

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
December 28, 2009

President of Council William L. Hills called the meeting to order at 7:30 p.m.

Members of Council present: Ron Stake, Fred Deskins, Jr., Leslie Kelly, Doug Joseph, Mel Clemens, Barth R. Cotner. Councilwoman Donna Shirey was absent.

The Invocation was given by President Hills, who also led the Pledge of Allegiance.

Minutes of the regular Council meeting held December 14, 2009 were approved without objection.
Minutes of the special Council meeting held December 21, 2009 were approved without objection.

The agenda was approved.

Community Comments and Requests:

President Hills said State Representative Marian Harris was present, and invited her to address Council and the audience.

Representative Harris: Thank you very much, Mr. Chairman. I just wanted to stop by and wish a happy holiday, a wonderful New Year. I'm happy to say I survived my first year as a State Representative, not too many battle scars, and hopefully our district survived well, as did the State of Ohio. We had a lot of challenges, and we have a great many challenges facing us; and I just wanted to say that I'm looking forward to working with all of you. We have a meeting coming up that you're all invited to, to discuss issues and concerns and things that you have on your agenda for the coming up year, and I always have an open door and ready to hear from all of you and any of you about any issue at all. So please have a very, very happy and safe New Year and I thank you very much for giving me the chance to say hello and I'm not going to stay. You'll have to forgive me. I've got my granddaughter in the back; it's a rare opportunity. She's going to spend the night and we're going to bake a cake tomorrow morning. So, if you'll excuse me, I'm going to go and do that.

Mr. Hills: Well, you enjoy your time with your Granddaughter.

Representative Harris: I'm going to do that.

Mr. Hills: Show her how to bake this cake, okay?

Representative Harris: So thank you all very much. And as I said, please keep in touch, and have a wonderful, happy New Year. Thank you.

Mr. Hills: Thank you very much.

Reports:

Mayor McCloud: I just wanted to announce that after ten years of service with the City of Reynoldsburg, the Chief Building Official Chet Hopper is resigning to take a similar position in another suburb. He's been recognized by his peers. He was recognized by his peers in 2008 and was the Code Official of the Year. He has been an important part of our code enforcement efforts here, especially with some of the problem apartment communities, and I simply wanted to take a public moment to say 'congratulations on a job well done' and I wish him the best in his future endeavor.

Mr. Hills: Okay, thank you. Mr. Hopper is not here, right?

I have two small reports. We have two Council people, this will be their last meeting this evening: Donna Shirey - who's served for four years. Donna had some surgery about three weeks ago, and is still to the point that she is not mobile; she has to keep her leg up, still, so she's having a little difficulty in getting around; and she sent me an email that she was unable to be here tonight. Secondly, we have, and Donna by the way, served for four years, served on three committees - Community Development, Safety and Service, during that period of time. Next we have Ron Stake, who has been here for eight years, and Ron has served on every committee and has been Finance Chair for the last what...

Mr. Stake: Six.

Mr. Hills: ...six years of that as Finance Chair. I bring that forward and I didn't bring anybody down to do the shake hands and congratulations; there is a resolution for both. They will receive that. I think as we look at this, every elected official realizes, and I hope they realize, and I'm sure that they do, they don't own these positions; and there are times they choose to leave the positions and there are times that they're just, the vote count didn't come out that way, and that's the way it is in this business; and I'm sure that everybody can look back and say 'I could have done this and I could have done that', but sometimes you're here and sometimes you're not here, but I think we all need to take a pretty hard look up here at Council. Let's take Mel and stick him off to the side, because Mel has been in some sort of service to the City of Reynoldsburg since I think 1910, but he's got, Mel has close to forty years of service to the City of Reynoldsburg in one way or another, whether it be township, or in an employee position....

Mr. Clemens: Fifty this year.

Mr. Hills: ...but we have two Council people leaving, and we lose twelve years of service, and if you eliminate Mel and look at the others, we have 9 ½ years. So there have been some time changes and we'll see new faces and we'll still be at the 9 ½ years. I'm not saying that's good or bad. I am just saying that it does take a little while to learn and understand Council and how it works and I certainly appreciate anyone that has taken the eight years, or the four years, and run. I thank you for your service to the city, and any comments you'd like to make?

Mr. Stake: Well, President Hills, thanks for asking. I do carry around a forty-five minute speech for things like this, so if you don't mind...no, I'm kidding. No, it's been an honor and a privilege to serve the citizens of Reynoldsburg for the last eight years. Thank you very much.

Mr. Hills: Thank you for your service.

MOTION(S):

Clerk read Motion: That the Council of the City of Reynoldsburg does hereby appoint Patrick Feeney, Jr. to serve on the Board of Zoning and Building Appeals, effective January 15, 2010; term to be for four years.- -Mr. Stake moved adoption. Mr. Deskins seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed.

Clerk read Motion: That the Council of the City of Reynoldsburg does hereby appoint David Wall to serve on the Planning Commission, effective January 15, 2010; term to be for four years.- -Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.09 "Group Insurance" OF CHAPTER 160 EMPLOYEE COMPENSATION AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; Ordinance No. 97-09 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT FOR HEALTH SERVICES AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; Ordinance No. 98-09 adopted.

ORDINANCE TO MAKE A FINAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010 AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Deskins seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; Ordinance No. 99-09 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH TRURO TOWNSHIP FOR ESTABLISHING AND MAINTAINING A COMMUNITY GARDEN AT 6305 EAST LIVINGSTON AVENUE- -Clerk read ordinance by title for the first reading. Item referred to Community Development Committee.

ORDINANCE ESTABLISHING ADMINISTRATIVE REIMBURSEMENT BY WATER AND

SEWER FUNDS TO THE GENERAL FUND AND REPEALING ORDINANCE NO. 22-04- -
-Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AMENDING ORDINANCE NO. 55-02 PASSED JUNE 24, 2002 TO REFLECT
PHASE VI OF THE SIDEWALK PROGRAM TO INCLUDE TWO SECTIONS **AND**

DECLARING AN EMERGENCY- -Clerk read ordinance by title for the second reading.

Mr. Deskins moved to amend the ordinance to the redraft date of 12-23-09 to include emergency language. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; ordinance amended. Mr. Deskins moved adoption. Mrs. Kelly seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; Ordinance No. 100-09 adopted.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6529 E. Livingston Avenue; proposed use - eating and drinking establishment); applicant, Laura De la Torre- -Clerk read ordinance by title for the second reading. Mr. Hills said he had a speaker's slip for the topic and called on Ms. De la Torre.

Laura De la Torre: Actually I'm just here if you have any other concerns because actually, I was here last week, so I'm just here if you have more questions.

Mr. Hills: I don't know, I don't believe there's any questions. I think this potentially is going to have the rules suspension and be adopted tonight. So I think you can sit down and relax. Everything, hopefully, to the best of our knowledge, is going to go smoothly, right.

Ms. De la Torre: Okay, thank you.

Mr. Hills: Thank you. Councilman Clemens.

Mr. Clemens: Yes, this does come from the Service Committee with the recommendation for adoption, with a rules suspension. I'll make a motion that we suspend the rules. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; rules suspended. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea". Motion passed; Ordinance No. 101-09 adopted.

ORDINANCE AUTHORIZING SERVICES ASSOCIATED WITH THE SANITARY SEWER EVALUATION SURVEY (SSES) AND CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE (CMOM) EFFORTS REQUIRED UNDER THE OHIO EPA'S DIRECTOR'S FINAL FINDINGS AND ORDERS (DFFOs); and APPROPRIATING FUNDS THEREFORE- -Clerk read ordinance by title for the second reading. Mr. Clemens moved to amend the ordinance by adding "and declaring an emergency" at the end of the title; and also by changing Section 3 to read: that this ordinance is deemed to be an emergency measure necessary for the financial needs of the city, and further so the services can begin as quickly as possible; wherefore

upon adoption by Council this ordinance shall be in effect immediately upon signature by the Mayor.” Mr. Joseph seconded. With the roll called, members voted: Mr. Stake “Yea”; Mr. Deskins “Yea”; Mrs. Kelly “Yea”; Mr. Joseph “Yea”; Mr. Clemens “Yea”; Mr. Cotner “Yea”. Motion passed; ordinance amended. Mr. Clemens moved adoption. Mrs. Kelly seconded. With the roll called, members voted: Mr. Stake “Yea”; Mr. Deskins “Yea”; Mrs. Kelly “Yea”; Mr. Joseph “Yea”; Mr. Clemens “Yea”; Mr. Cotner “Yea”. Motion passed; Ordinance No. 102-09 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Section 192.02 “Imposition of Tax” of Chapter 192 Hotel Tax - - Clerk read ordinance by title for the third reading. Mr. Stake stated that he did not support the ordinance and deferred to Mr. Clemens. Mr. Clemens moved adoption. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake “Nay”; Mr. Deskins “Yea”; Mrs. Kelly “Yea”; Mr. Joseph “Nay”; Mr. Clemens “Yea”; Mr. Cotner “Yea”. Motion passed; Ordinance No. 103-09 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION SECTION 160.02 “AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE” SUBSECTION (a) “ADMINISTRATIVE” **AND DECLARING AN EMERGENCY**- - Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance to the redraft date of 12-23-09 to include emergency language. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake “Yea”; Mr. Deskins “Yea”; Mrs. Kelly “Yea”; Mr. Joseph “Yea”; Mr. Clemens “Yea”; Mr. Cotner “Yea”. Motion passed; ordinance amended. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake “Yea”; Mr. Deskins “Yea”; Mrs. Kelly “Yea”; Mr. Joseph “Yea”; Mr. Clemens “Yea”; Mr. Cotner “Yea”. Motion passed; Ordinance No. 104-09 adopted.

Meeting adjourned at 8:50 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council