

**JOINT COM DEV & FINANCE COMMITTEE MEETING MINUTES from  
MONDAY, JANUARY 9<sup>TH</sup>, 2023** [meeting began at 6:05 P.M.]

**CD PRESENT:** Chair Callahan, Co-Chair Mitchell, Oswald, Davis, Lipian

**FINANCE PRESENT:** Chair Stewart, Co-Chair Tollett, Davis, Schneider, Cerra

**OTHERS PRESENT:** Law Dir Deery, Assistant Law Dir Breunig, Safety Service Dir Lundy, Mayor Whitfield, Asst Finance Dir Farrell, Assistant Dir Calvert, Assistant Dir Williams, Engineer McKillips, WWPC Supt Korzan, Water Team Leader Jacob, Public Works Supervisor Conner, Council Member Corbin

**1. Approval of the December 12<sup>th</sup>, 2021 JOINT Community Development / Finance Meeting Minutes.**

Moved by Mrs. Mitchell, second by Mr. Oswald to approve the above meeting minutes.

**MOTION CARRIED**

**2. The matter of appropriating certain easements and rights-of-way for the Cleveland Street Improvement Project which includes curbs, sidewalks, handicap ramps, bike lanes, etc.** *(This is a pending matter)*

Referred By: Engineer McKillips

***Finance Chair recused himself from this matter due to a conflict of interest.***

Assistant Law Dir Breunig spoke to the committee. He said they are currently in necessary legal proceedings for some of these. He has commended Engineer McKillips and Engineer Schneider and their consultant, Trans Systems, they've done a great job of getting pretty much all of the easements necessary for the Cleveland Street project. Unfortunately there are a couple of property owners that they just cannot locate. The owners they've been able to find they've been able to come to terms with. They are currently down to two addresses and three parcel numbers that they cannot locate and that means they have to go through the court system to appropriate what they are looking for, which are temporary easements. They aren't permanent easements, fee simple interest in these properties, but they need the approval of Council on a Resolution of intent to appropriate to get the ball rolling and file something with the court. It's his hope that between the time we actually get to that filing, that we don't have to do that and will be successful in making contact with these property owners. The Engineers have been in contact with ODOT on this. ODOT is really pressing the City to get the ball rolling on the appropriation of these properties. So, in the event that they are needed, Council approval is necessary.

Mr. Oswald asked if they are businesses or residents?

Dir Breunig said they are businesses, mostly vacant businesses.

Mr. Tollett asked if curbs and sidewalks are part of this project?

Mr. Breunig said yes, they are curbs and sidewalks and they are considered part of the road right-of-way which means if we do have to go with an appropriation action it would be classified as a quick-take which means we can go ahead and appropriate the interest.

And we can put the money that we think it's worth into escrow and if we find the property owners, and then can battle out the value of the property, which can be done after the property is commenced.

Mr. Tollett asked if aprons are part of this project?

Engineer McKillips said yes.

Mrs. Davis asked if the taxes are paid up to date on these properties?

Mr. Breunig said that they are not paid up to date, but there is nothing they can do about that. The property tax interests are different than the fee simple interests. We would still pay them for their interest, we can't appropriate property without giving someone just compensation, regardless of whether they owe taxes.

Mr. Oswald asked if we can get this out for bid before this is taken care of?

Mr. Breunig said, yes, and that this is just one more step in the process.

***Chair Callahan read the committee report and asked for a motion.***

**COMMUNITY DEVELOPMENT:**

**Motion was made by Mr. Oswald and second by Mrs. Mitchell to authorize a resolution authorizing easements and rights-of-way to be appropriated for the Cleveland Street Improvement Project.**

(PPN's: 06-25-014-102-019, 06-25-014-102-020 and 06-25-016-101-009)

**MOTION CARRIED**

**COMMITTEE REPORT WRITTEN**

**FINANCE:**

**Motion was made by Mr. Cerra and second by Mrs. Davis to authorize a resolution authorizing easements and rights-of-way to be appropriated for the Cleveland Street Improvement Project.**

(PPN's: 06-25-014-102-019, 06-25-014-102-020 and 06-25-016-101-009)

**MOTION CARRIED**

**COMMITTEE REPORT WRITTEN**

1 - Recuse (Stewart)

**Mr. Oswald moved and second by Mr. Lipian to adjourn this evening's Community Development portion of the Meeting at 6:18 P.M.**

**MOTION CARRIED**

*[The evening's meetings continued with the Finance Committee Meeting].*

*Respectfully submitted by,  
Colleen Rosado, Council Clerk Secretary/Administrative Assistant*

*CMR/*