

MINUTES REGULAR COUNCIL
REYNOLDSBURG CITY COUNCIL
November 24, 2003

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

Members of Council present: Sarah Cannella, Jim Wade, Eric Gilbert, Mel Clemens, William Hills, Lane Beougher, Ron Stake.

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

Minutes of the regular Council meeting held November 10, 2003 were approved without objection.

Mr. Gilbert moved to amend the agenda by removing Item #18 (ORDINANCE ACCEPTING RECORDED DEEDS OF EASEMENT FOR PHASE I OF THE REYNOLDSBURG MAJOR COMMERCIAL CORRIDORS STREETScape PROJECT) and returning it to Service Committee until Council is in receipt of the Walgreen's easement; and at the request of Mr. Clemens, by removing Item #14 (ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO, Amending Section 505.03 "Animals Running At Large" OF CHAPTER 505 ANIMALS AND FOWL) and returning it to Safety Committee. The amended agenda was approved with all voting "Aye".

Community Comments and Requests- -G. Jerome DeCarlo, Jr., 643 Smithers Dr., Reynoldsburg said there was a problem in the city with diversity; that he had lived here for the last three years and had not seen the city do anything in respect to Martin Luther King's birthday. He said it struck him as odd that the city agenda items start in the month of March and not February; that February is African American history month and he doesn't believe anything has been done to commemorate the contributions of African Americans to the betterment of society as a whole. He said this is not a color issue; it is a right. He said in the city we have celebrated everything from tomato's and Tartan Day. He said he found it completely irresponsible for no one to say anything about Martin Luther King's birthday; no prayer breakfast, no candlelight vigil. He said he would like to ask Council what they intend to do about this year, seeing that it is November and there's plenty of time now to do something before the first of the year.

Mr. McCloud stated that we don't plan the Tomato Festival. He said there is a Tomato Festival Organization that does all of that. He said that the Reynoldsburg Arts Commission does the Tartan Day. He said the legislative body of the city doesn't plan festivals. He said they come from the private sector. He said it sounds like Mr. DeCarlo has nominated himself to be chair of the Martin Luther King event.

Mr. DeCarlo asked if it is a private sector item, what guarantee does he have that the city would support that? He said he remembers the Mayor with a kilt on. He said he feels like it's almost irresponsible for one person to pick out one culture to highlight and then essentially say to everyone else, something should be done here. Mayor McPherson stated that Tartan Day is not a city function. He said it wasn't originated by the city or anybody in it. He said it is actually an individual group of people that have heritage going back to Scotland. He said it is partially sponsored by MOSHA which is the Mid Ohio Scottish Heritage Association. He said the Arts

Council took an interest in it, but this function is spearheaded and controlled by individuals just like Mr. DeCarlo. He said he is proud of his heritage and Mr. DeCarlo is proud of his heritage, so he got together with other people that are proud of their heritage and did this. He said this is not a city function. He said the city doesn't sponsor Tartan Day. He said they don't buy his kilt. He said that's him doing it because of his heritage. He said he would suggest to Mr. DeCarlo that if he wants to do something like that, he should chair something and do it.

Mr. DeCarlo said on one condition only, that the Mayor goes out and buys some kente cloth and shows the same exact support as a city representative. He said there are other cultures that are represented here. He said he is focusing on the issue of diversity. He said there are very few African Americans, Hispanic Americans, Indian Americans and when he comes here into this municipal building, he only sees one African American. He said his agenda is to invoke positive change. He said when he rides in his neighborhood and sees Somalian's and Indian American's and Jewish American's and comes into the municipal building, it is not a mirror image and does not reflect that same culture that's out in the neighborhood - he has a problem with that. He asked what the Mayor intends to do to see to it that he's actively recruiting more minorities. He said the city and the face of Reynoldsburg is changing. He said it is inevitable. He said to get a good look at him because people that look like him, that act like him, that talk like him, want to feel that this is the community that they want to call home when they walk into the municipal building. He said he wants to see more people on the Council that looks like him. He said that is what democracy is founded upon.

Mayor McPherson said we run ads in the newspaper. He said we get 200 applicants and pick the 10 top applicants out of that. He said we don't look at color. He said he thinks everybody in America is at the point where, you keep hearing don't look at color, this is not a color issue, then we're pretty much ahead of the curve because we don't look at it. He said we look at the most qualified candidates. He said if Mr. DeCarlo is saying, in order to get diversity when you walk in the front door, the Mayor should hire a minority just because they're a minority, that isn't going to happen. He said they've got to be qualified. He said he is sure Mr. DeCarlo wouldn't want to go into a school system knowing you just got hired because of your race and not because of your qualifications. He said he doesn't intend to ever do that. He asked Mr. DeCarlo why he doesn't get people applying for the jobs and talk up the community and promote the community.

Mr. DeCarlo asked if that is his responsibility? Mayor McPherson said absolutely. He said he is a resident here. Mr. DeCarlo said he just wants to make sure the Mayor doesn't take this personally. Mayor McPherson said Mr. DeCarlo should take it personally. Mr. DeCarlo said absolutely not. He said any attempt to do that is irresponsible. He said all he is saying is that the Mayor has an obligation as the Chief Executive Officer to ensure that there is a level of equality when it comes to people being hired. He said not necessarily because of what they look like or how they act. He said he expects the most qualified applicant to be hired. He said the Mayor cannot sit here and say, as an African American man, Mr. DeCarlo doesn't feel comfortable knowing that there are only two African American police officers. He said that reflects directly to the Mayor because he has been in office for 16 years. He said he is not saying that he should go out and hire anybody that is a non-white Anglo Saxton Protestant. He said that's not what he is saying. He said he is saying that there has to be a stronger emphasis put on diversity.

John Gladstone, 9161 Ruston Lane, Reynoldsburg said he has been to two Council

meetings and has seen nothing but utter disrespect. He said he has his own council at home and his work is raising his insurance premiums. He said his raise will not be as adequate as it was last year. He said his budget was way behind until April. He said as the chairman of his committee and his council, he takes an amendment to not pay his trash bill in February. He said he seconds that to himself since he is the president and chairman. He said he will not be paying his trash bill in March or February when it comes. He said he will not be penalized 10%. He said as City Council sets their budget, he will not be disrespected ever again here. He said if he has a question and doesn't understand, he does expect to get an answer. He said he will never have his minutes cut off again because he was not disrespectful. He said the reason each Council member sits up there is like guys like him. He said he has been in the United States Navy for 12 years and will not have his minutes cut off. He said other countries don't run like this. He said you are told what to do. He said he expects an apology from Mr. Gilbert for cutting off his minutes because he was not disrespectful to him. He said he pays each and every one on Council their salary. He asked for an apology for cutting his minutes off. He said he deserves that respect as a service member for 12 years. Mr. McCloud stated that Mr. Gilbert will take that under advisement and if and when he makes that decision, he knows where to reach Mr. Gladstone.

Reports- -Auditor Whitney was present and stated he would give a little information on the bond sale that was last Tuesday. He said Mike Turner and he went to Cincinnati to observe this sale. He said a week ago, they announced that they would probably be getting a savings of about \$172,000. He suggested that it would be between 150 and \$200,000 for savings. He said we actually did get savings more than we expected. He said the present value of our savings was \$210,849. He said that is significantly above what they had expected. He said that translates into an interest cost of 3.194% compared to when they had the bond issue in March, it was 3.81%. He said the actual cost is less. He said as a percent of the refunded bonds, it's 5.06% savings on our refunded bonds.

ORDINANCE AUTHORIZING THE ISSUANCE OF A PERMIT TO CHARITY NEWSIES FOR ITS ANNUAL PAPER SALE IN THE CITY OF REYNOLDSBURG ON SATURDAY, DECEMBER 13, 2003 AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mrs. Cannella seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 95-03 adopted.

ORDINANCE AMENDING Exhibit "B" of "Exhibit 1" of ORDINANCE NO. 81-03 PASSED OCTOBER 13, 2003 THAT AUTHORIZED THE MAYOR TO ENTER INTO A "MASTER SERVICES AGREEMENT" WITH INTERSTATE GAS SUPPLY, INC. FOR PROVISION OF RETAIL NATURAL GAS SERVICES FOR THE GOVERNMENTAL AGGREGATION, AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Gilbert moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 96-03 adopted.

ORDINANCE MAKING TRANSFER OF FUNDS TO COVER THE COSTS OF REPLACING

THE CHILLER IN THE MUNICIPAL BUILDING AND DECLARING AN EMERGENCY- -
-Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mrs. Cannella seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 97-03 adopted.

ORDINANCE MAKING TRANSFER OF FUNDS FOR PURPOSE OF COMMENCING LABOR CONTRACT NEGOTIATIONS AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Hills moved adoption. Mr. Stake seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 98-03 adopted.

AN 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 DESCRIBED PROJECT. (Planning Study Only to Develop a Transportation Operations and Construction Strategy that addresses the Physical and Operational Deficiencies of the IR70 Corridor from Hamilton Road to SR310 in Licking County. Limits within the City of Reynoldsburg extend on SR256 from Taylor Road to Tussing Road/SR204; and on Brice Road from Tussing Road to Channingway Boulevard)- - -Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE AUTHORIZING E.M.H.&T. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATED TO THE BIDDING OF THE YET-TO-BE-COMPLETED WORK ASSOCIATED WITH PHASES 4 AND 5 OF THE REYNOLDSBURG SIDEWALK AND DRIVEWAY APPROACH REPLACEMENT PROJECT- - -Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE AUTHORIZING MAYOR TO APPLY FOR AN OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK LOAN IN THE AMOUNT OF \$250,000 TO BE USED FOR TRAFFIC SIGNAL IMPROVEMENTS AT U.S. ROUTE 40 and TAYLOR ROAD, IN CONJUNCTION WITH THE KROGER PROJECT- - -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 732.01 "Rates for Residential Collection and Disposal" OF CHAPTER 732 RATES FOR RESIDENTIAL COLLECTION AND DISPOSAL OF GARBAGE, REFUSE, RECYCLABLES, AND YARD WASTE- - -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Wade seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 99-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES- - -Clerk read ordinance by title for the third reading. Mr. Hills

moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 100-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH DLZ OHIO, INC., FOR PROFESSIONAL BACKUP CONSULTING ENGINEERING SERVICES- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Gilbert seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 101-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH DLZ OHIO, INC., FOR PROFESSIONAL STRUCTURAL ENGINEERING SERVICES- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Stake seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 102-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR PROFESSIONAL BACKUP STRUCTURAL ENGINEERING SERVICES- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Wade seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 103-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH ASEBROOK & CO., ARCHITECTS, LLC, FOR PROFESSIONAL ARCHITECTURAL SERVICES- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 104-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH MOODY/NOLAN LTD, INC., FOR PROFESSIONAL BACKUP ARCHITECTURAL SERVICES- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Gilbert seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 105-03 adopted.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR TAX ADMINISTRATOR'S DEPARTMENT (Miscellaneous contract services and Nonreimbursed legal fees accounts)- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Stake seconded. With the roll called, members voted: Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea". Motion passed; Ordinance No. 106-03 adopted.

Request for Executive Session by the Mayor for consideration of compensation of public employees; conference with the City Attorney concerning imminent litigation; preparing for, conducting collective bargaining strategy; and request for Executive Session by the City Attorney concerning imminent litigation.- -Mr. Beougher moved to recess for Executive Session. Mr. Hills seconded. Mr. McCloud said those attending would be City Council, the Clerk, the Mayor, Chief of Police, Safety/Service Director, Human Resources Director, and the City Auditor. With the roll called, members voted: Mrs. Cannella “Yea”; Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”. Mr. McCloud said following the Executive Session, Council would reconvene only to call the roll and adjourn. Council recessed at 7:55 p.m.

Council reconvened at 8:58 p.m. With the roll called, members responding were: Mrs. Cannella “Present”; Mr. Wade “Present”; Mr. Gilbert “Present”; Mr. Clemens “Present”; Mr. Hills “Present”; Mr. Beougher “Present”; Mr. Stake “Present”.

Meeting adjourned at 8:58 p.m.

Bradley L. McCloud, President of Council

Nancy C. Frazier, Clerk of Council

Transcribed/Susie Smith, Assistant Clerk of Council