

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
January 8, 2018

Ward 2 Councilmember Brett Luzader called the meeting to order at 7:41 PM

PRESENT: Luzader, Baker, Bryant, Skinner, Joseph

ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Public Service and Transportation Committee – Committee Meeting – December 11, 2017

RESULT:	ACCEPTED
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NEW LEGISLATION/DISCUSSION ITEMS

MOTION TO APPOINT BRETT LUZADER CHAIRMAN OF THE PUBLIC SERVICE & TRANSPORTATION COMMITTEE

Mr. Luzader requested Mr. Caleb Skinner to serve as his Vice-Chair.

Mr. Caleb Skinner agreed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Caleb Skinner, Ward 1 Councilmember
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Luzader, Baker, Bryant, Skinner

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

Mr. Snowden: This is a section that's been on my radar for a while. The specific problem here is that the section gives the Board and Zoning and Building Appeals the power to grant variances or to vary the requirements of that section with regard to temporary special land uses. Temporary special land uses are your firewood sales, your Christmas tree sales, etc. It does not specify in which manner, whether it's going to be a variance or a special exception. It needs to specify one of the two. With that I'm just cleaning up the section. I'm also adding language that makes the temporary special land use that would be permitted within the S1 District. For example, today, the use of is permitted only in the CC and CS Districts. That means if you had a church, most of our traditional churches are zoned S1, doing a Christmas tree lot for the churches Boy Scout troop, technically requires a special temporary special land use permit. That is not a permitted zone, so I'm adding S1 within that district.

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Mr. Luzader: I've got a couple. You approached me about this a few weeks ago. I've had a chance to look at your changes and the overall section of 1171. If I understand this correctly, that means that right now say the vacant lot at the corner of Brice and Main, coming right straight into town, someone could come in now and come to you and ask for a permit and bring in a couple semi loads of firewood and sell firewood on that lot for 90 days.

Mr. Snowden: Mr. Chairman, I think what you're asking. If you're looking under general regulations on the very first page of the code changes under C3. It specifies the temporary special land uses for permits of seasonal sales of produce, plants, and firewood are effective for 90 days. It specifies for sidewalk sales and Christmas tree sales it's 30 days. The answer to that question is yes. This section was 60 at one point. I worked with several Councils ago to get it extended to 90 because we had some requests from some of our large retailers that are doing like a produce shop or a garden center in their parking lot. Your concern sir is it that the like on a vacant lot when you're talking about a lot that has no main use that's established. Is that your concern?

Mr. Luzader: Yes. I don't have a problem with like Wal-Mart or Lowes when they bring their flower rack out and different things like that because I know that a lot of times their sales they don't have enough room inside, but for a vacant lot like Brice and Main particularly, I think 90 days is way too long for someone to just come in there and set up shop.

Mr. Snowden: We could specify under that C3 a different regulation type. We can either reduce it in general, if that's the will of the Council or we can specify a different regulation based on what the primary use is. My view would be if you have an established use, I agree with you, it's less objectionable than when you don't have an established use. When you don't have an established use or you don't have a structure on the site, you may or may not have proper utilities, restrooms, etc. There's definitely some concerns there. There are many options that I would be happy to come back with something that revises that.

Mr. Luzader: Are there any other comments from the committee for Mr. Snowden on this?

Ms. Bryant: I tend to agree that 90 days is a little bit long when you've got an untethered location. I think that's something that we should explore a little further before trying to do something with it.

Mr. Clemens: I'm not really enthused about the 90 days, but I'm not enthused that you can do that on a lot, as you speak of the lot we're talking about and also the lot right down here on the corner. There no lots in and out. All we're doing is setting up, it could be anything in those lots, and I don't think we should. I think there should be some way we could decide what lots we're not going to do it in. Just because we've got an empty lot in our city doesn't mean we have to have someone come in and sell garbage off or whatever they've got.

Mr. Snowden: It's only for produce, plants, and firewood.

Mr. Clemens: That's fine. I don't care.

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Mr. Snowden: I hear what you're saying.

Mr. Clemens: Those are bad lots. That's why they sit empty because people can't get in and out without causing problems. I think when we got lots like that the city should control it. I don't think they should be open to something like that. That's my thought. It's going to come back, so it doesn't really make any difference, but as you look at it there's choice lots and I don't think it should be set out like that. It causes a problem for the city. I'm not in favor of seeing a big stack of firewood sitting there for 90 days, I can tell you that right now, and a bunch of flowers either. That's my point on that one. I don't think that there's certain lots that will cause a problem. Just to be doing something, I don't think that's the case.

Mr. Snowden: Mr. Clemens, I hear what you're saying and I'll be happy to come back with whatever the Chairman and others would like to work with this, but I have to have uniformity throughout the city, so I can't simply say, lots number 12 and 123 Main Street are hereby prohibited to temporary special land use. I have to assign it based on the districts, the conditions, and so on on the site.

Mr. Clemens: That's right. Then do it that way.

Mr. Luzader: I'm not sure how we could specify what lot.

Mr. Clemens: Just because we've got a *inaudible it doesn't mean we have to put somebody else to come out there.

Mr. Snowden: I'm not particularly a big of the section either, but we're trying to apply a general standard throughout the entire the city. I hear what you're saying sir.

Mr. Luzader: I think what Mel's trying to get at is either you allow a temporary land use on a vacant lot like that or you don't allow it.

Mr. Clemens: You don't allow it.

Mr. Snowden: That possibility exists. I have not researched that specific, but that is an option that I can look into.

Mr. Clemens: That's what I mean.

Mayor McCloud: We'll explore that Mr. Chairman.

Mr. Luzader: Are there any other questions to Mr. Snowden?

Ms. Bryant: Theoretically, could there be explored as a renewable option? Maybe give them 30 days to do it instead of 90 and with an option to renew it?

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Mr. Snowden: Yes mam. If you look at the regulation right now under C3, there's no more than one temporary special land use for seasonal sales of produce, plants, or firewood shall be given any location within a single calendar year. So the purpose of that was to just limit the number of times it could be done and at any given location, but absolutely that option exists as well. Come back to you with some options and we'll go from there.

Mr. Luzader: I don't know that I'd be particularly in favor of renewing it. If you're going to be able to renew it you might as well just go ahead and put it at 90 days.

Mr. Baker: The thing about the renewal is if that particular site becomes some sort of problem or something we could tell them hey, we've had police officers who came to your establishment because there was a problem we're not going to renew this instead of making it a full 90 days or something like that.

Mr. Snowden: Mr. Baker, you'd have to write in some specific standards to say how I can object to it or not renew the permit. You're talking about a much more complicated regulatory process there. I think I'm getting the gist of it and let me come back with a couple options that you can respond to. This is not particularly time sensitive. It's just a matter of hey, here's some general problems in this section and I know Mr. Luzader was passionate about this particular one getting corrected, but a lot of it is just housekeeping, good zoning practice. For example, is the Board approving it as a variance or a special exception? That depends on what procedures are going to be followed, so that has to be identified in the code. I'll come back with some options.

Mr. Luzader: I myself would still be in favor of probably something along the lines of two sets of regulations. One to address an established use piece of property and another one for a vacant piece of property, if we go that route, or as Mr. Clemens suggested, we don't allow special land use permit on vacant property.

Mr. Cotner: With our new Master Plan that we're going to be working on, this is even some of the information that they might be looking at. They might be looking to target certain areas. Mr. Domini might be saying, hey, this is not a best practice in strong communities. We may want to avoid that altogether. Again, we need to get more information as we work through that too I would think.

Mr. Luzader: That's a good point, but I think this might be something that we can use now until the Master Plan gets developed and then we can incorporate some of this language into the Master Plan.

Mr. Snowden: This puts a band-aid on it, but I would expect that after the Master Plan is done there's probably going to be a whole lot of revision of our zoning regulation, specifically the district regulation, not so much the processes and the procedures. I would think we're going to revisit that heavily and this definitely may be on there.

Mr. Luzader: If there are not objections, then since Mr. Snowden says this isn't really time sensitive, I'd like to make a motion that we hold this in committee for 2-weeks.

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Ms. Bryant: Seconded.

RESULT:

ITEM HELD

Next: 1/22/2018 7:33 PM

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 905.01 CONSTRUCTION REQUIREMENTS FOR RESIDENTIAL STREETS OF CHAPTER 905 STREETS GENERALLY; AMENDING SECTION 909.01 SIDEWALK CONSTRUCTION PERMIT AND FEE, SECTION 909.04 PLANS AND SPECIFICATIONS, AND SECTION 909.06 GRADE, CONSTRUCTION SPECIFICATIONS OF CHAPTER 909 SIDEWALKS; AND AMENDING SECTION 913.05 BOND FOR IMPROVEMENT OF CHAPTER 913 PRIVATE ROADWAYS. --- Luzader. Public Service and Transportation Committee.

Mr. Snowden: This is a revision of our streets and public utilities code. It's not a zoning revision, so it will not need to go for the public hearing. It can go through Council. Driveway approaches and sidewalks touch on many city departments. The permits are issued through building. They're within the streets, so they're within Mr. Sampson's jurisdiction. They have some planning concerns because they are in often *inaudible the time that projects are done and good pedestrian connectivity is an important planning procedure. There's utilities there, both city and public. This touches on a lot of issues. I worked with our engineering staff and Mr. Paszke, our building official, and he and I are the ones that are most heavily involved with this. To just reorganize these sections a little bit. The main issue was we had some over lapping conflicting fees about what's a driveway approach? What is a sidewalk? We're raising the fees to be consistent with the other building department fees because there's a cost when our staff member, the building inspector goes out to inspect these items. I'm just hoping that this will clean up these a little bit easier as we move into the new year. The last thing is, if you noticed, there's a lot of references to the standard drawing file and the number. That's actually two numbers ago. The numbers have changed twice since the code was updated. I looked at what a lot of other communities were doing and I spoke with engineering and EMH&T and we're just going to incorporate all of the standard drawings collectively. Those will be updated periodically and brought before you by the service department, but instead of having to worry about whether the number or file is correct for something that got implemented back in the 1960's we're just going to incorporate the whole drawing setting to our code.

Mr. Luzader: I noticed that you did when we talked about this a couple weeks ago you didn't change this to include that you are going to give a copy of the driveway standard drawings and the sidewalk standard drawings when a permit is issued.

Mr. Snowden: The building department already does that whenever a permit is issued; however, it was only in the sidewalk section and I think your point was well taken. Let's just be consistent between the two sections. The driveway approach is the area kind of between the sidewalk and the curb. The sidewalks are what we know as public sidewalks behind those areas, that's regulated by the zoning code. It's not specifically regulated by what's going on here. I appreciate your feedback on that.

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Mr. Luzader: At least this way whoever's putting in the sidewalk or their driveway can't come back and say, well, I didn't know what the standard drawing says. There it is right there. Are there any questions for Mr. Snowden from the committee? Any member of Council?

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

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

Mr. Snowden: We updated our zoning map back in 1983 and anything that was a park at that time was designated S1 by that zoning map. Over the years the city has acquired a lot of properties for parks use or various means and those properties still had their legacy zoning law. For example, the property where at the *inaudible section with the wonderful gateway sign is zoned commercial. A portion of the Civic Park is actually zoned industrial. It's not the end of the world because public use is a permitted use. The problem is that brings in a lot of other zoning regulations that are really supposed to apply to commercial or industrial. For example, for Director Bauman to build a structure on the parcel on the northern part of Civic Park she has to observe a 1,000 foot setback because it's an industrial *inaudible. Obviously, that doesn't make a whole lot of sense. We need to conform the district. If you look through your package there you'll see the properties that I'm specifically referring to. If you have any additional questions about that I'd be happy to do it, but all we're doing is just making life easier for us long term and making the maps look good and you'll see that item E is also a similar item. The reason for both these items is I'm hoping to bring you a new updated zoning map in the near future. As you can see it hasn't been updated since 1995, so we're probably a little overdue.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

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

Mr. Snowden: You might not now that the parcel that is being worked on for the city for the YMCA

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is actually zoned commercial. Again, why is that a problem? It brings in a lot of other requirements for commercial property. It's also technically within the historic district. The proposed building as it stands is not going to meet our historic design guidelines nor should it given its use. I think there was an idea back in 1996 that historic district might expand into that area with whatever redeveloped there, but given that it's an extension of our park that's really not realistic. I can also see that there's one type there and I'll make sure that's corrected.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

Mr. Sampson: The Service Department would like to welcome Mr. Baker, Ms. Bryant, and Mr. Skinner to Reynoldsburg City Council. This resolution authorizes the city to continue to participate in the State of Ohio Cooperative Purchasing Program. The State of Ohio requires that the resolution be passed and *inaudible prior to the use of the contract. The contract will allow departments to utilize the State bid on various items. The purpose of the program is to leverage spending across all entities to obtain deeper volume discounts. Participation is voluntary. Purchasing from Department of Administrative Service contract is an option to save both money and time. The annual fee is \$170 and is based on population.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH FRANKLIN COUNTY PUBLIC HEALTH FOR THE MOSQUITO MANAGEMENT PROGRAM FROM JANUARY 1, 2018 TO DECEMBER 31, 2018 AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

Mr. Sampson: This ordinance is an extension of the cities mosquito management program contract for 2018 with the Franklin County Public Health. The cost of the city will be \$19,182.49, which is the same as 2017. There was no increase for this year.

Mr. Luzader: A little background information, years ago when I worked for the Street Department, we used to do our own mosquito control program. We would spend more money on the product itself than what this program costs us. I think it's something great. The city is well utilized in using Franklin County for that.

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RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

LEGISLATION FOR EMERGENCY ADOPTION

1-18

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BERMEX INC., FOR METER READING SERVICES AND DECLARING AN EMERGENCY. --- Cotner. Finance and Administration Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	

LEGISLATION FOR THIRD READING

5-18

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1155.02 PLANNING ADMINISTRATOR TO ENFORCE, SECTION 1155.03 INJUNCTION AS REMEDY, SECTION 1155.04 EXPIRATION OF CERTIFICATES AND PERMITS, SECTION 1155.05 ADMINISTRATIVE PROCEDURES; DEVELOPMENT HANDBOOK; SECTION 1155.06 APPEAL OF ADMINISTRATIVE PROCEDURES, AND SECTION 1155.99 PENALTY, REPEALING THE EXISTING TABLE 1155 AND ENACTING A NEW TABLE 1155, OF CHAPTER 1155 ADMINISTRATION, ENFORCEMENT; PENALTY OF THE ZONING CODE. --- Luzader. Public Service and Transportation Committee.

Motion to amend by Chairman Luzader, Second by Councilwoman Bryant.
All voted "Aye" by voice vote.
Motion to amend carried.

Mr. Snowden: Nothing to add Mr. Chairman. Only to tell you that the only change through the Planning Commission were some minor edits to the table and some of the numbers and formatting everything properly.

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

4-18

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: ENACTING A NEW SECTION 1111.99 PENALTY OF CHAPTER 1111 GENERAL PROVISIONS; AMENDING SECTION 1119.04 TRANSFER OF LOTS BY SUBDIVIDER OF CHAPTER 1119 FINAL PLAT; AMENDING SECTION 1123.02 INSPECTION DURING INSTALLATION OF CHAPTER 1123 REQUIRED IMPROVEMENTS; AND AMENDING SECTION 1127.03 SANITARY SEWERS IN CHAPTER 1127 STANDARDS OF THE SUBDIVISION REGULATIONS. --- Luzader. Public Service and Transportation Committee.

Motion to amend by Chairman Luzader, Second by Councilwoman Bryant.
All voted "Aye" by voice vote.
Motion to amend carried.

Mr. Snowden: This item started out as correcting what was basically a run-on sentence, but I took several additional thoughts to the Planning Commission back in December because there were a couple glaring issues in our subdivision regulations. One is there was no specific penalty for violating the subdivision regulations and so I took the penalty that was already in the main part of the zoning code and took that into the subdivision regulations. The way the regulations are written need a penalty for both. You cannot apply the penalty that's existing to the subdivision regulation. Secondly, I'm proposing to take out some language dealing with what used to be called an occupancy permit. Today there's no such permit as an occupancy permit. The closest thing would be a certificate of occupancy issued under the building code, but what they were attempting to do years ago was say, if you don't do certain things within a subdivision regulation we will not give you the occupancy permit for the structure that's been built. The problem with that is the State's building code today will not allow us to do that. So, I can go and get an adjunct, get with Mr. Hood, and get an injunction. If someone violates the subdivision regulations I can fine them under the penalty that I'm proposing. I can pull the bond for improvement, saying get with Mr. Sampson and engineering and have the whatever the offending thing is corrected or improved, but I can't say, hey, you can't get an occupancy permit for your structure because that's governed under a State building code, which is separate. That was something that was done once upon a time, but you simply can't do it today the way the regulations are written. I know that that was a change, so if folks are comfortable, that's your prerogative. If folks would rather wait and digest that that's your prerogative as well. That's not time sensitive. It's referencing a permit that no longer exists.

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RESULT:	REFERRED TO COUNCIL [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Luzader, Baker, Bryant, Skinner

3-18

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1131.02 DEFINITIONS OF CHAPTER 1131 DEFINITIONS, SECTION 1171.04 GENERAL REGULATIONS FOR LOTS AND YARDS OF CHAPTER 1171 GENERAL REGULATIONS, SECTION 1175.03 LOT, YARD, AND HEIGHT REQUIREMENTS FOR DWELLINGS OF CHAPTER 1175 DISTRICT REGULATIONS, AND SECTION 1175.05 LOT, YARD, AND HEIGHT REQUIREMENTS FOR BUILDINGS OTHER THAN DWELLINGS OF CHAPTER 1175 DISTRICT REGULATIONS. --- Luzader. Public Service and Transportation Committee.

Motion to amend by Chairman Luzader, Second by Councilman Baker.
All voted "Aye" by voice vote.
Motion to amend carried.

Mr. Snowden: There's only one word that the Planning Commission recommended under the ADA Accessible Paths. The Planning Commissioner recommended Continuous ADA Accessible Paths, which I agreed.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 1/8/2018 7:34 PM
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	