

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
NOVEMBER 27, 2006

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

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

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

Minutes of the regular Council meeting held November 13, 2006 were approved without objection.

Mr. Stake moved to add a Motion to adopt a Resolution of Support for passage of the proposed legislation entitled "Ordinance Prohibiting Sexually Oriented Offender from Establishing Residence Near School, Licensed Daycare Center, Library, Publicly Owned Playground or Park Land, the Reynoldsburg Swim Club, and Any Privately Owned Land Used as a Youth Sports Facility". Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Nay"; Mr. Joseph "Nay"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Nay"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; agenda amended. Mr. Hills noted that the item would become Item 9a.

Reports- - (1) Mr. Stake said that Wendy's Restaurant and he sponsored a food drive on East Main Street for Helping Hands Food Pantry. He thanked the community and the volunteers for the support that they showed in dropping off food and money, and helping to fill the pantry. He said there were seven or eight pickup trucks full of food, and over \$500 in donations.

(2) Mr. Hills said that last week he had been the Acting Mayor, and there were certainly some discussions that he would call less than civil, among the members. Mr. Hills said in the future, while we may disagree with each other, we *will* be more respectful, or be ruled out of order, and have to stop discussion(s) at the time. Mr. Hills said there could be discussions and disagreements without heated arguments; but when it does happen, we're going to call for a 'cool off'.

Clerk read Motion: That the Resolution of Support for passage of the proposed legislation entitled "Ordinance Prohibiting Sexually Oriented Offender from Establishing Residence Near School, Licensed Daycare Center, Library, Publicly Owned Playground or Park Land, the Reynoldsburg Swim Club, and Any Privately Owned Land Used as a Youth Sports Facility" be and is hereby adopted.

Mr. Hills: Mr. Stake.

Mr. Stake: Thank you, President Hills. First I'd like to say that, the reason that I brought this before Council is, I think it's important that we show the community that we do believe that commission of crimes against children is a problem and heinous. I think that what we ought to do is limit where sexual oriented offenders can reside, and that's described in the ordinance. And it only makes sense that they not reside close to parks, and swimming pools, and places where kids congregate and many times are unsupervised. It is a Motion; it's a Resolution of Support for the ordinance. I think the City Attorney did a fine job when we asked him to draft an ordinance that is reasonable. He stated to us several times that it's something that he can defend. And also in the

ordinance, if something would be found to be unconstitutional, it wouldn't apply. So I think it's responsible legislation, and I would just like to see where the rest of the Council members stand on the support of that ordinance.

Mr. Stake moved adoption. Mr. Clemens seconded.

Mr. Hills: I will note before asking for questions, that this resolution is as Mr. Stake noted - it is not passage of the ordinance - so there is no confusion in the paper. It is a motion of support for that ordinance and it will go to a vote of Council. Are there questions? Mr. Clemens.

Mr. Clemens: I'd just like to say one thing. I want to thank Mr. Stake for co-sponsoring the ordinance to start with. And also thank Mr. Hood for the drafting of the ordinance the way that we felt that it should be. I know there's some different feelings as far as the ordinance is concerned. It is in committee for review; will be looked into. But as far as I'm concerned, I think Mr. Stake explained it completely, is we do want to show support for this ordinance, show the people that we are working on it and we are going to stand by it. Another city just picked up the ordinance and is working on it - Pataskala. We're going to be circled here before too long, and I think it's only fitting to show the other communities passing an ordinance similar to this, that we stand behind it and we will back them on it.

Mr. Hills: Any other comments, statements? Mr. Baxter.

Mr. Baxter: Thank you, President Hills. And I agree with Councilman Clemens and with Councilman Stake that there's nobody who sits at this table who doesn't care about our children. And we are absolutely looking for a way in which we can produce a piece of legislation that will protect our children the best that we can. And I'm all in favor of doing just that. So I thank you for your support in that direction, and I think we all can agree on one thing for sure, we all have the right thing in mind - it's protecting our kids. Thank you, President Hills.

Mr. Hills: Mr. Stearns.

Mr. Stearns: Thank you, President Hills. I guess I have a question concerning the resolution. Well, not so much the resolution, but for the ordinance. Last week it was left in committee to be held for approximately thirty days, is that correct? And that will still have no bearing upon that at all, right?

Mr. Stake: Right.

Mr. Hills: That doesn't change. The ordinance is in committee. It's on hold in the Safety Committee. And this is a resolution, in essence, saying the concept of the ordinance is what they would like to be a vote taken on.

Mr. Stearns: Thank you for that clarification.

Mr. Hills: Okay. Any other questions? Mrs. Newman.

Mrs. Newman: I would just like to comment that I have perfect confidence in Mr. Hood. And I felt the ordinance, as it was drafted, couldn't have been done any better. And I'm in favor of it.

With the roll called, members voted: Mr. Baxter “Nay”; Mr. Joseph “Nay”; Mr. Clemens “Yea”; Mrs. Newman “Yea”; Mrs. Shirey “Nay”; Mr. Stake “Yea”; Mr. Stearns “Yea”. Motion passed; Motion adopted.

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 first 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 first 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 second reading. Item referred to Service Committee.

ORDINANCE ACCEPTING SIX UNRECORDED DEEDS OF EASEMENT (sanitary sewer, storm sewer, water line) (Wheaton Communities, LLC)- - -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: CHAPTER 960 - STORM WATER REGULATIONS - ADDITION OF SECTION 960.03 “Illicit Discharge And Obstruction Of The Separate Storm Sewer System”, Subsection (b)(18) and AMEND SECTION 960.03(c)(1) and ADDITION OF SECTION 960.04 “Storm Water Discharges Associated With Construction Activities” and ADDITION OF SECTION 960.05 “Storm Water Pollution Control: Inspections And Enforcement”- - -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: Amending Subsection (c) of Section 945.02 “Rate Schedule” OF CHAPTER 945 SEWER CHARGES- - -Clerk read ordinance by title for the second reading.
Item referred to Finance Committee.

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 second reading.
Item referred to Finance Committee.

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, 2007- - -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 971.08 "Program and Facility Fees And Charges" OF CHAPTER 971 MUNICIPAL PARKS AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the third reading. Mrs. Newman moved to amend the ordinance as redrafted 11-7-06 to reflect emergency language. Mr. Stake seconded. All voted "Aye". Motion passed; ordinance amended.

Mrs. Newman moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 79-06 adopted.

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - East Broad Street between Annett Drive and Summit Ridge Drive (Lots 3, 4, 5, and 6 of Summit Ridge Heights Subdivision); from Unzoned to CS; applicant, Voelker - Belz Co., by Attorney David L. Hodge- -Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend the ordinance with the following language in the title: "With Rezoning Text", which should be inserted following "CS"; and also by amending Section 1 with the following language: "With rezoning text received 11-16-06 see attached Exhibit "A"" which should be inserted following "CS". Mr. Joseph seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 80-06 adopted.

ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NO. 134-04 PASSED DECEMBER 27, 2004 ENTITLED, "Ordinance Setting Forth a Uniform Procedure for the Sale of Personal Property Not Needed for Municipal Purposes"- -Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance as redrafted 11-8-06. Mrs. Shirey seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 81-06 adopted.

Meeting adjourned at 7:50 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council