

Mr. Hills: And if I could add, certainly Administration from what we originally started to where we are now, it's, we've moved a long way and there's been some, there's been some anticipated, some surprises come in, some revenues are up and by the time revenues go up, it makes it easier a little bit with your expenses so but it, it certainly is much closer to balanced than what this reflects on '05 which is about \$270,000 expenditures exceeding revenues and I think when the other modifications are made, which I'm sure we'll see in a couple of weeks that, I think that it, probably we're going to be right back where Councilman Stake, Chairman Stake just mentioned. The goal

for a balanced budget and I do thank Administration for their efforts and Ron for his efforts and as we say, the more businesses we get in town, the more revenues we have coming in and that's, that's where our goal needs to be.

Mr. Stake: Okay, thank you President Hills. Any other comments or questions from members of Finance Committee or members of Council? Hearing none, then I'll make a motion that we hold this item again for two weeks. Do I have a second? Seconded by Councilman Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

ORDINANCE TO AMEND THE "CITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL" ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED (various sections)- -first reading February 9, 2009. This comes from the Human Resources Director. I know she's here tonight. If anybody has any questions, are there any questions in regards to this item from members of the Finance Committee, members of Council? I do have a question, just kind of came to me here a little bit. I was thinking about the cell phone policy. I know there are some changes to the cell phone policy and I, I, I am in favor of those changes. I guess the question I would have in regards to that, are we going to have clearly defined responsibilities on who makes sure that the policy's followed through.

Mrs. Kish: Yes we will. We have actually just been discussing that too to make sure that not only do we get the reimbursement, we have the responsibility to get the reimbursement, to keep the file and have it ready so that it should come up, if it comes up in any sort of audit or anything, we would have all our cell phone bills showing not only the use certifying that it was for business use or personal use and having that already to go.

Mr. Stake: Right, I know in past audits we've had done, you know, there have been some issues in regards to the cell phone policy so I just want to make sure that, that the changes that we do have in here, we're going to make sure that we have some follow through on.

Mrs. Kish: Yes, Sir, we will.

Mr. Stake: Okay, very good. That's the only question I had. Any other questions for the Human Resources Director? Okay. Thank you.

Mrs. Kish: Thank you.

Mr. Stake: If there are no questions from members of Finance Committee or members of Council, I'll make a motion that we send this item on for it's second reading. Do I have a second? Seconded by Councilman Clemens. Any further discussion. Any further discussion? (All voted "Aye") Opposed. (No response). Motion passes.

ORDINANCE MAKING TRANSFER OF FUNDS WITHIN THE INCOME TAX DEPARTMENT ACCOUNTS TO PAY THE REGIONAL INCOME TAX AGENCY FOR THE 2009 SUBPOENA PROGRAM; AND DECLARING AN EMERGENCY- -read for second time February 9, 2009. Are there any questions or comments in regards to this item from members of the Finance Committee, members of Council? Hearing none, then I'll make a motion that we

send this on to Council with recommendation for adoption as an emergency. Do I have a second? Seconded by Councilman Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

ORDINANCE AUTHORIZING CITY AUDITOR TO SEEK REIMBURSEMENT FROM OPWC FOR PRELIMINARY ENGINEERING INCLUDING DESIGN, PLANS, SPECIFICATIONS, BID DOCUMENTS, AND GRANT APPLICATIONS FOR THE ROSEHILL ROAD IMPROVEMENT PHASES I AND II; AND AUTHORIZING CREDITING OF MONIES RECEIVED, AND SUBSEQUENT TRANSFER OF FUNDS- -second reading February 9, 2009.

Are there any questions or comments from members of the Finance in regards to this item from members of Finance Committee, members of Council? Hearing none, then I'll make a motion that we send this on to Council with recommendation for adoption as an emergency. Do I have a second? Seconded by Councilman Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. I will close the Finance Committee at 8:48 p.m.

Finance Committee

---Nancy C. Frazier, Clerk of Council

February 17, 2009

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