

**MINUTES**  
**REGULAR SESSION**  
**WESTERVILLE CITY COUNCIL**  
*Council Chambers, July 5, 2006, 7:00 p.m.*

1. **CALL TO ORDER**

2. **ROLL CALL**

Council met in regular session July 5, 2006 with Council Members, Damon Wetterauer, Jr., Craig Treneff, William Highfield, Kathy Cocuzzi, Michael Heyeck, Diane Fosselman, City Manager G. David Lindimore and Staff and Law Director Bruce E. Bailey present. Anne Gonzales was excused.

3. **INVOCATION**

The invocation was given by Rev. Harold Steindam of Community United Church of Christ.

4. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

5. **MINUTES**

The Minutes of the June 20, 2006 Regular Meeting was presented for approval.

Mayor Fosselman moved, Mr. Treneff seconded to approve the Minutes as provided.

Yeas: Mayor Fosselman, Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Chairman Wetterauer

Nays: None

Abstained: Mr. Heyeck

The motion carried.

6. **CITY MANAGER'S REPORT**

Mr. Lindimore gave a Capital Improvement Update:

- 2006 Street Rehabilitation – Slurry seal and pavement resurfacing work is ongoing city-wide. Curb replacement on Broadway and Tradewind is ongoing with pavement resurfacing to follow. The resurfacing of State Street, from Walnut to Old County Line, is scheduled to begin the week of July 10<sup>th</sup> and be completed within two weeks, weather permitting. Work may also occur through the weekend of July 15<sup>th</sup> and 16<sup>th</sup>. The Uptown merchants and property owners in the vicinity of this project have been notified of these improvements. Message boards will be provided advising motorists of possible delays and suggested alternate routes. Work on streets in the vicinity of schools will be completed by mid-August with the overall program being completed by mid-October.
- FRA-Westerville Bikeway – The bikeway construction has begun in the vicinity of Charring Cross Drive. The resurfacing of Charring Cross, as part of the Street Rehab program, will follow this work.
- Maebelle Way Bridge – The replacement bridge beams are on order. The road is tentatively scheduled to be closed by mid-July depending on the deliver date of the bridge beams. Notifications will be sent to area residents and homeowner's associations and signs will be posted in advance of the road closure.

7. **MAYOR'S REPORT**

Mayor Fosselman thanked the Westerville Rotary Club and city employees who helped make the Fourth of July parade an incredible community event and celebration.

Mayor Fosselman presented a Proclamation for Parks and Recreation Month in July to Lisa Kluchowski, Kerry Whipple, Dr. Fisher and Dr. Robert Murray of Childrens Hospital.

**8. REPORT FROM THE PLANNING COMMISSION REPRESENTATIVE**

Mr. Treneff stated the Planning Commission held a meeting on June 28, 2006.

Public Hearings:

- PC 2004-017; Preliminary Development Plan and Text for an office park development (Altair East on 30.2 acres in the PD, Planned Development District; located east of Africa Road approximately 1600 feet south of Polaris Parkway; Applicant: North Westerville, Ltd. (Postponed to August)
- PC 2006-011; Rezoning of an 18.912 acre tract from O/I, Office-Institutional to PND, Planned Neighborhood District, and a Preliminary Development Plan and Development Standards Text for a 116-unit residential/mixed use development on 24.542 acres located at the southwest corner of Sunbury Road and North Street; Applicant: TABCO Development, LLC. (Postponed to July)
- PC 2005-039; Site Plan Review and Conditional Use Permit for a new City of Westerville utility substation on 7.8± acres in the RR, Rural Residential District at 547 Executive Campus Drive; Applicant: GPD Associates (for City of Westerville). (Approved 6-0)
- PC 2006-007; Preliminary Development Plan for a 10,768 square foot two-story office building on 1.005 acres in the PD, Planned Development District, located at 395 West Street, Applicant: Richard Glover. (Approved 4-2)
- PC 2006-012; Master Plan and Phase I Site Plan Review of the Redevelopment of the St. Paul, The Apostle Church Campus at the southwest corner of North State Street and County Line Road West including development of a new sanctuary, and a Conditional Use Permit for the expansion of the existing parochial school on 18.5± acres in the R-1 Single Family Residential District; Applicant: Meleca Architecture for St. Paul The Apostle Church. (Postponed to July)

Subdivision Reviews:

- PC 2006-016; Final Development Plan for a 121-unit mixed residential development on 27.445 acres in the PND, Planned Neighborhood District; located east of Sunbury Road and south of Central College Road; Applicant: Newbury Builders. (Postponed to July)
- PC 2006-017; Final Development Plan for a 53,692 square feet five building office park on 8.92 acres in the PD, Planned Development District located at the northwest corner of Africa Road and County Line Road West; Applicant: Smiley/Sutliff POP, LLC. (Approved 6-0)

Miscellaneous:

- PC 2004-038; Preliminary Development and Text for a Mixed Use Development (office/retail/residential) on 99.723 acres in the PD, Planned Development District; located east of Olde Worthington Road and north and south of Polaris Parkway; Applicant: N.P. Limited Partnership.

**9. CITIZENS COMMENTS**

Lonnie Robertson, 27 Weyant Street, thanked City Council and staff for the resurfacing of Weyant Street.

**10. LEGISLATION**

***PUBLIC HEARING AND ADOPTION OF 2007 TAX BUDGET***

Jack Winkel, Finance Director, stated the 2007 tax budget must be filed with the County Budget Commission (Franklin & Delaware) by July 20, 2006. The tax budget should be enacted through a motion of Council after the required public hearing has been conducted. Citizens were notified by legal advertisement of the public hearing and that the tax budget was available for public inspection. Mr. Winkel did not receive any public inquires or requests of citizens to examine the proposed tax budget. The expressed purpose of the tax budget is to reflect the need for existing (or increased) tax rates. Only the General, Fire Operating and Bond Retirement Funds receive property tax revenues. This tax budget contains current estimates of revenues and expenditures for City funds. All figures contained in the document will be updated during budget review later this year and prior to the annual appropriation Ordinance. In no way does the adoption of the tax budget grant any legal spending authority of neither public funds, nor commit to any capital improvement projects for the 2007 fiscal year. This is not an appropriation measure.

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Chairman Wetterauer opened the Public Hearing. Chairman Wetterauer asked if there was anyone in the audience wishing to speak in favor of the 2007 Tax Budget . There were none. Chairman Wetterauer asked if there was anyone in the audience wishing to speak in opposition of the 2007 Tax Budget. There were none.

Chairman Wetterauer declared the Public Hearing closed.

Mr. Heyeck moved, Mrs. Cocuzzi seconded to accept the 2007 Tax Budget as presented.

Yeas: Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Mayor Fosselman, Chairman Wetterauer

Nays: None

The motion carried.

a) ***ORDINANCE NO. 06-17, "To Provide for the Advance of Funds, and the Appropriation of Funds for the Purpose of Paying the Costs of Construction and Related Services for the Cleveland Avenue and Westar Boulevard Intersection Improvements, To Authorize the City Manager to Enter in Related Contracts with Opus North Corporation Without Formal Bidding and Advertising, and to Declare an Emergency"*** was read for the third time.

Karl Craven, Planning and Development Director, the dollar amounts of the appropriation Ordinance for the Third Reading have been increased to include all costs that are eligible for the TIF reimbursement associated with this project. Therefore, approval of Ordinance No. 06-17 will advance and transfer from the General Fund the amount of \$276,000 for the developer's portion and appropriate \$242,000 for the City's portion.

Mayor Fosselman moved, Mr. Heyeck seconded for the adoption of Ordinance No. 06-17.

Yeas: Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Mayor Fosselman, Mr. Heyeck, Chairman Wetterauer

Nays: None

The motion carried.

b) ***ORDINANCE NO. 06-22, "To Vacate a Portion of Blinn Alley within Weyant's Addition to the City of Westerville, of Record in Plat Book 2, Page 352, Franklin County Recorder's Office"*** was read for the third time.

Chairman Wetterauer declared the Public Hearing open. Mrs. Johnston administered the Oath to those who wished to testify during the Public Hearing.

Karl Craven, Planning and Development Director, stated Blinn Alley is an unimproved right-of-way running east and west between Whitehead Street and Weyant Avenue. The Clerk of Council has received a petition, signed by the owners of three of the six properties abutting Blinn Alley, requesting that the alley be vacated. The fourth property owner is also in favor of the vacation, however, is out of town and unavailable to sign the petition but indicated he will sign the petition upon his return. If passed, the Ordinance would retain rights for public utilities. Mr. Craven provided photos of existing trees located in the alley.

Speaking in Opposition:

Lonnie Robertson, 27 Weyant Street, stated he signed the petition but is requesting his name be removed from the petition. Mr. Robertson stated he was approached by a neighbor to sign the petition and he didn't want to prevent anyone from building a house on their own property. Mr. Robertson stated he found out later the neighbor wants to build rental property on the vacant lot. Mr. Robertson stated he is against building rental property but not against renters. Mr. Robertson stated he has contacted the city about grass problems with

neighbors recently. Mr. Robertson stated he would like to continue to maintain the alley and is requesting his name be removed from the petition and is speaking against vacating the alley. Mr. Robertson stated he felt it would create a problem for the whole neighborhood. Mr. Robertson stated he felt the vacant lot is too small for a building and hasn't been maintained since the neighbors quit maintaining that particular part. The grass is about 18 inches high and nobody been there to cut it.

Nancy Miller, 209 East College Avenue, stated her husband and her chose not to sign the petition for three main reasons. The first is the improvement or the repaving of Weyant Street created a big water problem in their yard. There has been a drain added at the corner that is actually above the level of their yard and neighbor's yard. Mrs. Miller stated they are in the process of trying to get this issue resolved of the Weyant Street runoff. Mrs. Miller stated they have talked with various city employees and they would like to have the alley as an option to get this problem resolved. Currently that is the only access they have into their back yard. Should they have to run some pipes or have some trucks in if it's vacated, that would make it more difficult to get their water problems resolved. Mrs. Miller stated it is becoming a health problem. Secondly, they also have some concerns about it becoming a non owner property. Mrs. Miller stated the grass has not been maintained. Mrs. Miller stated she believed the majority of the homeowners are against it. Mrs. Miller stated she is opposing this Ordinance.

Craig Shackford, 191 East College Avenue, stated he had two points to make this evening. Mr. Shackford stated ever since he moved into his house two years ago that open space has served as a place where children played and walked in the shade of two to four old grove trees. Mr. Shackford stated he did not think anyone believes that building out that property is in the best interest of Westerville, in the best interest of property values of the adjacent properties, or in the value of your constituents. Mr. Shackford stated he beseeched Council, if it is within Council's power, to stop it and if it isn't and is something a citizen can take action on to call him at 614-523-0033 and he will take whatever action is necessary. Mr. Shackford stated by giving up Blinn Alley, they gain eight feet so the dimensions become not 150' by 60' but 150' by 68'. Mr. Shackford stated that is eight feet closer to his eight back windows. Mr. Shackford stated the setbacks against an alley versus a piece of private property might be different. Mr. Shackford stated the issue for him is that if it one inch closer it's too far. Mr. Shackford stated he is opposed.

**Speaking in Favor:**

Eric Ward, 26 Whitehead Street and owner of the vacant lot, stated he is surprised at some of the comments. Mr. Ward stated he had visited all of the neighbors and asked to discuss the issue. Mr. Ward stated there is a misconception. The new building will not be rental and never was the intention to be rental. Mr. Ward stated he has been working with the Planning staff all along with a house for sale. Mr. Ward stated there were three people who spoke with two of the three against. Mr. Ward stated there were three people who had signed the petition so it is 50/50 not 60/40. Mr. Ward stated they have no intention taking down any trees with most of the trees on adjacent lots. Mr. Ward stated there is only one tree on his lot and it may come down but has no intention to removing it at this time. Mr. Ward stated for the potential, down the road for the city to come in and pave the easement, he can understand the neighbor's concern with the drainage. Mr. Ward stated he would be willing to continue to leave an easement for that purpose. Mr. Ward stated they are trying to facilitate the development of a for sale house in the \$200,000 price range on their lot. Mr. Ward stated they are working with city staff to try to come with the best solution for this. Mr. Ward stated the one issue that is legitimate and that is mowing and Mr. Ward apologized for not mowing. Mr. Ward stated he will take care of that issue.

Chairman Wetterauer declared the Public Hearing closed.

Mr. Heyeck asked if the city will maintain an easement for access. Mr. Craven stated that is correct. Mr. Heyeck asked if the person could build a home on a 150' by 60' lot and what zoning is in this area. Mr. Heyeck stated in R-2 zoning you can have property that is 70' by 115' but has the Planning Commission

approved building development at 60' by 150' in the past. Rich Kight, Planning Administrator, stated this is an existing lot and you can develop on an existing lot regardless of the size provided they meet the setback requirements of the zoning district. Mr. Kight stated staff has seen a plan from the owner of the lot that shows them meeting the setback of the zoning district. Mr. Heyeck asked about the drainage problem and Mr. Craven responded staff is aware of the drainage problem and is working to resolve it.

Chairman Wetterauer asked about any current encroachments into the alley on any of these lots. Mr. Craven stated staff did not survey the alley but there doesn't appear to be any encroachments.

Mr. Heyeck moved, Mayor Fosselman seconded for the adoption of Ordinance No. 06-22.

Yeas: Mr. Treneff, Mr. Heyeck, Chairman Wetterauer

Nays: Mr. Highfield, Mayor Fosselman, Mrs. Cocuzzi

The motion failed due to the lack of a majority vote for approval.

c) ***ORDINANCE NO. 06-23, "To Provide for the Advance and the Appropriation of Funds for the Purpose of Paying the Costs of Construction and Related Services of the Africa Road Improvements"*** was read for the third time.

Mr. Craven stated the approval of Ordinance No. 06-23 will advance from the General Fund and appropriate from the project and utility funds the amount of \$1,735,500.00 for construction and related services for the Africa Road improvements between Polaris Parkway and the city's north corporation line. Approval would also appropriate approximately \$278,830.00 from the sewer fund to reimburse the Daimler Group for extending and over sizing the sanitary sewer to serve the Henderson property. The work includes the extension of underground electric and water lines, widening Africa Road to three lanes with curbs, realigning the road to remove the severe curve, replacing the existing undersized culvert crossing, and installing a traffic signal to serve Henderson and the Ohio Health Africa Road entrances.

Mr. Highfield moved, Mayor Fosselman seconded for the adoption of Ordinance No. 06-23.

Yeas: Mr. Treneff, Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Chairman Wetterauer

Nays: None

The motion carried.

**11. TO AWARD THE BID FOR THE AFRICA ROAD IMPROVEMENTS TO THE MCDANIEL'S CONSTRUCTION CORPORATION.**

Mr. Craven stated seven bids were received at the official bid opening held on June 23, 2006. The low bidder, The McDaniel's Construction Corporation, of Columbus, Ohio, has worked extensively in the central Ohio region. Contract Award Amount: \$1,529,094.43 plus a construction contingency amount of \$106,905.57 for a total contract amount of \$1,636,000.00.

Mr. Highfield moved, Mayor Fosselman seconded to award the bid for the Africa Road Improvements to the McDaniel's Construction Corporation.

Yeas: Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Chairman Wetterauer

Nays: None

The motion carried.

**12. TO REJECT THE BID FOR THE TOWERS PARK IMPROVEMENTS PROJECT AND RE-BID.**

Mike Hooper, Parks Development Coordinator, stated one bid was received at the bid opening on June 26, 2006. Strawser Paving Company was the only bidder and their bid substantially exceeded the engineer's total estimate for the project; therefore, staff is recommending rejecting the bid. Responses received from contractors as to why they did not submit a bid included an unusually high number of projects being bid for this time of the year and the engineer's estimates for paving resulted in their bids substantially exceeding the engineers estimate. Staff will work with the engineers to review their estimates and value engineer the project based on updated estimates and the construction market. Staff proposes to re-bid the project over the summer with a September 5, 2006 award.

Mayor Fosselman moved, Mr. Highfield seconded to reject the bid for the Towers Park Improvements Project and Re-bid.

Yeas: Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Mayor Fosselman, Chairman Wetterauer

Nays: None

The motion carried.

**13. TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXERCISE AN OPTION WITH AMP-OHIO TO EXTEND THE PURCHASE OF 50MW FROM THE GORSUCH STATION GENERATION SUPPLY THROUGH 2007 AND TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AGREEMENTS WITH AMP-OHIO FOR THE PURCHASE OF THE BALANCE OF THE CITY'S POWER SUPPLY NEEDS FOR CALENDAR YEAR 2007.** Mr. Heyeck abstained from discussion and consideration of this motion due to a conflict of interest.

Andy Boatright, Electric Utility Manager, stated staff has been taking the necessary steps to secure economical wholesale power supply arrangements for 2007. Eleven power supply providers were invited to submit proposals. Proposals were received from AEP Energy Services (AEP), AMP-Ohio, and Constellation Energy. Staff recommends securing power supply products from AMP-Ohio as well as 50MW from Richard G. Gorsuch Station as the lowest and best price and terms of service. Staff also recommends accepting the Gorsuch allocation for 2007, due to the ability to dispatch the Richard H. Gorsuch Station output economically as a function of daily market pricing. Although staff and consultants are concerned about the reliability of the Gorsuch Station being an aging asset, the economic benefits outweigh the potential for economic losses in the event of unplanned Gorsuch Station outages. Based on a 2007 power supply expense of \$27,417,892, staff does not anticipate that the 2007 power supply budget plan will require a revision upward as has been the case in recent years. Nevertheless, the 2007 budget anticipates a 7 percent power supply cost adjustment increase to retail electric rates which is needed to catch up on extreme power supply cost increases experienced in prior years.

Mayor Fosselman moved, Mr. Highfield seconded to authorize and direct the City Manager to exercise an option with AMP-Ohio to extend the purchase of 50MW from the Gorsuch Station Generation Supply through 2007 and to authorize and direct the City Manager to execute agreements with AMP-Ohio for the purchase of the balance of the city's power supply needs for calendar year 2007.

Yeas: Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Mayor Fosselman, Chairman Wetterauer

Nays: None

The motion carried.

**14. TO AUTHORIZE AND DIRECT THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AND INCENTIVE AGREEMENT WITH CENTURY SURETY COMPANY FOR THE PROPERTY AT 505 CLEVELAND AVENUE.**

Julie Colley, Economic Development Coordinator, stated the city of Westerville entered into a Development and Incentive Agreement with Century Surety Company and Four Six Five LLC in January of 2003 for the development of 454 Cleveland Avenue. In addition to the property tax exemption for the owner, the agreement provided an additional incentive to Century Surety in the form of a five year net income tax offset based on the company's employee withholding at the project address. The agreement established the five year period as January 1, 2004 through December 31, 2008 and contemplated the creation of 150 new jobs with an annual payroll of \$6.5 million. By the end of 2005, Century Surety has grown to over 210 employees with a payroll over \$13 million and began searching for additional space to accommodate its continued growth. The company acquired additional space on the first floor of 505 Cleveland Avenue and is in the process of finishing the space. When completed, Century will relocate its operations division, approximately 45 to 50 current employees, next door to 505 Cleveland Avenue with plans to create 10 to 15 more jobs at this location. Administration is essentially requesting the extension of the existing agreement to encompass the jobs that will be relocated and created at the 505 Cleveland location. Specifically, the agreement provides for an income tax offset in an amount equal to thirty-three percent of the net income tax withholding and will terminate with the original agreement on December 31, 2008. The net amount is the amount of income taxes retained by the city after the required income tax sharing with the Olentangy Local School District in accordance with state law. The offset on the additional 10-15 employees is anticipated to be in the nature of \$5,626 for a full year.

Mayor Fosselman moved, Mr. Heyeck seconded to authorize and direct the City Manager to enter into a Development and Incentive Agreement with Century Surety Company for the property at 505 Cleveland Avenue.

Yeas: Mr. Highfield, Mr. Treneff, Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Chairman Wetterauer

Nays: None

The motion carried.

**15. TO AUTHORIZE AND DIRECT THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AND INCENTIVE AGREEMENT WITH COUNTY LINE ROAD, LLC. FOR THE DEVELOPMENT OF THE PROPERTY AT 98 COUNTY LINE ROAD WEST.**

Mrs. Colley stated this building is 9,814 square feet and will be identical to 128 County Line Road West. Administration recommends the granting of an abatement that has been provided for four of the other five buildings in the park, specifically a 12 year, 65% net abatement. With a construction value of \$900,000, the incentive for the building is approximately \$10,940, with a payment in lieu of taxes to the city in the amount of \$5,891. Of this payment in lieu of taxes, \$5,554 will be paid to the Westerville City School District. The creation of 25 jobs is anticipated, bringing a new payroll of \$875,000, or about \$10,938 in city income taxes.

Mayor Fosselman moved, Mr. Heyeck seconded to authorize and direct the City Manager to enter into a Development and Incentive Agreement with County Line Road, LLC for the development of the property at 98 County Line Road West.

Yeas: Mr. Treneff, Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield

Nays: Chairman Wetterauer

The motion carried.

16. **TO AUTHORIZE AND DIRECT THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AND INCENTIVE AGREEMENT WITH PROPERTY HOLDINGS, LLC. FOR THE PROPERTY AT 229 HUBER VILLAGE BOULEVARD.**

Mrs. Colley stated Property Holdings, LLC will bring approximately 48 new jobs to the city with an estimated annual payroll of \$2.4 million. Over the next five years, the companies expect to hire another 2 – 5 full time employees. Because the companies are purchasing the property and incurring expenses for relocation and building renovations in a targeted development area along the South State Street corridor, the administration is proposing a 33% income tax return at the current Westerville income tax rate of 1.25% for Property Holdings LLC for a period of five years. Should an increase in the income tax rate occur during the period of the agreement, the income tax offset would be calculated at 25% of the proposed 2.0% rate. Over the five year period at the 1.25% rate, the company would receive an approximate \$51,441 incentive on employee income taxes while the city would receive approximately \$104,440 in new income taxes. The administration also recommends that the minimum payroll level be established at a minimum of \$2.0 million for the first two years, 2007 and 2008, and increased to \$2.3 million for years 2009, 2010, 2011. If the company reaches an annual payroll of \$2.7 million in the fifth year of the agreement, the administration recommends the extension of the agreement for another two years.

Mr. Highfield moved, Mr. Treneff seconded to authorize and direct the City Manager to enter into a Development and Incentive Agreement with Property Holdings LLC for the property located at 229 Huber Village Boulevard.

Yeas: Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Mr. Treneff, Chairman Wetterauer

Nays: None

The motion carried.

17. **APPOINTMENT TO THE SHADE TREE COMMISSION**

Mrs. Cocuzzi read the following name into nomination to fill a vacancy with a term to expire December 31, 2007: Ronald Clowson.

After hearing no other nominations from the floor, Chairman Wetterauer declared that all nominations be closed for Shade Tree Commission.

Mr. Heyeck moved, Mayor Fosselman seconded to appoint Ronald Clowson to the Shade Tree Commission with an unexpired term of December 31, 2007 by acclamation. The motion carried.

18. **ADDITIONAL BUSINESS**

Andy Boatright, Electric Utility Manager, stated the City of Westerville Electric Division received a letter of appreciation from Mike Schwab, Mayor of Brewster, Ohio, for providing assistance to Brewster during a recent electrical outage due to tornadoes on June 22, 2006.

19. **COUNCIL COMMENTS**

Mr. Treneff thanked City Engineer Susan Banbury for following up on the issues on West Broadway Avenue. Mr. Treneff congratulated the Finance Department for the outcome of the state audit. Mr. Treneff stated it is critical that the public have confidence in the way the city finances are managed and accounted for. Mr. Treneff stated he has continuing concerns with tax abatements and the possibility of a company leaving the city after the end of the abatement period.

Mr. Highfield asked staff to have the company who supplies the barricades for the Fourth of July parade pick up the barricades on State Street. Mr. Highfield requested staff to consider another barricade company for future events. Mr. Highfield congratulated those involved with the Fourth of July events. Mr. Highfield thanked the Finance Department for a great job on the state audit. Mr. Highfield stated the Westerville Symphony Conductor's Club fundraising event has been continued to August 20, 2006.

Mrs. Cocuzzi echoed everyone's sentiments about the Fourth of July events especially the fitting tribute paid by the Honor Guard in front of the Armory during the parade. Mrs. Cocuzzi reminded everyone of the upcoming Music and Arts Festival on July 8 and 9, 2006 in Heritage Park. Mrs. Cocuzzi clarified the payment of fees for use of city facilities by non-residents.

Mr. Heyeck stated he witnessed the basketball game between the Police and Fire Divisions for the Conductor's Club fundraiser. Mr. Heyeck stated the Westerville Rotary Club did an outstanding job on the Fourth of July events. Mr. Heyeck stated the dedication of the flagpole for the "Pennies for Patriotism" campaign by Stephanie Shepard will be held on August 13, 2006 at 6:00 p.m in Alum Creek Park North near the Amphitheater. Mr. Heyeck thanked the Finance Department for the outcome of the state audit. Mr. Heyeck asked staff to maintain alley ways in the city.

Mayor Fosselman reminded residents of the Farmer's Market on every Wednesday during the summer from 3:00 p.m. to 7:00 p.m. at the corner of State Street and Home Street.

20. **ADJOURNMENT**

Mr. Highfield moved, Mr. Heyeck seconded to adjourn.

Yeas: Mr. Treneff, Mayor Fosselman, Mr. Heyeck, Mrs. Cocuzzi, Mr. Highfield, Chairman Wetterauer

Nays: None

The motion carried.

The meeting adjourned at 8:10 p.m.

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Mary J. Johnston, MMC  
Clerk of Council

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Damon E. Wetterauer, Jr.  
Chair of Council

