

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
DECEMBER 11, 2006

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

Members of Council present: Mel Clemens, Antoinette Newman, Donna Shirey, Ron Stake, Preston Stearns, Brett Baxter, Doug Joseph.

The Invocation was given by Mr. Hills. Mr. Hills led the Pledge of Allegiance.

Minutes of the regular Council meeting held November 27, 2006 were approved without objection.

Mr. Stake moved to add a motion for possible consideration, That the regular meeting of Reynoldsburg City Council scheduled for Monday, December 25, 2006 is hereby temporarily changed to Monday, December 18, 2006 immediately following committee meeting. Meeting to be held in Council Chambers. Mr. Hills noted that will be added as item 10b.

Mr. Stake moved to add AN ORDINANCE TO AMEND ORDINANCE NO. 75-06 PASSED NOVEMBER 13, 2006 TO GRANT AN EXTENSION OF TIME AND DECLARING AN EMERGENCY FOR THE SIDEWALKS AND DRIVEWAY APPROACHES PHASE IV; and also AN ORDINANCE TO AMEND ORDINANCE NO. 76-06 PASSED NOVEMBER 13, 2006 TO GRANT AN EXTENSION OF TIME AND DECLARING AN EMERGENCY FOR THE SIDEWALKS AND DRIVEWAY APPROACHES PHASE V. Mr. Hills noted that those items will be added as item 12a for Phase IV and 12b for Phase V.

Mr. Stake made a motion to amend the agenda. Mrs. Shirey seconded. All voted "Aye". Motion passed; agenda amended.

Communications- - Clerk read report from Clerk of Courts: total monies collected from courts held during November 2006, \$27,770. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- -\$1,483 for the Computerization Needs Fund and \$150 for the Enforcement and Education Fund.

Reports- - -

Mr. Baxter: Tonight, with humility and sorrow, I come with you to tell you that I would like to make an apology to the city, to President of Council, to the committee members within the Safety Committee, to all the Council members on the committee, to our Administration, to our Law Director specifically, as my actions two or so weeks ago during committee meeting, were uncalled for. They were rude, disrespectful, and dismissive. And with that, I apologize to all those members. I ask you to understand that I have been suffering for approximately 4 years with a back ailment. And it accumulated during that period of time. So I ask that the city, and the Administration, and my constituents pray for a speedy recovery. Thank you, President Hills.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Tom Eller to

serve on the Design Review Board; term to begin January 1, 2007 and be for a period of three years. Mr. Stake moved adoption. Mr. Clemens seconded. All voted "Aye". Motion passed.

Clerk read motion: That the regular meeting of Reynoldsburg City Council scheduled for Monday, December 25, 2006 is hereby temporarily changed to Monday, December 18, 2006 immediately following committee meetings. Meeting to be held in Council Chambers. Mr. Stake moved adoption. Mrs. Newman seconded. All voted "Aye". Motion passed.

RESOLUTION CONCERNING SERVICES TO PROPERTY PROPOSED FOR ANNEXATION OF 0.45+/- ACRES IN TRURO TOWNSHIP TO THE CITY OF REYNOLDSBURG (Dustin L. Keller, agent; David and Sharon Black, owners) AND DECLARING AN EMERGENCY- -Clerk read resolution by title for the one required reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Resolution No. 82-06 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR CITY INSURANCE AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 83-06 adopted.

ORDINANCE TO AMEND ORDINANCE NO. 75-06 PASSED NOVEMBER 13, 2006 TO GRANT AN EXTENSION OF TIME, AND DECLARING AN EMERGENCY (Sidewalks/Driveway Approaches - Phase IV)- -Clerk read ordinance by title for the one required reading. Mr. Stake moved to waive the mandatory committee referral rule. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed.

Mr. Stake moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 84-06 adopted.

ORDINANCE TO AMEND ORDINANCE NO. 76-06 PASSED NOVEMBER 13, 2006 TO GRANT AN EXTENSION OF TIME, AND DECLARING AN EMERGENCY (Sidewalks/Driveway Approaches - Phase V)- -Clerk read ordinance by title for the one required reading. Mr. Stake moved to waive the mandatory committee referral rule. Mrs. Shirey seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed.

Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 85-06 adopted.

AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF REYNOLDSBURG,

FRANKLIN COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED PROJECT- -Clerk read ordinance by title for the first reading. Item referred to Safety Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 351 PARKING GENERALLY, SECTION 351.18 “Parking Of Motor Vehicles On Lawns Prohibited”, Subsections (a) and (c); CHAPTER 521 HEALTH, SAFETY AND SANITATION, SECTION 521.06 “Duty To Keep Sidewalks In Repair And Clean, Subsections (a) and (b); VARIOUS SECTIONS AND SUBSECTIONS OF CHAPTER 543 TREES AND NOXIOUS VEGETATION; CHAPTER 731 GARBAGE AND REFUSE COLLECTION, SECTION 731.02 “Container Regulations”, Subsection (a); CHAPTER 1171 GENERAL REQUIREMENTS, Subsection (3) (A); CHAPTER 1351 FENCES, Subsection 1351.01 “Location; Defined; Permit”, Subsections (b) and (c); AND CHAPTER 1363 SWIMMING POOLS, Subsection 1363.03 “Fences”- -Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1155 ENFORCEMENT; PENALTY - Table 1155 “Zoning Code Fees”- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1111.01 “DEFINITIONS” Subsection (d) OF CHAPTER 1111 GENERAL PROVISIONS; and Addition of SECTION 1111.01 “DEFINITIONS” Subsection (e)- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1127.11 “EROSION AND SEDIMENT CONTROL PLAN”, Subsection (a); and Addition of Subsections (b) and (c) OF CHAPTER 1127 STANDARDS- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1131.02 “Definitions” OF CHAPTER 1131 DEFINITIONS By Amending Wording For Outdoor Sales, Storage and Display; and By Adding Definition of “Temporary Special Land Use”; SECTION 1145.10 “Supplementary Requirements For Special Exceptions”, Subsection (c) OF CHAPTER 1145 SPECIAL EXCEPTIONS; SECTION 1171.05 “Temporary Buildings And Uses” OF CHAPTER 1171 GENERAL REQUIREMENTS; Addition of SECTION 1171.07 “Temporary Special Use Permits” OF CHAPTER 1171 GENERAL REQUIREMENTS ; and Table 1175.01 “Permitted Uses And Special Exceptions” OF CHAPTER 1175 DISTRICT REGULATIONS (All Districts; CC Community Commerce District; CS Community Services District)- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

AN ORDINANCE AUTHORIZING THE PROVISION OF A MUNICIPAL INCOME TAX

CREDIT FOR PURPOSES OF ENCOURAGING THE EXPANSION BY DYNALAB, INC. OF ITS WORKFORCE WITHIN THE CITY AND AUTHORIZING THE EXECUTION OF AN MUNICIPAL INCOME TAX CREDIT AGREEMENT, REPEALING ORDINANCE NO. 60-05- - Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 30-04 PASSED March 22, 2004 THAT WAIVES COMPETITIVE BIDDING FOR VARIOUS EXEMPTED CONTRACTS AND EXPENDITURES OVER \$10,000- - Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE ACCEPTING TWO RECORDED DEEDS OF EASEMENT (sanitary sewer, storm sewer) (8317 Taylor Rd. SW, Medical Office Bldg.)- - Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 86-06 adopted.

ORDINANCE ACCEPTING SIX UNRECORDED DEEDS OF EASEMENT (sanitary sewer, storm sewer, water line) (Wheaton Communities, LLC)- - Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 87-06 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (c) of Section 945.02 "Rate Schedule" OF CHAPTER 945 SEWER CHARGES- - Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 88-06 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (a) of Section 953.01 "Water Rate Schedule" OF CHAPTER 953 WATER CHARGES- - Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed; Ordinance No. 89-06 adopted.

Request for Executive Session by City Auditor to consider compensation of public employees; and by the President of Council to discuss imminent litigation- - Mrs. Newman moved to recess for Executive Session. Mr. Stearns seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea". Motion passed. Mr. Hills said following the Executive Session, Council would reconvene only to call the roll and adjourn. Mr. Hills said those attending would be elected officials and the Clerk of Council. Council recessed at 7:52 p.m.

Council reconvened at 8:41 p.m. With the roll called, members responding were: Mr. Clemens "Present"; Mrs. Newman "Present"; Mrs. Shirey "Present"; Mr. Stake "Present"; Mr. Stearns "Present"; Mr. Baxter "Present"; Mr. Joseph "Present".

Meeting adjourned at 8:41 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council

(Minutes compiled/S. Lyday, Ass't. Clerk of Council)