

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

September 27, 2010

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Mayor Lecklider called the Monday, September 27, 2010 Regular Meeting of Dublin City Council to order at 6:00 p.m. at the Dublin Municipal Building.

Present were Mayor Lecklider, Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Keenan, and Mr. Reiner. Mr. Gerber was absent (excused).

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Lecklider moved to adjourn to executive session for discussion of land acquisition matters, legal matters and personnel matters.

Mr. Reiner seconded the motion

Vote on the motion: Mayor Lecklider, yes; Vice Mayor Salay, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mrs. Boring, yes.

The meeting was reconvened at 7 p.m.

PLEDGE OF ALLEGIANCE

Boy Scout Troop 117 of St. Brigid of Kildare led the Pledge of Allegiance.

ROLL CALL

Present were Mayor Lecklider, Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Keenan, and Mr. Reiner. Mr. Gerber was absent (excused).

Staff members present were Ms. Grigsby, Mr. Smith, Mr. McDaniel, Mr. Hahn, Lt. DeJarnette, Ms. Adkins, Mr. Langworthy, Ms. Crandall, Mr. Harding, Mr. Hammersmith, Ms. LeRoy, Mr. Thurman, Mr. Earman, Ms. Colley, and Mr. Burns.

APPROVAL OF MINUTES

Ms. Chinnici-Zuercher moved approval of the minutes of the September 13, 2010 Council meeting.

Vice Mayor Salay seconded the motion.

Vote on the motion: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mrs. Boring, yes; Mr. Keenan, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes.

SPECIAL PRESENTATION/PROCLAMATIONS

- Update from Dublin Convention and Visitors Bureau

Sue Burness, Council representative to the Board of the DCVB stated that the Bureau strives to attract, serve and retain overnight visitors to the City of Dublin, which helps to increase hotel/motel tax revenue and generate dollars for the City's economy. The Bureau congratulated the City of Dublin for another successful Dublin Irish Festival. The Festival experienced a record number of overnight visitors in 2010, with 2,271 room nights generated from the Festival, representing a 24 percent increase over 2009. The Bureau collaborated with the City in creating an Irish Festival package that helped attract out of town visitors to the Festival from 15 states and Canada. She noted that the City included questions related to the DCVB in the 2010 Community Survey. The results indicate that 90 percent of Dublin residents correctly identified the purpose of the Bureau, and 40 percent visited the DCVB information center during the past year, an increase from the 27 percent who visited the center in 2008. She introduced Scott Dring, and on behalf of the Board commended him for his creativity and innovation during these recessionary times.

Scott Dring, Executive Director, DCVB reported they have seen a gradual improvement in the tourism and travel industry over the last year. Results from bed tax revenues are up one percent to date in 2010. This summer's revenues are up 12 percent over last summer. In the last few years, they have pursued other markets, including sports, leisure, group tours, etc. in an effort to offset the reductions in corporate travel. This has resulted in the summer revenue increase. To generate business for the leisure market this summer, the Bureau worked with the Columbus Zoo to create a unique package, offering discount tickets to the Zoo, Zoombezi Bay, and free kids' meals at participating restaurants. This year's package broke all Bureau records, generating 1,300 room nights, 4,200 tickets to the Zoo and Zoombezi Bay,

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and 4,500 kids-eat-free coupons – from Memorial Day through Labor Day. The room nights sold with this package represent a 258 percent increase over 2009, and ticket sales were up by 154 percent over the previous year.

He noted that they have two major focus areas for the sports markets: 1) to generate new sports and events in the area; and 2) to maximize the number of overnight visits from current events held in Dublin and Central Ohio. The room night chart in the handout provides statistics on room nights for sporting events. The sports market reflects a 7 percent increase over last year. The Memorial Tournament experienced an increase in room nights for the first time in four years, generating a 42 percent increase over 2009. They also received great news that the Arnold Hockey Challenge for travel hockey teams has selected Dublin as its official hotel headquarters for a new hockey tournament to be held at the Dublin Chiller, Chiller North, Chiller Easton and Dispatch Ice Haus facilities on March 4-6, 2011. It will generate nearly 600 room nights for Dublin hotels.

Their 2011 marketing plan will continue to evolve with new and innovative strategies to attract visitors and tax dollars to the City of Dublin.

Last week, they secured the 2011 Optimist District Convention. They are working on some new business, and Dublin is a finalist for the 2012 Ohio Travel Association Conference on Tourism. They are working on a new youth basketball tournament to be held next summer. They appreciate the City's ongoing support and partnership.

Mr. Reiner asked for clarification about the Arnold Hockey Challenge.

Mr. Dring responded that this is a new hockey tournament and the group was seeking a location in Central Ohio for headquarter hotels.

Ms. Chinnici-Zuercher noted that the room nights for 2010 for the Arnold Fitness Classic event were down substantially this year.

Mr. Dring responded that the Fitness Classic reps indicated they actually had more participants, but many events were only one or two-day events versus the entire weekend, resulting in fewer room nights. Often, this is a result of conflicting events in Dublin that would result in fewer rooms available that particular weekend.

Ms. Chinnici-Zuercher asked Mr. Dring how he anticipates the new downtown Columbus hotel will impact Dublin hotels.

Mr. Dring responded that, potentially, it might displace smaller business groups into the suburban hotels. Experience Columbus will be pursuing much larger convention groups to fill this new hotel, and they will do more marketing and promotion, which benefits the entire Central Ohio region.

Mayor Lecklider thanked Mr. Dring and Ms. Burness for the updates.

- Recognition of poster contest award winners – Jennifer Fish, Director and Linda Pettit, Environmental Education Specialist, Franklin Soil and Water Conservation District

Ms. Fish and Ms. Pettit addressed Council, noting that Franklin Soil and Water Conservation District is a government agency that provides assistance to local government agencies for natural resource conservation and stormwater compliance. They have a range of services from natural resource mapping to working with landowners to provide incentives for conservation to environmental education. Tonight, they are recognizing poster contest award winners. The contest is held each spring and students draw posters based upon an environmental theme. This year's theme was, "Conservation habits equal healthy habitats." Students from a Spanish class at Dublin Scioto High School participated, which was the first group of entries from other than a science class. She shared slides of the winning entries, and presented certificates to the following students: First Place, Chloe Johnson, Dublin Scioto High School; Second Place, Gautum Machiraju, Dublin Scioto High School; Third Place, Minori Minagawa, Dublin Scioto High School; and Honorable Mention, Tomomi Suenaga, Sells Middle School.

She presented copies of the posters to City Council.

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- National Community Planning Month

Mayor Lecklider presented a proclamation to Mr. Langworthy, Director of Land Use and Long Range Planning in recognition of National Community Planning Month.

CORRESPONDENCE

- Notice to Legislative Authority – D51 liquor permit – Zachrich III LLC, dba Mellow Mushroom Pizza Bakers, 6505 Dublin Center Drive

Council had no objection to the issuance of this permit.

CITIZEN COMMENTS

There were no comments from citizens regarding items not on the agenda.

LEGISLATION

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 33-10

Authorizing the Provision of Certain Incentives to Sertek LLC to Induce It to Locate an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.

Tim Schiff, Sertek, LLC addressed Council. He thanked Council for consideration of this incentive. This start-up company began in January of 2010. They design and manufacture custom restaurant equipment, most of which is stainless steel. Their major customers are the quick service industry, including Wendy's/Arby's, Rally's, Applebee's, and Steak 'n Shake. He previously owned S&G Manufacturing Group, which was located in Hilliard. He sold a majority of this in 1999. He has a good core group of people involved in the current start-up company who do a good job in servicing customers and want to be good members of the community.

Mr. Keenan asked where they do their fabrication.

Mr. Schiff responded that they recently moved into facilities at 6399 Shier-Rings Road. The building has 22,000 square feet and is owned by Dublin Building Systems. DBS has been very supportive in assisting them in this start-up phase.

Mayor Lecklider welcomed this company to the community, noting Council looks forward to their involvement with the City.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mayor Lecklider, yes.

Ordinance 34-10

Authorizing the Acquisition of 21.49 Acres of Land Located at 4279 Bright Road, Authorizing the City Manager to Execute a Real Estate Purchase Agreement, and Appropriating Funds Therefor.

Mr. Hahn offered to respond to any questions.

Mrs. Boring thanked the citizens, the Holder family, and the City for making this partnership work to bring about this acquisition. This will be a unique property asset for Central Ohio and she is proud that it is located in Dublin.

Mayor Lecklider thanked Washington Township for their significant financial contribution to the purchase of this property.

Mr. Keenan asked when the work on this acquisition began by staff.

Mr. Fred responded that this has been in process for 17 years. This is a very exciting acquisition for the City, and he is certain there will be good outcomes from this purchase.

Vote on the Ordinance: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes.

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INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 35-10

Authorizing the City Manager to Enter into a Contract for Health Services with the Franklin County Board of Health for 2011.

Vice Mayor Salay introduced the ordinance.

Ms. Grigsby stated this is the annual contract with the Franklin County Board of Health. She noted that the rate per capita has not changed since 2010 and remains at \$5.73. The total costs have increased slightly, based upon the MORPC estimated population. The mosquito program is not included in this year's contract. FCBH is in the process of sending out their second request for proposals. Once the vendor is selected, FCBH will provide this information to the City. FCBH currently anticipates they will have this information by mid-November. Staff is recommending the ordinance be held over for second reading/public hearing on October 11.

Mayor Lecklider asked if the mosquito program has been included in this rate in the previous contract, or was it billed to the City separately, depending on the services rendered.

Ms. Grigsby responded that the City was billed separately for the past couple of years. The amount paid for mosquito services in 2010 was \$.29 per capita, and FCBH anticipates those costs will increase significantly. FCBH had been subsidizing this service for all of the communities. With the 2011 review of their budget, FCBH will be reviewing the actual costs of providing these services. Based upon the costs for the City to provide these services, the contracted service through FCBH will likely be the preferred method for the mosquito program. Staff will evaluate this when the information is received.

Mr. Keenan noted that there has been recent newspaper coverage of the bedbug issue. Does the FCBH provide programs to address this issue?

Ms. Grigsby responded affirmatively. In response to Ms. Chinnici-Zuercher's comments at a recent meeting, staff has contacted FCBH and they sent today some information about the program referenced in the newspaper article. Staff will review this information and evaluate it, together with Scott Dring and representatives of local hotels, to ensure the City does not implement a program that impacts them negatively.

There will be a second reading/public hearing of the ordinance at the October 11 Council meeting.

INTRODUCTION/PUBLIC HEARING – RESOLUTIONS

Resolution 42-10

Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor as Required by Ohio Revised Code Sections 5705.34 and 5705.35.

Mr. Keenan introduced the resolution.

Mr. Thurman stated that this is done each year by October 1, as required by the Ohio Revised Code. The outside millage is based on a 1976 police levy and it is 1.2 mills. As Council is aware, the inside millage allocation was reviewed as part of the capital budget process. In 2011, the City will allocate 3.5 mills to the parkland acquisition fund and the remaining 1.4 mills to the capital improvements tax fund. Staff is recommending approval of Resolution 42-10.

Mr. Keenan asked for clarification in terms of the inside millage. Does the City continue to have the flexibility to use capital improvements tax funds for parkland acquisition?

Mr. Thurman confirmed that is correct.

Vote on the Resolution: Mayor Lecklider, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Ms. Chinnici-Zuercher, yes; Mr. Keenan, yes; Mr. Reiner, yes.

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Resolution 43-10

Adopting the City of Dublin's Goals for 2010-2011.

Vice Mayor Salay introduced the resolution.

Ms. Grigsby stated that Mr. Foegler prepared this resolution prior to his departure from the City. Some minor modifications were made, as highlighted in the attachment. This is presented for Council's review and discussion.

Vote on the Resolution: Mr. Reiner, yes; Mr. Keenan, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Vice Mayor Salay, yes; Ms. Chinnici-Zuercher, yes.

Resolution 44-10

Authorizing the City Manager to Accept a 0.099 Acre, More or Less, Drainage Easement Donated by Prakash R. and Chaitali P. Patel, Located on the Property at 7855 Calvert Court in the City of Dublin, County of Franklin, and State of Ohio.

Vice Mayor Salay introduced the resolution.

Mr. Hammersmith stated that this provides a 25-foot drainage easement along the back of a property located in Wyandotte Woods, Section 2, Part 2. The easement is being provided by the residents and is intended to resolve an ongoing drainage issue that has been a nuisance for the property owners. Staff believes that resolving this is in the interest of the property owners as well as the community. The actual easement would be located along the north of the Patel property. He explained the conditions resulting in the need for this repair. Staff is proposing installation of an 18-inch in diameter pipe, done in the annual stormwater maintenance program at a cost of \$5,000. The Patels were willing to provide this easement in cooperation with the proposed improvement.

Mrs. Boring noted that the access for the project was described as from Summitview Road through the reserve open space. Does this mean that no trees will be adversely impacted?

Mr. Hammersmith responded that is correct.

Vote on the Resolution: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mrs. Boring, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes.

OTHER

- Report re. Proposed fee increase for Solid Waste Authority of Central Ohio (SWACO)

Mr. McDaniel introduced Ron Mills, Executive Director of SWACO and Jeff Cahill, Assistant Director. He noted that Ms. Grigsby, Mr. Burns, Ms. Lozier and he have been involved in assessing this proposal and preparing a recommendation for Council. He noted the following:

- SWACO is proposing two rate increases: a \$3 per ton increase in 2011, followed by an additional \$3 per ton increase in 2012 for a total increase of \$6 per ton. This will generate approximately \$2.7 million in revenue in 2011, and a total of \$5.4 million in new revenue for each year thereafter, beginning in 2012.
- The impact on Dublin's 2011 budget is estimated at \$32,000 per year, based on the amount of tonnage currently hauled. In 2012, it would double to \$72,000 per year. SWACO views this as a \$.50 per household per month additional cost or \$6 per year, based on the solid waste generated by the average house in Franklin County.
- There are four reasons for the increase, according to SWACO. The first is to rebuild the Morse Road transfer station, which is a \$600,000 per year annual debt service and an \$8.5 million project to be paid back over 18 years. The City's waste hauler, Rumpke, indicates that Dublin does not use this station, but instead hauls waste directly to the landfill. Rumpke also has a transfer

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station of its own on Fields Avenue, which is OEPA certified. The primary user of the Morse Road transfer station is the City of Columbus and other suburbs on the north and eastern side of the Columbus region.

- The second reason for the increase is to eliminate debt financing of short-term capital needs. These needs would include heavy equipment, bulldozers, compactors, trucks and trailers used for landfill operations. SWACO has had a history of debt financing these short-lived capital investments, and they want to move toward paying for these in cash – similar to the way Dublin handles fleet needs.
- The third reason relates to the repayment of future debt obligations for landfill improvements. They are considering future landfill cells for future expansion. They are also considering the relocation of a current drive entrance to the landfill site, due to the impact of S.R. 665/I-71 interchange improvements. ODOT is providing SWACO an allowance for some of that relocation, but reimbursement discussions are ongoing. SWACO would move this access road to the western end of the landfill and install a new road system in the western end of the landfill to better access and serve it. There is also a need to plan for a future landfill receiving facility.
- Fourth, SWACO indicated at the last Board meeting a need for more cash reserves. Currently, they carry a 17 percent cash reserve and the industry standard recommendation would be 25 to 33 percent cash reserve. From a policy perspective, the issue is how much reserve is needed and how soon SWACO can attain this level. This reserve would be used for emergency replacement of equipment, unforeseen needs, etc.

He noted that SWACO has also indicated that the Morse Road transfer station is in disrepair and is expensive to maintain. SWACO may need to close the facility as early as next year. The new facility would be designed with a minimum of 50 percent increase in capacity.

In terms of cash reserves, they currently reserve 17 percent out of their operating budget but would like to increase that. SWACO is rated AAA by Standard & Poor's and rated Aaa by Moody's. They have done an excellent job of managing their debt.

Staff participated in several meetings, and Mr. Burns and Ms. Lozier have been involved in Solid Waste Advisory Board meetings. He has personally met with Mr. Mills to discuss these issues and attended the SWACO Board meeting recently. Last week, a meeting was hosted in Dublin to obtain more information from the SWACO staff. Other municipalities and townships were invited, and approximately six other community representatives attended this two-hour dialogue.

Staff recommends that SWACO's focus should be to eliminate the debt financing of short-lived assets; build a cash reserve in a minimum amount of 25 percent for emergency equipment replacement; and phase-in new road systems at the landfill, if possible. These actions relative to this proposed rate increase are truly regional in nature and serve the regional system best. Staff believes that future priorities should be refinancing the current debt to obtain more favorable rates; clarify the future of landfill investments and programs; and seek a balanced partnership to repair and replace transfer stations. This would involve determining who uses the transfer stations and who benefits. Finally, to what extent are private sector assets being leveraged as a region. Rumpke, for example, is investing \$10 million in their facility to upgrade their recycling capabilities.

Staff recommends that the City of Dublin support the 2011 proposed rate increase. Staff does not recommend at this time that the City support the 2012 proposed rate increase. Although the concept is supported, more dialogue is needed about the additional rate increase. More analysis of the long-term debt financing is needed, and a more concise vision from SWACO is needed for the landfill investments and programs. The SWACO Board is planning a retreat in the near future, and perhaps a clearer vision can be articulated for the landfill and the system going forward. SWACO should assess other options regarding transfer stations, and whether other partnerships are feasible. Perhaps Columbus, as the major user, could help backstop

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the debt, taking this burden from SWACO. Other private sector assets could be leveraged into the system overall.

Staff therefore recommends that Dublin cast a “no” vote on this proposal, with a letter to the SWACO Board explaining the vote. He described the structure of the votes by the various entities and how they are weighted. If the vote at the Solid Waste Rate Advisory Board fails, it will require a super majority of the SWACO Board of Trustees (7 of 9 members) to override and approve the increase. If the vote at the Solid Waste Rate Advisory Board is for approval of the increase, only a simply majority of the SWACO Board of Trustees is needed to approve it.

Staff believes that consideration of a 2012 rate increase could be done early in 2011, after the suggested dialogue is completed. If Council advises staff to submit a “no” vote, staff suggests that a letter be drafted and signed by Ms. Grigsby reiterating the points discussed tonight.

He added that the City has enjoyed a strong partnership with SWACO over many years, and many initiatives have been introduced in Dublin with SWACO's support. They appreciate the efforts SWACO has made in cost reductions and savings over the past couple of years. The City commits to working with SWACO and the Rate Advisory Board to understand and ensure future needs are met.

Vice Mayor Salay asked where recycling fits into SWACO's plans.

Ron Mills, Executive Director of SWACO stated that part of their core mission is advocacy and promotion of recycling and waste diversion programs, and reducing reliance on landfills. Over the past several years, SWACO has worked closely with communities throughout the district and has the largest drop box recyclable collection program in the United States, with over 220 locations and over 1,000 boxes in place. SWACO also has one of the largest organics waste diversion or yard waste collection composting programs in the country, and the largest one in the state of Ohio. Their vision for the future is to support technologies to reduce the need to send as much material to landfill disposal. Their upcoming Board retreat is focused on that topic – what is needed to support, encourage and steer development of alternate technologies that will make landfills eventually unnecessary. This will require many years to phase down. They will have to “unwind” the landfill as that occurs, in order to avoid stranding public debt. It can be achieved. They need to move in the direction of reducing reliance on landfills and backfilling the lost revenue with revenue from waste reduction, waste diversion and recycling programs.

Ms. Chinnici-Zuercher noted that one of the primary reasons for the fee increase relates to the Morse Road station, and Dublin does not participate in this. When SWACO developed the formula, was it based on population or usage? Since Dublin is not using this station and pays Rumpke for the services, it seems odd that Dublin would have an equal obligation of payment as the major user of the Morse Road station.

Mr. Mills responded that SWACO charges a separate fee to the users of the transfer stations that is separate from the landfill gate fee. The landfill gate fee is what is proposed to be increased to fund these initiatives. The landfill gate fee is similar to a systems fee. The fee charged to the users of the transfer stations covers the actual operating costs for those stations – the trucks, the manpower, the fuel and the maintenance of the stations. He cited the recent substation failure for AEP, and the need for AEP to restore this substation quickly. If AEP charged only the users of the substation for the cost of that repair, it would make the electric costs unaffordable for those in that service area. His view of applying part of the landfill gate fee increase to the Morse Road station is akin to a systems investment. It is a piece of infrastructure that comprises the overall system. SWACO will continue to charge the users of that station the fees to cover the ordinary operating costs and maintenance. But if SWACO were to include in that fee the costs of rebuilding that station and expect only the users of that station to pay that back, it would make the costs of that station prohibitive for any user. The approach is to charge user fees where appropriate and

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charge system fees based on investment in the overall system -- a system that the entire county benefits from. Dublin does benefit from the Morse Road station, because it reduces the total amount of truck traffic coming to the landfill. Therefore, the waste delivered from Dublin to the landfill is able to be dumped more efficiently. Without the station on Morse Road, the process would be slowed and would impact all the users of the landfill.

Ms. Chinnici-Zuercher asked Mr. Mills to respond to the staff recommendation that Dublin supports the one-year rate increase, and the other recommendations made in regard to the strategic focuses SWACO has going forward.

Mr. Mills responded he understands the concerns with the second year increase. SWACO has learned through this process that they need to improve their communications, providing detailed information at an earlier date in support of their proposals. SWACO did not propose this increase until July 2010. In the future, they will provide information to communities much earlier so that discussion can occur. But his concern is that, of the initiatives that are to be funded out of the total \$6 rate increase, without the support of the communities and the SWACO Board to do that, SWACO will have to make some difficult decisions in 2011 regarding what must be deferred. The landfill expansion and relocation of the access road must begin immediately because the SR 665/I-71 interchange reconstruction begins next month and will take 16 months to complete. Upon completion of this project, the current access road cannot be used for entry into the landfill. SWACO needs to begin the bidding process for the construction of the western entrance as soon as the rate increase is adopted in order to meet the ODOT timeframe for the interchange improvement. The design of the transfer station is complete and the project will be bid next month if the rate increase is approved. If the full \$6 rate increase is not approved, some of these projects will have to be deferred. He pledged that SWACO will be more proactive in communication of information to communities earlier in the process. As of this morning, of the 28 communities who have voted, 23 have voted to support the increase. There are 41 communities in the entire county, and he expects that they will have 25-27 communities supporting the rate increases. As of this morning, five communities have voted "no." His pledge is that the funds will be spent only for the items indicated, and that moving forward procedurally, they will work more closely with the communities in communicating their needs far earlier than in the past.

Mr. Reiner noted that Mr. Mills has indicated their goal is to phase out the landfills. How involved is SWACO with cities such as Columbus -- is SWACO active in the Columbus recycling initiatives? What is SWACO's role in this?

Mr. Mills responded that in the past two years, they have assisted Mayor Coleman and his staff in developing the approach to curbside recycling in Columbus. However, SWACO has not committed any funding to that program, which will be completely financed by the City of Columbus. No funds from SWACO are planned, nor committed to that initiative. SWACO supports it, and has curbside programs in most suburban communities in Franklin County. They are achieving effective diversion rates. They have plans to complement curbside recycling throughout the county with other recycling initiatives, and will offer recycling to residents of apartments or multi-home complexes that cannot have curbside recycling.

Mr. Reiner commented that he was disheartened that it took such a long time for curbside recycling to begin in Columbus, given they are a major user of the landfills.

Mr. Mills noted that in the past years, SWACO has worked with Columbus on a couple of programs that were intended to achieve the goals of a curbside recycling program. One was the bluebag program, which failed. SWACO worked with Columbus to review the costs for the bluebag program, the costs of a curbside recycling program, and the Mayor and City Council made the decision to move forward with a citywide curbside recycling program in February.

Mayor Lecklider asked about the estimate of solid waste produced by each Dublin household, and how accurate it is. It seems that the average household occupancy may be somewhat less in Dublin. Does this estimate take into account the amount

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Dublin diverts by recycling? The second paragraph of the summary indicates that each Dublin household is estimated to produce approximately one ton of refuse each year.

Mr. McDaniel responded that is correct.

Mr. Burns clarified it is actually slightly less -- .93 tons per household per year, based upon the tonnage tipped at the landfill each year.

Mrs. Boring moved approval of the recommendation of staff, including that a letter be sent to the SWACO Board as Mr. McDaniel has suggested.

Mr. Reiner seconded the motion.

Vote on the motion: Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mayor Lecklider, yes; Vice Mayor Salay, yes; Mrs. Boring, yes; Mr. Reiner, yes.

STAFF COMMENTS

Ms. Grigsby reported that the next meeting regarding the Bridge Street Corridor Study is scheduled for Monday, October 4 at 6 p.m. The consultants from Goody Clancy will be in attendance and will present additional information and follow-up for City Council. In response to Mayor Lecklider's question about who will participate in this session and any subsequent sessions, Ms. Grigsby responded that Monday, October 4 will be presented in a Study Session format for Council. As noted in the Council resolution adopting goals, after the study session and follow-up discussion with Council on October 4, a work session will be scheduled with Council, Planning and Zoning Commission, Board of Zoning Appeals, and Architectural Review Board.

COUNCIL COMMITTEE REPORTS/COUNCIL ROUNDTABLE

Mrs. Boring commented regarding the memo about truck traffic on Hard Road. Many cities have designated some type of truck route or have prohibited jake braking.

Mr. Hammersmith responded that the staff report mentions that other cities prohibit compression or jake braking on large trucks.

Mrs. Boring suggested that the City consider implementing such regulations in view of the noise impacts of trucks on neighborhoods.

Mr. Hammersmith responded that this was discussed at staff level. This would be an issue for the Police, as they would handle enforcement for a regulation such as that. From observation and manual counts at the intersection over two days, there was not a high occurrence of any compression braking. Many residents confuse normal downshifting and braking as a result of downshifting with compression braking.

Mrs. Boring understands the concern with enforcement, as this requires the Police being present. However, if this would give citizens a process for addressing their concerns, it should be considered.

Mr. Hammersmith responded that part of staff's concern is with creating a false expectation for residents by enacting legislation that could not effectively be enforced. The Police division could provide more information about this.

Mrs. Boring stated that she had understood that other cities have adopted such legislation, restricting the use of compression brakes.

Mr. Hammersmith stated that the question is whether such legislation is enforced in other communities, and if so, has it resulted in noise reduction for the neighborhoods.

Mrs. Boring noted that a quiet zone for train whistles would require enforcement as well.

Mr. Hammersmith clarified that this enforcement would not be handled by the Police, but by voluntary compliance in accordance with the Federal Rail Administration regulations for quiet zones. The follow-up would be with one user – the railroad. Any violation would be handled through the Federal Rail Administration. With truck traffic, his reference is to local enforcement and the City's ability to enforce this. However, the Police could better respond to this question.

Mayor Lecklider recalled there was mention in the staff report of a potential compromise in safety, if compression release engine brakes were restricted.

Mr. Hammersmith responded that there has always been a question about this, and it is not well documented.

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Mrs. Boring asked if staff could provide a report on what municipalities within the Central Ohio area are doing, and what kind enforcement issues they have experienced.

Ms. Grigsby agreed to provide this information.

Mayor Lecklider added that the memo indicates that the City cannot completely restrict truck traffic in the community, given that such traffic is already restricted on Bright Road and Summitview. The City must provide some means of traversing its roadways.

Mrs. Boring clarified that her issue relates to the noise created by compression system engine braking, and not to truck routes.

Ms. Chinnici-Zuercher, Finance Committee noted that Mr. Gerber, Finance Chair asked her to bring up a matter related to the hotel/motel tax grant for the Dublin Cornet Band. At the time the grant was approved, Council was of the understanding that the group had filed for their 501(c)(3) tax exempt status. Subsequently, the Committee has learned that the 501(c)(3) application has not yet been submitted. At the last Council meeting, it was reported by Mr. Gerber that the Dublin Cornet Band has already incurred costs and that the applicant has paid for these using his personal credit card. The City is not in a position to distribute the tax grant funds to any entity other than a 501(c)(3) tax exempt organization. The recommendation from the Finance Committee is that Ms. Gibson, Tax Administrator be directed to inform Mr. Jameson that until the organization has, at a minimum, applied for the tax exempt status, the funds cannot be released to them. She noted that there are attorneys who specialize in this type of work, and perhaps another attorney can be retained in order to move this process along.

She moved adoption of the Committee recommendation that Ms. Gibson inform Mr. Jameson, applicant, that until the Dublin Cornet Band has filed for the 501(c)(3) tax exemption status, the City cannot release the hotel/motel tax grant funds that have been previously approved by Council.

Ms. Gibson asked for clarification of whether the application for tax exempt status must be applied for or actually approved, prior to disbursement of the funds.

Ms. Chinnici-Zuercher stated that, based upon her discussions with Mr. Gerber, she was of the understanding that making application for the tax exempt status would be sufficient.

Ms. Gibson responded that staff's concern is that the hotel/motel tax grant was submitted in June, and yet an application for tax exempt status has not yet been filed. The City has always required that an organization have a 501(c)(3) status in place prior to disbursement of hotel/motel tax grant funds.

Mr. Keenan asked if Council has the authority to disburse the funds, if this requirement is set aside.

Ms. Gibson responded affirmatively.

Mr. Keenan stated that he would want to be provided with a copy of the application in order to have the assurance it has been filed. He believes this can be processed fairly quickly, once it is filed by the organization.

Mrs. Boring indicated she is uncomfortable with this action, and believes the application for tax exempt status should be approved – not just submitted.

Mayor Lecklider recalled that he had asked about this matter in the previous discussion. He asked for an estimate of the timeframe for approval after submission of an application for 501(c)(3) tax exempt status.

Ms. Gibson stated it can require one to six months. At this time of year, the IRS can likely turn this around fairly quickly.

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Mayor Lecklider stated that, given this is the City's practice, he would prefer that the group have their tax exempt status approved, unless there are some exigent circumstances involved.

Ms. Chinnici-Zuercher withdrew her motion and moved that the application for tax exempt status shall be submitted and approved prior to the distribution of hotel/motel tax grant funds to the Dublin Cornet Band.

Mr. Keenan seconded the motion.

Mrs. Boring asked for clarification. Does this motion relate to the distribution of hotel/motel tax grant funds, and not to any payments for performances?

Ms. Gibson stated that is correct.

Vote on the motion: Vice Mayor Salay, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

Ms. Chinnici-Zuercher noted that the packet included information regarding the Heritage Day celebration on October 4. She is looking forward to this wonderful opportunity for the entire community to celebrate the Bicentennial.

Mr. Reiner:

1. Noted that he recently spoke to Ms. Puskarcik about the Irish Festival music. He indicated it is unfortunate that a major national station, such as PBS has not done any coverage of this festival. Ms. Puskarcik responded that there is a video narrated by Moya Brennan, which includes footage from the Dublin Irish Festival. Ms. Brennan comments that she is surprised with the extraordinary quality of the music and the art that occurs in Dublin, Ohio. This video is well done, and includes other famous musicians. He encouraged Council Members to view it, and noted that he will give the copy of the video to the Clerk.
2. Reported that the packet includes recommendations from the Community Development Committee meeting regarding the items of interest for boards and commissions. He offered to respond to any questions.

Mr. Keenan asked that this matter be deferred to allow more time for review of the packet materials, as he returned from out of town late last night.

Ms. Chinnici-Zuercher responded that the Committee addressed only the items for PRAC, CSAC, BZA and ARB. The Planning & Zoning Commission list will be reviewed at the next Committee meeting.

Mrs. Boring noted that in reviewing the chart prepared by staff, it appears that all of the items of interest have been completed. Is this request for approval of items of interest to be an annual process?

Vice Mayor Salay responded that an upcoming agenda for one of the commissions includes discussion of 2011 items of interest. It appears that expectation has been created.

Ms. Chinnici-Zuercher commented that Council did not undertake a timely review of these lists. If Council plans to requests these lists on an annual basis, the lists should be reviewed and approved no later than the first quarter of each year. Fortunately, most of the boards and commissions did proceed with their items of interest, even though Council had not formally reviewed and approved the lists.

Mayor Lecklider asked if Council wants to delegate this review in the future to the Community Development Committee, who can communicate with the boards and commissions about Council's feedback.

Mr. Reiner responded this was the first attempt at this concept by the boards and commissions. He would suggest that if Council is so inclined, that the boards and commissions be asked to prepare such a list each year and that the list be reviewed early in the year.

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Mr. Keenan asked about the process for communicating to the boards and commissions the items that the Committee felt were not appropriate for them to pursue, such as potential sites for land acquisition.

Vice Mayor Salay responded that, typically, the staff liaisons would communicate that to the individual boards or commissions.

Ms. Grigsby stated that Mr. Hahn has reminded the PRAC members on several occasions that land acquisition matters are not the Commission's role, but Council's.

Mayor Lecklider asked Mr. Reiner if the Committee is seeking approval of their recommendations, as summarized in the document provided to Council.

Mr. Reiner responded that is correct.

Mr. Keenan noted that the revised list of Planning & Zoning Commission list has not had a final review by the Committee.

Mr. Reiner moved approval of the Committee recommendations, as summarized in the document provided to Council in the meeting packet.

Vice Mayor Salay seconded the motion.

Mr. Keenan noted his approval, with the proviso that the staff liaisons communicate the items of interest not approved by Council to the boards and commissions.

Vote on the motion: Mr. Reiner, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Ms. Chinnici-Zuercher, yes; Mr. Keenan, yes; Mayor Lecklider, yes.

Mrs. Boring pointed out that the revised P&Z list was not considered by the Committee. If the Committee plans to review these, a meeting is needed in the near future.

Mayor Lecklider reiterated Ms. Chinnici-Zuercher's comments about Heritage Day, scheduled on Saturday, October 2 at Coffman Park. He is hopeful that the community will attend and participate in this memorable event.

Council Members wished Mr. Keenan a Happy Birthday!

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Mayor – Presiding Officer

Clerk of Council