

MINUTES REGULAR COUNCIL
REYNOLDSBURG CITY COUNCIL
TUESDAY November 13, 2012

President of Council Doug Joseph called the meeting to order at 7:30 p.m.

Members of Council present: Barth R. Cotner, Chris Long, Nathan Burd, Scott A. Barrett, Leslie Kelly, Cornelius McGrady III, Mel Clemens.

The Invocation was given by Councilman Burd. Mr. Joseph led the Pledge of Allegiance.

Minutes of the regular Council meeting held October 22, 2012 were approved without objection.

Mr. Joseph said he would like to add an Executive Session at the end of the Council meeting agenda, which was a request from the Mayor to review collective bargaining strategy; and a request from himself to discuss appointment of a public employee. The amended agenda was approved without objection.

Clerk read report from Clerk of Court: Total monies received from courts held during the month of September - \$27,988.50. Monies also collected during that same period of time pursuant to Ordinances 146-94 and 104-02....\$1,850 for the Computerization Needs Fund; and \$25 for the Enforcement and Education Fund.

Clerk read second report from Clerk of Court: Total monies received from courts held during the month of October - \$36,750.50. Monies also collected during that same period of time pursuant to Ordinances 146-94 and 104-02....\$2,610 for the Computerization Needs Fund; and \$125 for the Enforcement and Education Fund.

Clerk read that Council was in receipt of the October 2012 Budget by Classification document which was received from the City Auditor on November 9, 2012 and was through October 31, 2012.

ORDINANCE MAKING TRANSFER OF FUNDS FROM THE DEVELOPMENT DEPARTMENT ACCOUNTS TO A SERVICE DEPARTMENT ACCOUNT FOR PAYMENT OF INSURANCE DEDUCTIBLE AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Long moved adoption; Mr. Burd seconded. Mr. McGrady asked the reason for the transfer. Mayor McCloud said, "It is for, so we can pay the deductible on the insurance for the Delta Dental."

Mr. Barrett: Isn't that thirteen?

Mayor McCloud: I believe we're on Item 10, are we not?

Mr. Joseph: Yes, Item 10, Transfer of funds from the Development Department accounts to a Service Department account for payment of insurance deductibles.

Mr. McGrady: For the dental? Is that what you said, Mayor?

Mayor McCloud: Yes.

Mr. McGrady: Give me a minute. So help me figure this out. So this, I'm looking at the 2013 Health and Dental renewal, so this, when it was written, this would not be combined? There was a legislative request for ordinance to sign a renewal verification of the Aetna Health Insurance coverage, so my question is, could they have not been together, or did they have to be separate?

Mayor McCloud: Could what have been separate? I don't understand your question.

Mr. McGrady: Okay. You have initial legislative request for dental, for January 2013 through December 31st, 2013...request for emergency; and then you have request for inappropriate from account 10.00etc., etc., for \$10,000 and other miscellaneous services for the payment of liability deductible and declaring an emergency. So my question is, could they not have been combined? I don't know.

Mayor McCloud: I don't know. I'd like to have had the question before the meeting started. Could they have been? Probably. I don't know. Dick, do you have anything to add to that?

City Auditor Harris: I don't believe that's what it's for; I think this, you're in receipt of a invoice from the insurance company for litigation.

Mayor McCloud: I don't have it in front of me.

Mr. Harris: Isn't that what that is?

Mayor McCloud: Yes. I don't have it in front of me; that's part of the disconnect. This is the moving of the money to pay the \$10,000...

Mr. Harris: Yeah. The insurance company made a settlement on litigation; we have to pay our deductible on it, which is \$25,000 and that's why we have to have money in this account to pay for that. It's a liability deductible to settle a lawsuit against the city that the insurance company has made a settlement on.

Mayor McCloud: I'm out of order.

Mr. McGrady: So would there have been any details on that, excluding whoever the individual is? Or is this just the normal process on this?

Mayor McCloud: There was a lawsuit filed by a former employee against the city; it appeared to be in our best interest to settle this upon consultation with the City Attorney; our deductible to our liability carrier was for that amount. So that's what this legislation is for, so we can pay our liability carrier. And I apologize. I had my ordinances out of order, Mr. McGrady.

Mr. McGrady: Okay. Thank you. My only question is, not disclosing the, I'm not requesting disclosure of whoever the individual is, but should something have been a little more detailed on

this, which would have maybe mitigated my question? If it had been more...

Mr. Barrett: It's kind of vague.

Mr. McGrady: Yes it is.

Mayor McCloud: I would prefer not to talk about pending, litig...in fact, I'm not going to, pending litigation in a public forum, so if that's what you're asking me to do, I won't.

Mr. McGrady: No, no, no, I'm not asking that. Just a little more detailed information on, for future, to identify it, that's all.

Mr. Joseph: Any other questions or comments? (No response)

With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 70-12 adopted.

Mayor McCloud: Mr. Joseph, if I could go back to that. Mr. McGrady, you know you can always call me, if you have a question; you don't have to wait until the meeting starts. I'm probably going to be better off to provide you with more information before the meeting starts; now if you just thought of it, that's, you can't help it when you have a thought, but if you had already considered that and chose not to call me, that's a different proposition.

Mr. McGrady: Thank you.

ORDINANCE MAKING TRANSFER OF FUNDS FROM A DEVELOPMENT DEPARTMENT ACCOUNT TO THE COMPUTER DEPARTMENT ACCOUNTS IN ORDER TO HAVE SUFFICIENT FUNDS TO PAY A NETWORK ADMINISTRATOR FOR THE REMAINDER OF THE YEAR AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Long moved adoption; Mr. Clemens seconded. Mr. McGrady asked, "On this matter here, my question, Mr. Mayor again, is this something that we could work collaboratively with, with the school system?"

Mayor McCloud: I explored that and, no, not in this scenario.

Mr. McGrady: Thank you.

With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Nay"; Mr. Clemens "Yea". Motion passed; Ordinance No. 71-12 adopted.

ORDINANCE AUTHORIZING RENEWAL OF CITY'S HEALTH INSURANCE COVERAGE WITH AETNA INSURANCE FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND DECLARING AN EMERGENCY- -Clerk read ordinance by title

for the one required reading. Mr. Long moved adoption; Mr. Cotner seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 72-12 adopted.

ORDINANCE AUTHORIZING RENEWAL OF CITY'S DENTAL INSURANCE COVERAGE WITH DELTA DENTAL OF OHIO FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Long moved adoption; Mr. Burd seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 73-12 adopted.

ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 36-10 PASSED May 24, 2010 THAT WAIVES COMPETITIVE BIDDING FOR VARIOUS EXEMPTED CONTRACTS AND EXPENDITURES OVER \$10,000 AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Long moved adoption; Mr. Cotner seconded. Mr. Barrett asked, "Can someone explain, real quick, why we're making these exceptions to bidding? I just, I apologize if I might have missed it earlier; it just seems like we have a lot of them."

Mayor McCloud: I'd be happy to. You were not present when we discussed this. We put this out for an RFP; there are a very small number of vendors who even do this kind of work. We got two responses back; both were above \$10,000; the one I am recommending to you is recommended for a number of reasons, not the least of which they are a local company, they're close by, and furthermore, the other vendor who responded uses proprietary software that only they can work on. And with this impacting the Police Department operations, we thought it best to, that's why I'm recommending Viper. You know, some of these things, let's be frank, the \$10,000 ceiling on bid was put in place twenty years ago. And it's not unusual that we spend most of \$10,000 sometimes just advertising for bids and putting specs together, so it takes a lot less to get to ten thousand than it used to, but, does that answer you question?

Mr. Barrett: It does. Is this a one-time, just for this purchase?

Mayor McCloud: Yes.

Mr. Barrett: Or will this be blanketed for any business we do with them moving forward?

Mayor McCloud: Oh, good question. Viper Protective Services will be on the, we will not have to bid for their services; I will still need to ask for funds, but they will be on the non-bid ordinance. You know, if you look at these...Sunoco, Columbia Gas, you know, some of these things we just...

Mr. Barrett: I understand that; that makes sense.

With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 74-12 adopted.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6800 E. Main Street; proposed use - childcare facility); applicant, Angela McClendon Hill & Kendall Hill - -Clerk read ordinance by title for the first reading. Angela McClendon Hill, 2868 Blue Moon Drive, Columbus and Kendall Hill, 2868 Blue Moon Drive, Columbus, 43232 introduced themselves.

Mrs. Kelly: We had some questions; I think, Mel, you had some questions about parking last time, do you want to share?

Mr. Clemens: Yes, I have questions pertaining to the parking situation and since I'm in charge of the Safety Committee, it is a safety issue. The turn-around you showed on the front, it's not a safe issue. I don't know if you've ever been out here or not, at eight o'clock in the morning, or seven o'clock, or six o'clock, when people are going to be coming; or in the afternoon at four, three or five, but that Main Street is packed with automobiles. In the morning, they're going west, and in the evening, they're coming east. To turn in, is almost impossible during those hours. If you go to Tim Horton's next to it, there's a line of traffic trying to turn in there, a line of traffic trying to get out of there and it's an unsafe situation; it takes, and I go there every morning, and it'll take two or three minutes even to try to get back out, or more. It seems like in the morning, people like to go fast because they're in a hurry, from one traffic light to the other traffic light and it's packed with automobiles and they don't let you in, and they don't let you out; you just have to wait for a clearing; there are people turning in and pulling out at the same time. Your situation that you have there, as far as the turn-around in front will never work. You can only get one car in, and if one car went in and stopped to let the kids out, you'd never get another one in. They would be backed up and then they would be blocking the people for Tim Horton's, and it's not a safe issue, period. You show on the diagram, this circle going in and out, you show it going on the other property, coming out; it just won't work. I mean, it's a safety issue that's...

Mr. Hill: Yeah, I understand. That was one of the things that they had been brought to our attention, our very first meeting is to maybe look at that option of getting the turn-around so that's why we had that drawn up by the architect, but we also, if you look in the papers, we also made a non-binding contract with the guy next door who owns that...

Mr. Clemens: I understand that. You made an agreement on ten parking spaces.

Ms. Hill: Right.

Mr. Clemens: And also on those parking spaces, you know, they have a lot of issues with it; you have, I don't know how you're going to do it, but you have to have everybody license number, all the situation that goes with your automobiles, to let them park there. If you read it. I mean, it requires everybody that's going to park there to, let me get it out here for you....okay....it requires the 'description including the vehicle make, model, color, license plate number. Tenant agrees that any vehicle in the parking space that has not been registered with the landlord will be subject to being towed away at the vehicle owner's expense'. So that means everybody that comes in your place is going to park there, you have to have all this.

Ms. Hill: Well, this is a tentative lease agreement; this isn't a....

Mr. Clemens: Do what?

Ms. Hill: This is a tentative lease agreement; this isn't binding and it....

Mr. Clemens: And, you know, really then, you don't have anything to come before Council.

Ms. Hill: Well, that, we have an agreement to lease ten spaces. The only long-time parking would be for the employees; the other parents would just be dropping off, and if it is a requirement that we ask them for their license plate, make, model of their car - if they want to bring the children to the facility, I assure that shouldn't be a problem.

Mr. Clemens: But you don't have an agreement for that being a turn-around; that's another situation.

Ms. Hill: That was just an option that we needed to present to Council ...

Mr. Clemens: Well then how do you, if you don't have an agreement to use it as a turn-around, which is somebody else's property really, to pull in, turn around, let the kids off, and pull out....

Mr. Hill: Well, we have spoken with him and the only reason we had that drawn up, because that was something Council had...

Mr. Clemens: No, no, that's not what I'm saying. You said that you have an agreement to use his property to pull in, turn around, and dump the kids off, and pull out, am I correct?

Ms. Hill: No.

Mr. Hill: No. We have his permission to use ten parking spaces so one of the parents could pull in, get out of the car, bring their kids to the center, get back in their car, and leave. Cause Council said it was a problem with us having only four, I think it's four or five parking spaces in the front, so they required that we would try to get additional parking so that's when we met with the guy next door, the owner next door, and he said that we could have the first ten of his parking spaces closest to the center, right next to the fence. And there's a walk-through; once you park, you can get out and you can walk right to the center, and then the parent would come and walk back to their car.

Mr. Clemens: And it's a three-year deal.

Ms. Hill: Yes.

Mr. Clemens: What happens if he sells the property? What happens in three years, see, everything is based on somebody else's property that you're discussing and, you know, and the safety issue, and I haven't seen anything that you have an agreement, other than this one, which says none of that.

Ms. Hill: Right. Well, we, okay. Well we couldn't come into a full agreement because we're working on the lease arrangements with the owner of the building, but from my understanding this used to be a business beforehand which had cars coming and going, and the, I haven't heard that there was any type of situations where there was a problem.

Mr. Hill: And before we got a final agreement, we had to meet with you guys to make sure that we could even get this in, make this the special exception use; that was the first thing. We wouldn't even want to talk to the landlord or get a final agreement when they might not have even approved it for the special exception use; that was the steps we were going through first. And in order for them to approve it the last time, at the BZBA, that's what they kind of requested, they threw out some ideas that we might want to do, so that's what we went out and did, and that's how they....

Mr. Clemens: But see that's where the mistake's made; they throw out too many ideas and they don't really follow, you know, after that they don't have to follow through; it's done. You know what I mean? That's why I like to see the ideas done before we approve it.

Mrs. Kelly: Maybe this will help clarify. When you guys, the two of you, when you sit down and you're thinking about your business and how you're envisioning this going, how do you envision morning drop-off being? How do you envision after school drop-off? Because the difference between a child care center and the business that was before, you're going to have more ongoing and larger numbers of these at the beginning and at the end of the times. So you're going to have a greater influx where you may have less throughout the day, but you're going to have a greater influx at those two times. So how do you envision that working?

Ms. Hill: That way that we envision, is that the parents will pull into the facility next door and walk their child in; it is a large parking area; we have the first ten spots available and they'll walk in and walk out. The normal stay time for parents to drop off is maybe five to seven minutes and that's it.

Mrs. Kelly: How many employees do you plan on having?

Ms. Hill: Well that's going to be based on the number of occupancy, which is determined by the State, but no more than six.

Mrs. Kelly: Okay. So if you have your six employees and they're, will they be probably be full time?

Ms. Hill: No. Part time.

Mrs. Kelly: So, I'm trying to help clarify for everybody...

Ms. Hill: You're fine; I understand. I appreciate your help.

Mrs. Kelly: About how many people do you think would be there full time? And the reason I'm asking that, about how many of those parking spaces would be occupied by your full time staff?

Ms. Hill: Well, myself and my husband will be full time; that's one car. And then we'll have two full time employees.

Mrs. Kelly: So there'd be about three adults there full time, but there could be up to four or five there at a time, depending on how many kids?

Ms. Hill: Yes. Based on occupancy of the building.

Mrs. Kelly: Different parts of the time of the day, who's part time and who's full time?

Ms. Hill: Yes. One employee leaves and another employee comes.

Mr. Hill: I'd like to add something. Also, there's still are those four spaces in the front, because if we're just going to, if we're, are just going to use those ten spaces on the side, there wouldn't even be a turn-around. The turn-around was only introduced because it was just an idea, you know, based on if we weren't able to get the ten spaces next door.

Mr. Clemens: That's fine unless you ever tried to back out of there. I mean, as far as using that for parking, you know, this is a safety issue. I mean, our first thought, I mean, is for your safety and for the people in Reynoldsburg, and the people that drive up and down that road. That seems to be our problem. As far as what Leslie said, you know, and what you've said, that's fine, as long as you've got an agreement, I mean, it isn't, it's not for us to guess on what you're going to do and it shouldn't have been for the B& Z, to be honest with you, it should have had an agreement and you've got a tentative agreement, but you said that's not the way it's going to be, I mean, I, where's the something that says that you can use that to dump your kids off and on, I don't, there's nothing here.

Mr. Hill: Well, when we wrote this up we spoke with him and let him know that it was going to be a child care facility and that we were told by the Council that we couldn't just use the four spaces and we needed to rent those spaces to have parents come in, park, drop their kids off, and leave. And he said it wouldn't be a problem. And the reason the lease was written is that we agreed to pay him, because he said something about he has to blacktop every year, or something, I'm not sure exactly how that worked out, but I really don't see it a problem, because once you pull in, if you notice, right next to the gate, there's a walkway, and they can walk in and go back to their cars and walk out and...

Mrs. Kelly: I would suggest maybe that it would be helpful if you could get something from him that says it could be a turn-around, and so you're getting something from the owner of that, that if that were need to be, because if you have five, six people that are those parking spaces, that gives you four additional spaces, so you may need a space to do just a quick drop-off, kind of turn-around, and I think that's what I'm hearing you say, Mel, you want something that says he's okay with that.

Mr. Clemens: And I'm wishin' for you to have a good business, and I'm hopin' you got a better business than one person pullin' in there and droppin' somebody off, and I can see if you've got them going to school, or you got people going to work, basically they come at the same time. And

basically they come home at the same time, so if you got five or six cars pulling in there, dropping your kids off, then you've got a problem, and he's got a problem, unless you've got the parking spaces. Are you going to have it supervised? I see where they have to walk; I mean, it's not like I haven't been here sixty years, I know, I know your property, I know the property next door, I know how many cars. I pulled in there the other day and there was only four parking spaces left the other day, so they come and go in their business; it's not like they have, you know, they have more cars sometimes, less cars other times, it's that type of a deal there.

Mr. Hill: I understand. Hold on. We don't have to have a turn-around; the turn-around was only an option; we can...

Mr. Clemens: I understand that, I understand that, but you're going to have coming in and going out as the turn around. You don't understand what I'm talking about, where you're going in and you're coming out....

Mr. Hill: Okay.

Gentleman beginning to speak -

Mr. Joseph: Could you please give your name and address for the record?

Kevin Koetz, 2061 Tulip Way, Lewis Center, Ohio - -We had a business there for seven years; I know that front is not ideal, but you can come and go. I had people come, and pulling out, backing out...

Mr. Clemens: We don't want that any more; we don't want them backing out and making a circle there. We got a lot of traffic coming through there; I don't want to take any chances with the kids and anything like that...

Mrs. Kelly: I think that's the difference, is that with a daycare center, you're going to have a lot of little people at the beginning and at the end, so you're going to have a large influx and I think that's what I'm hearing Mr. Clemens say is his concern.

Mr. Koetz: Right. And I think that's why they're saying that they got ten parking spots on the side, because when it was advised us to do a turn-around, I think they thought that people would pull in, drop their kids right off the front, and then keep on going. I believe that's what they thought too.

Mr. Hill: Yes. That's...

Mr. Koetz: Ideally, we thought ten spots would be perfect, just have the parents, I mean, my kids have gone to daycare, you park in the parking lot, you walk them in, drop them off, walk right back out, so I think those ten spots are ideal, I think the front spots then would be used for employees to park, and then the ten spaces next door would be pull in and drop your kids across. That's all I have to add is just that.

Mr. Barrett: I might have missed this, but the ten spaces next door are secured with another lease.

Ms. Hill: Right.

(Discussion ensued with several talking at once regarding the lease being a tentative one. Ms. Hill explained that the lease could be modified, as they were still in the process of securing the property.)

Mrs. Kelly asked if there was going to be an outdoor play area. Ms. Hill said the play area would be in the back of the facility that would accommodate fifteen children at a time. Mr. Long asked how many children would be watched each day. Mr. Hill said there would be no more than forty-nine. Mr. Long said they did not have enough parking spots for parents to drop off that number of kids in the morning. Mr. Hill said they were not going to open up with forty-nine, but would open with maybe eight to ten; that he really couldn't speak to that issue yet. Mr. Long said while he would like for there to be forty-five to fifty kids attend the facility, if that happened, the agreement would be inadequate; plus, if the owner next door sold the property a year from now, that would make the agreement null and void, but Council would have approved a variance for a business on a separate piece of property. Mr. Clemens expressed his concerns about safety, and noted that the parking and agreement were on someone else's property, was not under the control of the applicants, and said he was concerned about what would happen once the agreement time was up. Mr. Koetz said he would like to know what kind of business could go in there with the traffic issues as they are. Mr. Barrett said there were so many 'ifs' and perhaps there should just be a little re-thinking. Mrs. Kelly said she would encourage the applicants to try to narrow it down so it didn't seem like there were so many what-ifs. Mr. Koetz asked how many parking spaces were needed; that they obviously needed the spots next door for the business, and he thought the applicants needed some definite answers. Mr. Barrett said, "From what I'm hearing, you're asking us to approve a use permit for this property, 6800 E. Main. And sounds to me like that property can't support a child care facility, period." Mr. Clemens agreed.

Ms. Hill: So it was approved, and not it's not approved?

Mr. Long: No, ma'am. The Board of Zoning and Building Appeals is the one who approved your application for a variance; we were not spoken to prior to that, or anything of that sort. It is a separate board within the City of Reynoldsburg.

Mr. Koetz: Well, is the issue, because I just want to know what the issue is, because I'm trying to sell a building for a year and a half, two years; I paid taxes for ten years in Reynoldsburg that I obviously is going to be difficult to sell, so I don't know what's better for the community to have a vacant building sitting on your main road, or to try to put a legit business in it, so I need to know, I mean, they've gone, they've put in application, they've done all this, got a lease agreement next door which is pretty much a vacant parking lot, _____, says we're allowed to park there.

Mr. Barrett: I think that was asked and answered. I mean, I understand what you're saying, it would be very difficult to make it open usage, but what we're saying is, you need those extra spaces to make this work, and what if something changes and the next owner of that facility won't hold status quo. There's a lot of ifs and ultimately that property can't support that type of business.

Mr. Clemens: I think Scott explained it perfectly. You asked for a Special Exception Use Permit on a piece of property, okay, now you're asking for something on another piece of property, you understand what I'm saying? And I think that's what Scott was saying and as far as what we vote on, we vote on that piece of property that you've asked for a Special Exception Use Permit.

Ms. Hill: There is a large area in the back, so if that area was to be paved for parking, would that be acceptable?

Mr. McGrady: How many spots would it support? That would be the question.

Ms. Hill: Ten.

Mr. Long: Is there room enough for that to be your drop-off and pick up spot in the back?

Ms. Hill: There's plenty of room in the back.

Mr. Long: Okay, I've been around there in the back before and you've got a garage door and then you've got a _____ there and then you move into the garage area and then there's ten, maybe twelve steps up to the upper level back from there.

Mr. Hill: We've been there more than a few times...

Ms. Hill: Straight back, there's a hill that's just brush...

Mr. Hill: ...and you can go back there and turn around, because that's what we originally proposed, that we could just go back there and turn around, and there's, me and my wife, _____ that's where we had planned on doing the employee parking and us parking, and even having the drop-off back there. And then we came to the board and they suggested that we go next door, and see if we can get ten spaces from them, or they didn't say ten, they just said see if we can some spaces from them and possibly even look at making the front of the building a turn-around, so this was not concrete, the turn-around, we just brought that to the board to show, look, this can be done; we had an architect come out there, show how it could be done, drew it up and we went next door, we talked to him, we got the ten spaces and really, it's, it really shouldn't even be a problem.

Mrs. Kelly: I'm going to make a suggestion so we can kind of, because I feel like we're spinning our wheels at this point. Have you go back and put together a proposal with whatever you need to put together for proposals, or whoever you need to look at what it would look like to have the parking in the back there. The question that comes up with the ten spaces, and I just want to make sure that you guys understand this, is, what's the plan if the gentleman next door sells in a year, and the new owner comes in and says 'nope, I don't want to play that, I don't want to do that, you can't have any parking spaces'. And you have this booming business, you have fifty kids, and that next owner says 'nope, I'm done'. You're kind of stuck, you know, and so, it's hard and should be a little bit scary to build a business on that, you know, because you are dependent on if a new owner comes in that they're gonna want to play nice. So if you could look at what, is it really feasible,

what would it take in the back, if you want to bring that, because this is a first reading and it'll go back to committee.

Ms. Hill: Okay.

Mrs. Kelly: You guys, would you be open to looking at that?

Mr. Clemens: Are they talking about parking behind their building?

Mrs. Kelly: Behind the building. Correct?

Ms. Hill: Right.

Mr. Clemens: Behind your building.

Ms. Hill and Mrs. Kelly: Yes.

Mr. Clemens: Do you have room to drive back there, I mean.

Ms. Hill: Yes.

Mr. Hill: There's a road ...

Mr. Clemens: I mean, for two cars to pass?

Mr. Long: No, it's one way in and one way out; you can't get two lanes.

Mr. Clemens: Then that's fine, but what happens to people that's back there, that's coming out, and people that wants to get back there. I mean, there's a problem; if you can solve those kind of problems....

Mrs. Kelly: That's what I'm saying. I would go and explore it, go and explore it, look at it, get, you know, the people who are qualified to look at that type of thing to come out and look at, and if you want to bring that back to us.

Ms. Hill: Okay. All right. Thank you.

Mrs. Kelly: Thank you. I would like for this to stand for its first reading and return to Service Committee.

Mr. Joseph referred the item to Service Committee.

ORDINANCE AUTHORIZING CONTRACT WITH THE CITY OF COLUMBUS,
DEPARTMENT OF PUBLIC UTILITIES FOR DRINKING WATER LABORATORY
ANALYTICAL SERVICES- - Clerk read ordinance by title for the first reading. Item referred

to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" Subsection (a) "Administrative"; Subsection (e) "Parks & Recreation Department"; and deletes SECTION 160.03 "SALARY SCHEDULE" Subsection (c) "Part Time Employee" of CHAPTER 160 EMPLOYEE COMPENSATION- -Clerk read ordinance by title for the first 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 first reading. Item referred to Finance 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 first reading; item referred to Finance Committee.

ORDINANCE AUTHORIZING CONTRACT FOR LIFE INSURANCE AND SHORT TERM DISABILITY AND LONG TERM DISABILITY INSURANCE COVERAGE WITH METLIFE FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2014- -Clerk read ordinance by title for the first reading. Mr. Long moved to amend the ordinance with emergency language; Mr. Clemens seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; ordinance amended. Mr. Long moved adoption; Mr. Cotner seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 75-12 adopted.

ORDINANCE AUTHORIZING CONTRACT FOR OPTIONAL GROUP ACCIDENT INSURANCE COVERAGE AND OPTIONAL GROUP CRITICAL ILLNESS INSURANCE COVERAGE WITH UNUM FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013- -Clerk read ordinance by title for the first reading. Mr. Long moved to amend the ordinance with emergency language; Mr. Burd seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; ordinance amended. Mr. Long moved adoption; Mr. Clemens seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 76-12 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AN INTERGOVERNMENTAL WORKING AGREEMENT WITH FRANKLIN SOIL AND WATER CONSERVATION DISTRICT TO SUPPORT THE BIG WALNUT WATERSHED COORDINATOR PROGRAM ADMINISTERED BY FRANKLIN SOIL AND WATER CONSERVATION DISTRICT IN COORDINATION WITH AND SUPPORT FROM MORPC, CENTRAL OHIO GREENWAYS,

AND THE STATE WATERSHED PROGRAMS WITH ODNR AND OHIO EPA; AND APPROPRIATING FUNDS THEREFOR- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING ITEMS ON FIXED ASSET LIST FOR AUCTION; AND AUTHORIZING APPROPRIATION OF MONIES RECEIVED FROM SALE OF ITEMS- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE MAKING TRANSFER OF FUNDS FROM SERVICE DEPARTMENT ACCOUNT TO PARKS AND RECREATION DEPARTMENT ACCOUNT IN ORDER TO PURCHASE A 2011 XRT 1550 **AND DECLARING AN EMERGENCY**- -Clerk read ordinance by title for the second reading. Mr. Long moved to amend the ordinance to the redraft date of 11-7-2012; Mrs. Kelly seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; ordinance amended. Mr. Long moved adoption; Mr. Clemens seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 77-12 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR REDESIGN OF THE CITY OF REYNOLDSBURG WEB SITE- -Clerk read ordinance by title for the second reading; item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT, and FRANKLIN COUNTY PUBLIC HEALTH for HEALTH SERVICES- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING PURCHASE OF ONE 2013 FORD TRANSIT CONNECT 4x2 FOR WATER/WASTE WATER DEPARTMENT **AND DECLARING AN EMERGENCY**- -Clerk read ordinance by title for the third reading. Mr. Cotner moved to amend the ordinance to the redraft date of 11-6-2012; Mr. Barrett seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; ordinance amended. Mr. Cotner moved adoption; Mr. Long seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 78-12 adopted.

Mr. Joseph said the Request for Executive Session was by the Mayor to review collective bargaining strategy; and also by himself to discuss the appointment of a public employee. Mr. Burd moved to recess for Executive Session; Mr. Long seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Barrett "Yea"; Mrs. Kelly "Yea"; Mr. McGrady "Yea"; Mr. Clemens "Yea". Motion passed. Mr. Joseph said those attending would be all elected officials and Attorney Marc Fishel; that Council would reconvene only to adjourn. Council recessed at 8:28 p.m.

Council reconvened at 9:43 p.m. With the roll called, members responding were: Mr. Cotner "Present"; Mr. Long "Present"; Mr. Burd "Present"; Mr. Barrett "Present"; Mrs. Kelly "Present"; Mr. McGrady "Present"; Mr. Clemens "Present".

Meeting adjourned at 9:44 p.m.

Doug Joseph, President of Council

Nancy C. Frazier, Clerk of Council