

SAFETY COMMITTEE MEETING MINUTES
TUESDAY January 20, 2009

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

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 7:30 p.m. The second item on the agenda is the approval of the agenda and we have a change - Item 8* will be held for two weeks. Are there any changes from Committee, Council? All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you.

Item 3 is the approval of the minutes of the January 6, 2009 Safety Committee Meeting. Are there any additions, deletions or changes to those minutes? Seeing none, those minutes will stand approved.

Item 4 - Discussion: Liquor Permit Request - STCK - World Beverage & Snack Inc dba Metro Beer & Wine Drive Thru, 6785 E. Main St & Garage, Reynoldsburg, Ohio 43068. Chief, you're here this evening. Do you want to talk a little bit about it, please?

Chief Suci: Chairman Deskins, we did an investigation into this stock transfer and found no reason to appeal it.

Mr. Deskins: Thank you very much. Is there any question for Chief Suci from Council? I return this to the Clerk with no action, for her disposal.

Item 5 Discussion: Liquor Permit Request - New - Meijin, LLC dba Meijin Japanese Steakhouse, 2418 Taylor Park Drive & Patio, Reynoldsburg, OH 43068.

Chief Suci: Yes again, Chairman Deskins, we did an investigation into this new Liquor Permit and found no reason to appeal this new permit.

Mr. Deskins: Thank you very much. Is there any questions from the Committee, Council? If not, I'll return this to the Clerk with no action, for her disposal. Thank you very much Chief.

Item 6 - Discussion: Authorize contract - Rosehill Road Reconstruction Project, Phase 1; create fund; appropriation of funds; authorize payment of invoices. Mr. Miller, are you with us this evening? We've talked about this, I know, a lot, but just give us a summary of where we are now and what you're expecting to happen.

Mr. Miller: Well I, thank you Chairman Deskins. Everybody is familiar with the Rosehill Road Reconstruction Project Phase I and II, and the legislation before you this evening is to create the funds, appropriate funds and authorize payments consistent with the OPWC Guidelines, and to also authorize the Mayor to enter into contract with George J. Igel and Company for Phase I, and for Kokosing Construction for Phase II, and I'd be happy to answer any questions.

(*Item 8: Discussion: Authorize purchase of three cruisers; appropriation of funds.)

Mr. Deskins: Thank you Jim. Is there any questions from Committee members, Council?

Well, I guess we've talked about that enough so, I'd like to make a motion that we refer this to Council with recommendation for adoption as an emergency. Seconded by Mr. Stake. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Now I'd like to refer this to Finance Committee for funding. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you Ron.

Item 7 - Discussion: Authorize contract - Rosehill Road Reconstruction Project, Phase 2; appropriation of funds; authorize payment of invoices. This is same discussion, but it's Phase 2, is there anything different than what we've talked about in the last few weeks?

Mr. Miller: Correct Chairman Deskins. It is the same as, this is for Phase II which is the second Phase of Rosehill Road from Main Street south to Livingston.

Mr. Deskins: Okay. Is there any questions from Committee for Mr. Miller, Council? Thank you Jim. I'll also make a motion for Phase II that we refer this Council with recommendation for adoption as an emergency. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. I'd also like to refer this to Finance Committee for funding. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you very much. That get's us through the Safety Committee.

We'll adjourn at 7:40 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

January 20, 2009

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

SERVICE COMMITTEE MEETING MINUTES
TUESDAY January 20, 2009

Members of Service Committee present: Mel Clemens, Donna Shirey, Fred Deskins, Jr.

Other members of Council present: Leslie Kelly, Doug Joseph, Ron Stake, Council President William L. Hills.

Mr. Clemens: I'll call the Service Committee Meeting to order at 7:41 p.m.

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

Item 3 - Approval of minutes of the Service Committee Meeting held January 6, 2009. Are there any additions or deletions? If not, they'll stand approved.

Item 4 - Discussion: Amend 1175.08 "Side and Rear Yard Requirements for Non-Dwelling Uses Abutting Residential Districts". Our Development Director, Mr. Haire.

Mr. Haire: Thank you Chairman Clemens, Council members. The proposal before you this evening is to amend Chapter 1175 which is the setback requirements for non-dwelling uses abutting a Residential Zoning District, and what this amendment will do is, it will remove 1,000 foot buffer requirement, or setback requirement, on industrial properties from a residential district, and it will take that back to 100 feet which it was prior to 1999. I don't know all the intricacies of why that was changed, but in the prior code, it was there.

Through my research, I can't find anything in the minutes where it was discussed changing that. It may have been an oversight on someone's part when they put that 1,000 feet in. What this ordinance will do in it's current draft is that it will also prevent certain types of uses and keep them at the 1,000 setback - grain elevators, auto salvage, some of the uses that are more offensive that would cause odors, fumes, noise, all those types of things that would really impact the residential area. So this should have little impact on any residential areas if industrial development was to occur. Typically, you know industrial development now is more high tech, all contained within a building, causes very little outside noise with the exception of loading docks.

Mr. Clemens: Are there any questions for Mr. Haire pertaining to this subject? Yes.

Mrs. Kelly: I'm not on your Committee any more though.

This would only pertain to industrial businesses, not any type of commercial service, other types of businesses, just industrial, correct?

Mr. Haire: Correct. The only changes that were made in this were for industrial type uses. Chairman Clemens did point out that there was one change that was made to Outdoor Storage of Construction Materials and other items and we can further discuss that if there are issues with that, if we'd like to keep those the same. I have no issues with leaving those the same. Currently, they're at 200 feet and we've reduced those to 100 as well so we can change that back to 200 feet, but it wouldn't impact anything other than industrial type uses.

Mr. Clemens: Are there any other questions from the Committee for the Development Director, members of Council? Yes Mr. Hills.

Mr. Hills: If I could, just to clarify that, because I think also you've added in more specificity on things that are 1,000 feet, correct, to further define, basically if you had auto or metal salvage or junk storage, those are 1,000 feet. So that 1,000 feet is a new establishment for a number of directly defined that the RI was 200, it's going to 100, the GI was 1,000, now going to 100. I certainly see the Outside Sale and Storage at 200. It kind of got eliminated because it happened to be in the same line that the RI's were in.

Mr. Haire: Correct.

Mr. Hills: And that's one thing you're reconsidering or may reconsider. Now that all commercial use is coming out at, it was 120, did that come out for a reason or was it, 'let's just go ahead and line out that part' too?

Mr. Haire: I don't, I don't know that we've ever enforced that honestly. I don't, I can't.....

Mr. Hills: That doesn't surprise me.

Mr. Haire: I can't, honestly, I didn't know that was in there until I really started looking at this part of the Code. I don't think we've ever restricted the commercial use.

Mr. Hills: This is going to go for a few readings.

Mr. Clemens: Yes, right

Mr. Hills: But I think conceptually I don't have a problem with what you're doing or whether there may be some, certainly some benefits to it, and we are to the point that you look at the best use of the land that you have left and probably 1,000 foot setbacks is not often the best use of land we have left. We aren't out annexing a whole bunch of land and nobody's running and saying can we annex to you, so certainly I think it's good to look at these things; but I just, that question may be one we look at as we're going through just to see if there's better answers to it.

Mr. Haire: Yeh, I apologize for that, I overlooked that. It does apply to commercial uses and that being stricken, the 120 feet, we still have that in there with parking lots and things and we've always enforced that, that the parking lots need to be at least 50 feet from a residential property. They need to have screening and all those items addressed so we've always done that, but I don't know that we've ever restricted commercial buildings within 120 feet of residential, because that would eliminate most of the commercial areas along Main Street, because there's not a lot of depth on those lots.

Mr. Hills: Chairman Clemens, I wasn't saying it wrong, it's just important to note that it's a change.

Mr. Clemens: Right, and the only reason that I questioned the Outside Sale or Storage, storage building materials, because that can get slightly close to peoples' homes; and we've always had it 200 feet and the same with, so those are in construction equipment, that can be noisy and so forth;

so those are things that we're looking at that will be possibly put back to 200 feet instead of the 100. Other than that, we've got time to look at any issues that anybody on Council or Committee has as far as this is concerned, because we're just planning on sending it, would like to send it for the first reading. Are there any other questions to Luke as far as this ordinance is concerned? If not, I'd like to turn this over to, well, I'll send it, I'll recommend that we send this to Council for it's first reading. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you.

And we'll adjourn Service at 7:45 p.m.

Service Committee

- - -Nancy C. Frazier, Clerk of Council

January 20, 2009

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

FINANCE COMMITTEE MEETING MINUTES

TUESDAY January 20, 2009

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

Kelly.

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

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

Item 2 is approval of the agenda. There are two additions that we have to the agenda. I'd like to make 3a - Rosehill Road Phase I funding; 3b - Rosehill Road Phase II funding. Are there any other additions to the agenda by members of the Committee? All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries.

Item 3 - Approval of minutes of Finance Committee meeting held January 6, 2009. Are there any changes to those minutes? Hearing none, they'll stand as submitted.

Item 3a is Rosehill Road Phase I funding, and I'm going to need to talk to somebody a little bit about this. The Auditor should, is the Auditor the one's whose going to address the funding issues here? I think I got it right; let me just run this by you. Going to create a 450 Fund for Rosehill Road Improvements and with the following funds, Franklin County Engineer \$750,000, CDBG Grant, \$200,000, OPWC Grant \$4,216,560, OPWC Loan, \$1,482,000 and appropriate all these funds into Account # 450.001.5651.

Mr. Harris: Lot's of numbers. Yeh, what there is, is there's several funding mechanisms as Council may remember, for this particular project. The Franklin County Engineer is supplying \$750,000 from their Permissive Tax Fund. We've already received \$250,000 of that. The other \$500,000 will be probably by the end of March, early April. Everything else is from the OPWC Loan, grant and loan, and \$200,000 coming from the Community Development Block Grant. All this money will be appropriated into that one account number and we've, so we can pay the bills and basically, what we will do is we will pay from the \$750,000, so much for every invoice, I think it's 12% or 13% and then the rest goes to OPWC to be paid. The loan will be billed to us and when it comes due, we are going to take whatever monies are going to be owed on that loan from our Permissive Tax Fund that is being held by Franklin County which can be used on Rosehill Road, and the rest will come from the utilities - Storm Water, Water, and Wastewater in order that we will not have to carry that loan on the books and that's the way it was talked about before and that's the way the funding, looks like it's going to come in at the same type thing we originally discussed. Did that make it more clear, less clear, or what?

Mr. Stake: Just as clear as it always was.

Mr. Harris: Okay.

Mr. Stake: Are there any questions from members of Finance Committee for the Auditor, members of Council? Okay, then I'll make a motion that we approve the creation of Fund 450 for Rosehill Road Improvements with those various funds and appropriate all the funds into Account # 450.001.5651. Seconded by Mr. Deskins. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion carries. Thank you.

Item 3b is the Rosehill Road Phase II funding. Mr. Harris.

Mr. Harris: The same funding mechanism to do the area south of Main and the area north of

Main. This will just be continued across Main Street. We will do the same thing. This will just become part of the funding that we'll be doing with the Ohio Public Works Commission and will be handled the same way and it's actually the same funds that we used on the area north of Main so it's the same funding mechanism going to go to pay for the entire project.

Mr. Stake: Okay, are there any questions for Mr. Harris from members of the Finance Committee, members of Council? Then I'll make a motion that we approve the creation of Fund 450, Rosehill Road for the following funds - Franklin County Engineer \$750,000, well, the same funds as before I guess.

Mr. Harris: It's the same funds.

Mr. Stake: And going to Account # 450.001.5651. Seconded by Mr. Clemens. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes and those are approved.

Mr. Harris: Good. I got to hang around for the next one anyway.

Mr. Stake: Okay. I was wondering why you're hanging around there.

Mr. Harris: It's my sparkling personality. I just thought you guys wanted to hear me talk more.

Mr. Stake: Item 4 - Discussion: Supplemental appropriation - 2009 Subpoena Program. Mr. Harris.

Mr. Harris: Thank you, Chairman Stake, members of Council. You received a note from me with your packet last week. We have done for most of the last 10 - 15 years, a Subpoena Program with individual taxpayers. This is done through the Regional Income Tax Agency and the way this program works is, we start, they start basically in November and December, start sending letters to those people who have not complied with the Code. Our section of the Code is 191.05 which requires each person residing in the City, 18 years of age or older shall be required to file a City Income Tax Return on or before April 15th of each year with the City Auditor. This is for people who have not filed. There could be reasons that they did not file. They've moved, they were a student in school, those kind of things, but this is a way for us to try to clear up who has not filed, who has filed and who has not filed. Basically, this is the same as you would get with an IRS Audit except it's a local audit. We've done these for a number of years. The highest, I looked back clear to 2000, the highest we have gotten in on one of these is about \$188,000, or \$175,000, the lowest is about \$88,000 so it does bring people into compliance with our Code and it's a good thing. The City gets about \$100,000 additional revenue off of it so we would like to continue to do it. It was not in the 2009 Budget, it was also - because we went back to the 2008 Budget - it was not in the 2008 Budget, because we worked with RITA on a pilot program to do the same type of thing with business returns, as well as individual returns, and we got a freebie on that one, and a freebie is always a good one to get on something like that and they got some experience with those particular types of returns; so we're going back to the one for this year, going back to an individual one, and it's kind of interesting when they do these. Some of these people say, look it's \$25 for non-compliance on the filing fee, my accountant charges me \$35 to do the return, so I'll

just come in and pay you. But we do get a number of returns that we do collect on these and it is a worthwhile program and we would like to continue to do it.

Mr. Stake: Okay. Thank you Mr. Harris. Are there any questions from members of the Finance Committee for the Auditor in regards to this program? Members of Council? I see you want an emergency on this.

Mr. Harris: Yep, but you can go ahead and read it a couple of times because I don't really need this in effect until, they're not going to do it until the end of February so I don't need it until the middle of March so you can make an appropriate number of readings as long as I, you know, get it effective prior to about March 15th.

Mr. Stake: Okay. Councilman Joseph.

Mr. Joseph: Yes, Chairman Stake. Thank you. Mr. Harris, two questions. On the memo that you sent out it said that Section 191.05 of our Code requires all persons over the age of 18 to file City Income Tax Returns. That only applies to people that would actually owe tax, correct?

Mr. Harris: No.

Mr. Joseph: Or is that everybody?

Mr. Harris: It says everyone.

Mr. Joseph: That means even.....

Mr. Harris: Each person residing in the city.

Mr. Joseph: A person who owes no money would still have to file an annual return?

Mr. Harris: That is correct.

Mr. Joseph: Okay. And secondly, what does this program cost the city every time we do it?

Mr. Harris: About \$35,000.

Mr. Joseph: \$35,000.

Mr. Harris: It depends on how many people come, but it's somewhere in the neighborhood of \$35,000.

Mr. Joseph: Okay, thank you.

Mr. Stake: Any other questions from members of Council for the Auditor? Then I'll make a motion that we send this on to Council for it's first reading to appropriate \$35,000 from the Unappropriated Income Tax Fund to Account # 220.564.5339 to pay the Regional Income Tax

Agency for the 2009 Subpoena Program. Is there a second?

Mr. Harris: One thing Mr. Stake. I know there's been some talk about rather than wanting to appropriate more money, if they just want to transfer this money from one of the other accounts in there, we might make it easier than appropriating money, if that's what Council wishes to do, either way.

Mr. Stake: I know on some of these others we're going to do that. This is the first I've heard on this one so..

Mr. Harris: If you want to go ahead and do it and make it cleaner and do them all the same way, we can do it as a transfer or Council can appropriate the money as long as I have some money in there by the end, or middle of March to pay the invoice that comes in.

Mr. Stake: Where would you want to transfer it from?

Mr. Harris: We can take it out of the 100 accounts. I will give you an account number within that department - - account 220.564.5101.

Mr. Stake: And what account is that?

Mr. Harris: That's a Tax Administrator.

Mr. Stake: Okay.

Mr. Harris: Salary.

Mr. Stake: Okay. Okay, then I'm going to withdraw my previous motion. Make a motion that we appropriate \$35,000 from Account 220.56.....or transfer \$35,000 from Account 220.564.5101 to Account 220.564.339 to pay the Regional Income Tax Agency for the 2009 Subpoena Program. Seconded by Mr. Clemens. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Mr. Harris: Thank you.

Mr. Stake: And send this on for it's first reading.

Item 5 - Discussion: Appropriation for Xerox lease payments. Mayor, are you going to address this one?

Mayor McCloud: Yes I will, Chairman Stake. This request will, instead of a request for an appropriation, be a request for an appropriation transfer from, for the Police Department Xerox from 110.111.5113 to the account number that is listed in the Legislative Request, 110.111.5639. We're asking for the annual amount which is rounded up to \$11,500.

Mr. Stake: Okay, so you're looking for \$11,500 for the Xerox lease payment and that's the annual amount, to come from account number, be transferred from account # 110.111.5113 to

account # 110.111.5639?

Mr. McCloud: That is correct.

Mr. Stake: Any questions or comments from members of Finance Committee for the Mayor? Members of Council? Then I'll make a motion that we transfer from account # 110.111.5113, \$11,500 to account # 110.111.5639 as an emergency. Seconded by Mrs. Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Item 6 - Discussion: Appropriation for photo copy lease payments.

Mr. McCloud: Thank you, Chairman Stake. Similarly we are requesting, I am requesting, rather than an appropriation, an appropriation transfer and this would be from 110.595.5311 to the account # that is contained in the....110.595.5639, in the amount of \$10,000.

Mr. Stake: Okay, any questions or comments from members of the Finance Committee? Councilman Clemens.

Mr. Clemens: I got a question and I just.....and I don't know much about this stuff, but \$10,000 a year - how much does it cost to buy one? I mean, I don't know what they run.

Mr. McCloud: I don't know off the top of my head Mr. Clemens. I can look into that. I can tell you that this is for two copiers, combined for a whole year.

Mr. Clemens: But I mean, if we're doing it every year, it just adds up. I don't know, I don't know what they cost. I don't know whether, I have no problem with it if you, just let me know what they cost.

Mr. McCloud: Okay.

Mr. Stake: And you want this, Mayor, you want this done as an emergency also?

Mr. McCloud: Yes, please.

Mr. Stake: Any other questions or comments from members of Finance or members of Council? Then I'll make a motion that we send on to Council with recommendation for adoption as an emergency, to transfer \$10,000 from 110.595.5311 to the account # 110.595.5639 for the photocopy lease payment. Seconded by Mr. Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Item 7 - Discussion: Authorize City Auditor to seek reimbursement from OPWC for engineering - Rosehill Road Reconstruction Project; authorize placement of funds when received.

Mr. Harris: Thank you Chairman Stake, members of Council. Back when this process started with taking bids and doing the engineering for the Rosehill Road reconstruction, Council appropriated money from 410.121.5651 in order to allow EMH&T to proceed with the planned specifications, bid documents and the bidding process. Now that that is done, we will have to

sometime, when all the bills are in, we will have to ask that OPWC reimburse us for those because those, that \$250,000 was part of the cost for Rosehill Road. So, we are only allowed one bite at the apple so to speak, so there are still, to date, there's been invoices paid for \$219,701.67. The bills have not all been sent to us yet, so there's no emergency on this, because I probably won't do this until sometime in April or May until we make sure all the bills are received and we will send that to OPWC and we will be reimbursed back the, the CIP Fund will be reimbursed the \$250,000 or whatever the final number comes up to, but I do need authorization from Council to seek the reimbursement.

Mr. Stake: Okay. Are there any questions or comments for the Auditor from members of the Finance Committee or members of Council? Hearing none, then I'll make a motion that we authorize the Auditor to seek reimbursement from the OPWC for preliminary engineering including design plan specification, bid documents and grant applications for the Rosehill Road Project. Seconded by Mr. Clemens. Any further discussion. All those in favor say "Aye" and I meant to say send this on to Council for it's first reading. (All voted "Aye") Opposed. (No response) Motion passes.

Mr. Harris: Yeh, this can go the full three.

Mr. Stake: Okay, thank you.

Mr. Harris: Thank you.

Mr. Stake: Item 8 - Discussion: 2009 Final Appropriation. I know that today we got some new budget numbers from the Auditor on behalf of the Mayor and I don't think anybody's had any real time to go through this at all. I do notice that there's a lot of blanks in there in the last column for the 2009 Final Budget request so I believe, Mayor, correct me if I'm wrong, you're working with the Directors to put together final budget numbers to fill in those blanks?

Mayor McCloud: Yes.

Mr. Stake: Okay. Do members of the Finance Committee have any questions or comments for the Mayor or anybody else in regards to the Budget? Members of Council?

Mr. Clemens: Not 'til we get the final.

Mr. Stake: Okay. Yes, I noticed that when we did see numbers before, we did the Interim Budget, there were some challenges there, and we'll have to see what kind of numbers we get and go from there so, and I'll be happy to work with the Mayor and Auditor and anybody else on this, anytime you'd like. I'm sure other members of Council feel the same way. But in the meantime, are there any questions or comments from anybody on Council? Then I'll make a motion that we hold this item for two weeks. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes.

Item 9 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 971.08 "Program and Facility Fees And Charges" OF CHAPTER 971 MUNICIPAL PARKS- -first rdg 1-12-09. There's just a few

changes in here and some additions for some new programs. Are there any questions or comments from members of the Finance Committee in regards to this item? Members of Council? Hearing none, then I'll make a motion that we send this item on for it's second reading. Seconded by Mrs. Kelly. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response) Motion passes. Thank you.

And I'll adjourn Finance at 8:04 p.m.

Finance Committee

---Nancy C. Frazier, Clerk of Council

January 20, 2009

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