

Council Meeting July 12, 2004

The Budget Meeting was held at 7:30 pm. There were questions from the residents that were answered.

The regular Council meeting began at 8:03 pm. with roll call. The following members were in attendance:

Don Champney, Dave Stahr, Sharon Bierman, Brian Downey, Ron Yarano, Mayor Eisentrout and Suzanne Coulter.

The first discussion revolved around the presentation from RITA. Lora Gishcel (Representative from RITA) and Bob Curtin were here to discuss the purpose of RITA, which is to collect taxes for communities. The projection for Minerva Park is \$262,372.00. RITA's cost to Minerva Park would be \$11,000.00, but it is a non-profit agency that keeps this retainer close to this cost. The account would be handled out of Columbus. They were asked if there were any other municipalities the size of Minerva Park they handled. RITA answered Urban Crest, Village of Ashville, Richwood, and Shawnee Hills were some of their accounts. Brian Downey asked what the benefits of this tax are. RITA reps stated that retirees are not hit with this tax, so it is a relief to them. The tax would be for all people using village services that would include residents and workers here. Businesses are taxed on their net income, also. They were asked to discuss different scenarios of people in the Village. The example was used of the teachers at Hawthorne Elementary School:

- 1% taxed would come here \$50.00 to us
- 1.25% to Westerville \$125.00 to Westerville

The first obligation is to the city of employment, the second is to the residence. Betty Beatrice asked about IRA monies---when she gets to retirement time and takes out her money, will she have to pay on that money? RITA reps stated no, you do not pay any local income tax on retirement income. W 2 income, Rental income, Schedule C income, net profits of a corporation, 1120 are all taxed. They were asked with the new development on the Golf Course, how will that be taxed? This will be based on salaries (plumbers, electricians, etc.). If a home is \$200,000.00 and the costs incurred are \$175,000.00 that leaves \$25,000.00 to be taxed from corporate net income. This is based on where you perform your services. There are only three areas that don't have income tax in Central Ohio (Riverly). A question was asked if a resident works outside of the Park, how the income is taxed. This will be at .50 of 1%. Columbus has 2%, so if you worked there, Minerva Park would get 1% with credit at .50. Calla Sue stated if one itemizes on their Federal tax returns, you can deduct local income taxes, also.

It was stated refunds would come in June to the Village. It was questioned how this would be enforced. It was also questioned how income was determined. RITA stated this was estimated, based on census information, large employers in the area, and there are 410 other municipalities with data history.

It was asked what we would be getting for our \$11,000.00 fee. RITA stated they go by our lead as to how aggressive we want them to be. RITA asks us to be their eyes and ears and give them information and contact them. They will send out returns, process those returns, refunds and quarterly payments. We are partners in this, and they are the administrators. The contract would be an indefinite time period, and we would advise them for 6/30 to end the contract on December 31, 2004. For delinquent work, letters are

first sent, with 35% response rate. \$8 per subpoena is the next step with the auditors coming in to do this. Next step is the legal program. If the Village does not participate in this program, RITA gives the list to the Village and their part is done. If the Village does participate in the legal program, we will share the legal fees with 4 other communities in the area, and are only charged time. This is a revolving account with \$1,500.00 - \$2,500.00 for court costs. If someone says I will not file, then this is a criminal case and would be a Village expense. It would be handled by either our prosecutor or Columbus—Mayor's court or Columbus.

It was questioned how the Village will know when people leave a business. RITA stated they receive the information from the State. They also can get lists from the Village, and will do a mass mailing at the beginning business address and the residence of the business owner.

RITA stated there is a declaration of exemption, and that is the only way to not pay---this is for retirees, military, under 18 and residents moving.

Questions arose about confidentiality of the residents and personal information.

RITA stated all their employees sign a confidentiality agreement, they have great security on the computer system, and that only one or two people from the Village can see information on the computer via the internet. But they know who gets in, how long, and what accounts they are looking at. RITA protects the information.

Lori gave her phone number at RITA 538-0512.

The minutes of the Regular Council meeting of June 12, 2004 were reviewed. Sharon Bierman moved to accept the minutes. Brian Downey seconded. All ayes. The motion passed.

The minutes of the June 19, 2004 Special Meeting were reviewed. Sharon Bierman moved to accept the minutes. Brian Downey seconded. All ayes. The motion passed.

The minutes of the July 6, 2004 Special Meeting were reviewed. Sharon Bierman moved to accept the minutes. Dave Stahr seconded. All ayes. The motion passed.

Fire:

1) Grants on \$7,000.00 Seat Belt Fund (EMS Grants) were granted. We will get the check in 60 days. We would like to use this to buy a new truck that will fit in the garage.

Legal:

1) Income tax discussion. We do have ways to collect these.

Engineer:

1) The June 26th Bids for the Minerva Lake Road project were received. There were five bids ranging from \$143,000.00 to \$174,000.00. The lowest bid came from Miller Paving and was reviewed by Stu and is ok. The contract was awarded on 7/6/2004 to Miller Paving and we are ready to move forward. It was noted that on Westbridge the inlets and the curb is being replaced to help with the water problem.

Planning and Zoning:

1) Variance request for Steve Moncure of 2631 Wildwood Rd. He wants to put up a garden storage shed less than 8 feet from the property line. It was questioned what the reason was for the placement close to the property line. Steve stated primarily preference, since 8 foot in from both corners would be far into the yard. Planning and Zoning did recommend the variance, since it is a nice building, and there were 3 statements from the neighbors with no objections. It was noted there would be an easement of 5 feet needed

by the utility company and if they cannot access the pole, they will tear the shed down. It was suggested that Steve consider it being placed 5 feet from the line. Brian Downey moved to approve the variance for 2631 Wildwood Rd. Dave Stahr seconded. All ayes. The motion was approved.

2a) Variance request for Teresa and Marty Johnson at 2742 Wildwood Rd. They are requesting a variance for a garden shed less than 8 feet from the property line. They would have 4.5 foot on the requested side and 3 foot at the rear. There was a shed on the property before, possibly closer to the garage. Planning and zoning recommended this with the same risk applying to the owner for the reduced easement. Sharon Bierman stated she would like to see letters from the neighbors on the shed and see stakes of the building. Brian Downey moves for acceptance of the variance for the shed not less than 4.5 feet from side and 3 feet from the back of the property line. Ron Yarano seconded. Role Call: Dave Stahr: aye, Sharon Bierman: no, Brian Downey: aye, Ron Yarano: aye, Don Champney: aye. Four ayes, one no. Approved.

b) 2742 Wildwood fence variance request. Fence was placed wrong way by contractors. Teresa stated they tore down the old fence (theirs) and put in a new one 6 inches inside the property line. Ron Yarano stated we need an official survey done. Marty Johnson stated our deed shows a fence on our property. Narcus Tsiliacos states I would like to have a property line survey done. Marty Johnson stated if I change the posts to the inside, then I am in code. Lynn Eisentrout stated I don't foresee Council granting a variance that two sides remain with the posts on the outside. All support posts need to be on the inside.

Brian Downey moved to decline the variance request of Marty Johnson and charge Marty Johnson to bring the fence up to code with the support beams on the inside of the fence within 30 days. Dave Stahr seconded the motion. Roll call: Dave Stahr: aye, Sharon Bierman: aye, Brian Downey: aye, Ron Yarano: aye, Don Champney: aye. Declined.

Civic Association:

The Founder's Day celebration will be August 14, 2004 from 5-8 pm. The pool has a permit for beer sales.

Mayor's Report:

- 1) There is still the jurisdiction issue on Cleveland Ave going on. We are meeting with lots of people to resolve this (7/13/04)
- 2) AEP will be clearing away the alleys behind the businesses on Cleveland Ave.
- 3) The two houses at the end of Minerva Lake Rd. were purchased by Dominion Homes.

Community:

- 1) Discussion as to keep the no fishing signs permanent.

Streets:

- 1) Westbridge, MLR flooding was discussed. The new road project should help take care of this.
- 2) Eastshore was discussed. We need to replace the whole section to fix the pavement.
- 3) Asphalt will be tested to make sure it is good. GCI charges \$1200.00 to test. Ron Yarano moves to approve up to \$1200.00 for GCI for testing of asphalt for Minerva Lake Road project. Dave Stahr seconds. All ayes.

It was brought up there will be a pre-construction meeting, possibly Friday.

Service:

- 1) Trash collection will have the bidding opened August 6.
- 2) Leaf collection does not have to be bid out, since it is less than \$25,000.00.

Safety:

1) Zondl Environmental performed a water quality testing and the results were below toxic lake levels and this lake is in better shape than other lakes. It was asked what killed the 250 fish in the lake. The oxygen is at 10.5 oxidation level in the lake. What can we do? Two aeration fountains are in the north lake and we need something like that in the south lake. One bid was received for \$8020.00 for two fountains. If not provided, this will continue. When heat reaches certain level, the fish die. Dave Stahr will get two other bids. We can take the no fishing signs down.

2) There is debris and trees down and overhanging on the lake. We need these cleaned up. Dick Busick will clean this out and cut down the overhanging limbs.

3) Dave Woffel, Police Officer, was commended for helping someone in the Park with their car. Dave Stahr moved to put the letter into the minutes and also into Dave Woffel's personnel file. Don Champney seconded. All ayes.

Ron Yarano stated Ted Bidler is the contact person we need to send forms to Franklin County for the \$56,000.000 in funds available.

Finance:

Don Champney moved to approve the warrants for June 2004. Sharon Bierman seconded. All ayes. The motion passed.

Legislation:

Resolution 2004-09: to change the building fund name. Sharon Bierman moved to approve the third reading of Resolution 2004-09. Ron Yarano seconded. All ayes. The motion passed.

Sharon Bierman moved to pass Resolution 2004-09. Ron Yarano seconded. Roll call: Don Champney: aye, Dave Stahr: aye, Sharon Bierman: aye, Brian Downey: aye, Ron Yarano: aye.

Resolution 2004-11: 2005 Budget. Sharon Bierman moved to approve the third reading of Resolution 2004-11. Ron Yarano seconded. All ayes.

Sharon Bierman moved for passage of Resolution 2004-11. Ron Yarano seconded the motion. Roll call: Dave Stahr: aye, Sharon Bierman: aye, Brian Downey: aye, Ron Yarano: aye, Don Champney: aye.

Resolution 2004-14: Income tax. Sharon Bierman moved to approve the second reading of Resolution 2004-14. Ron Yarano seconded. All ayes.

Sharon Bierman moved to suspend the rules and waive the third reading of Resolution 2004-14. Ron Yarano seconded. Roll call: Sharon Bierman: aye, Brian Downey: aye, Ron Yarano: aye, Don Champney: aye, Dave Stahr: aye.

Sharon Bierman moved for passage of Resolution 2004-14. Ron Yarano seconded. Role call: Brian Downey: aye, Ron Yarano: aye, Don Champney: aye, Dave Stahr: aye, Sharon Bierman: aye.

Ordinance 03-2004: Zoning

Brian Downey moved to approve the second reading of Ordinance 03-2004. Ron Yarano seconded. All ayes.

Ordinance 04-2004: Zoning

Brian Downey moved to approve the second reading of Ordinance 04-2004. Sharon Bierman seconded. All ayes.

Ordinance 05-2004: Zoning

Brian Downey moved to approve the second reading of Ordinance 05-2004. Sharon Bierman seconded. All ayes.

Ordinance 06-2004: Zoning

Brian Downey moved to approve the second reading of Ordinance 06-2004. Sharon Bierman seconded. All ayes.

Ordinance 07-2004: Income tax.

Sharon Bierman moved to approve the third reading of Ordinance 07-2004. Brian Downey seconded. All ayes.

Sharon Bierman moved for passage of Ordinance 07-2004. Ron Yarano seconded. Role call: Ron Yarano: aye, Don Champney: aye, Dave Stahr: aye, Sharon Bierman: aye, Brian Downey: aye.

Citizen's comments:

1) Does the ordinance say it is mandatory to file taxes? Section 6. Is that on the ballot?

Old Business:

The property on Lakewood was discussed. The lawyer was not here at the meeting, we did not receive any paperwork or documentation and no calls are being returned. Pat Mangan stated they should then be brought into Mayor's court. CallaSue stated there has been no noise, the residents have been to several meetings now, and they are being fully cooperative. Narcus stated this will be at a State level, and then it will go to a federal court. We need a letter -no- a second police warrant to bring them to Mayor's court. We can call an attorney and say why has your client been here? Lynn Eisentrout asked Narcus to call Attorney Eck. Narcus stated we should just send Bobbie, the Police Chief.

New Business:

Marty Grosh stated there has been a tree planted in the island with a plaque in memory of his wife, Betty. She died earlier this summer.

Dave Stahr moved to approve the tree planted in the island at Briar Rose and Lakewood in memory of Betty Grosh. Don Champney seconded. All ayes.

Sharon Bierman presented Version II of our vision for the new development. Buying playground equipment was discussed.

There will be a meeting with Dominion Homes at 7 pm Thursday.

Meeting adjourned at 11:25 p.m.

Respectfully submitted,


Suzanne Coulter, Clerk Treasurer

Council Chairperson

