

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
November 10, 2003

President Pro Tempore of Council Sarah Cannella called the meeting to order at 7:34 p.m.

Members of Council present: Lane Beougher, Ron Stake, Sarah Cannella, Jim Wade, Eric Gilbert, Mel Clemens, William Hills. President of Council Bradley L. McCloud, Acting Mayor, was absent.

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

Minutes of the regular Council meeting held October 27, 2003 were approved without objection. Minutes of the special Council meeting held November 3, 2003 were approved without objection.

Mr. Gilbert moved to amend the agenda by moving Item 10b on the Consent Agenda to the Regular Agenda. Mrs. Cannella stated that the City Attorney has requested an Executive Session to discuss imminent litigation and the session would be held following the legislative items. The amended agenda was approved with all voting "Aye". Mrs. Cannella noted that item 10b would become Item 20a, Ordinance authorizing the Mayor to enter into contract for collection and disposal for residential solid waste, etc.; and Item 25 would be the Executive Session.

Community Comments and Requests- -Ms. Celeste Gaver was present and stated that she had a question about the Nuisance Abatement Committee. She said she hasn't had any word back from City Council nor Mayor McPherson as to who is going to be serving on this committee, when it is going to be formed, what their agenda is, and when their first meeting is going to be. Mr. Beougher stated that Council received in their packets on Friday, a list of four individuals from the BZBA and the Planning Commission who had agreed to serve. He said we do not have the information on whether they have actually been appointed, or when their first meeting will be. He said we at least have some bodies to fill the chairs for the committee. Mrs. Cannella stated that we will see that Ms. Gaver is notified about when the meeting is and who is on that committee.

Ms. Sandra Long and Mr. John Rawski were present. Ms. Long stated that they were with the Cobblestone/Windsor Forest Area Civic Association. She said that through the years, they have come to Council with many issues concerning their neighborhoods. She said they think that what they are asking for is so basic that no argument is necessary. She said they want their peace of mind; that they want the issue of the quality of their fire safety put to rest. She said they want to make it clear that they're not talking about conforming the boundaries, or anyone's latest ideas on why you should or shouldn't do that. She said right now, they don't care about all of that. She said this issue has gone way beyond that. She said they are now talking about the health, safety, and well-being of the citizens. She said they can't find any minutes, or newspaper articles, or any other evidence that shows them that anyone has come to City Council and identified a problem with their current fire and EMS service, or said there is a safety issue that Council needs to address with any of their fire departments. She said they attended the City Council meeting in March when Truro Township presented their study, and no one at that meeting said there was a fire protection issue. She said they read their study and again, they could find no safety issue. She

said from what they've read in newspaper articles, the fire departments and Mayor McPherson said that there were no complaints from citizens. She said they read quotes from other people that said their fire and EMS services are good. She said Truro Township Trustee Pat Mahaffey did say in the paper that one fire department would make things simpler, and there is some confusion at times on mutual aid costs. She said Mahaffey also agreed that everyone in the area is really providing good service. She said the first time it appears there is a safety issue with the quality of our fire and EMS service is in an October 29 letter to the editor from Tim Perry, Vice President of the International Association of Fire Fighters, Truro Township Local 2932. She said then our fire protection became an issue for the public because of the election. She said the election is over. She said the people have had their say, but the question of the quality of their fire and EMS service remains. She said Council is the only body responsible for the safety and welfare of the entire city. She said if no one is willing to ask Council to consider their fire and EMS services as a safety issue, then they as citizens will. She said if a safety problem exists in this city, they are asking Council to identify it and do what they have to do to fix it. She said they don't expect Council to have all the answers tonight. She said none of Council are fire department or safety experts. She said they suggest that Council bring in an independent expert from outside our area who is qualified to take an objective look at our fire service. She said they also think that it's important that everyone hears what all the fire departments have to say. She said she is speaking as an individual now, but this has to be the saddest situation their group has ever had to deal with. She said it has pitted fire fighter against fire fighter, neighbor against neighbor, and shaken people's confidence in their fire protection. She asked to please not allow this to continue. She said citizens should not be put in the position where it appears that they are for or against a fire department. She said it's wrong. She said it is not fair to them and it's not fair to their fire fighters. She said they respect and support all of their fire fighters. She said she doesn't want to sound melodramatic, but the bottom line is that we depend on these people for our very lives, let alone our property. She said some of them are here tonight because of their dedication, training, and professionalism, and the incredible cooperation that exists between the departments. She said they are asking that Council please put an end to this for our sake.

Mr. Wade asked what she is suggesting. Ms. Long said they are suggesting that since fire safety is being discussed in the public as an issue, that Council take a look at it as a fire safety issue; not conforming the boundaries. She said they want to know if citizens are safe. She asked if there was a problem with one of the fire departments. She asked if the present system works. She said if something like that exists, they want to know about it, and they want Council to fix it. Mr. Wade said he doesn't know that that's ever been suggested, that there is an issue. He said the issue as he understands it is, the normal evolution of cities and township, and he thinks Ms. Long has done more damage with her statement tonight than any reports that he has heard. He said he is appalled that Ms. Long stands here and says that it's pitted everybody against each other. He said he doesn't think that's the case at all. He said the issues that those people are referring to are financial issues. He said that is the normal evolution of governments, cities, and townships. He said as this process unfolds, he thinks that as a Council, one of the obvious considerations is going to have to be to consider the dissolving of the township. He said in the event that were to happen, that wouldn't be because necessarily that there's just a safety issue. He said there's the monetary issues that are involved here. He said he thinks that to hide behind some smoke screen that it's safety issues would be a lie. Ms. Long said she agrees with Mr. Wade, and it is a financial issue. She said she totally agrees, but what has happened because of things that were said and done during the election, people have been concerned about their fire safety. She said all they're

asking Council to do is to take a look at this as a fire safety issue. She said she is not going to stand there and tell him whether they should conform the boundaries or not. She said she does not know. She said personally, she knows they haven't talked about it with their group, they do not support it, and they're not against it. She said all they are here tonight to talk about is to address the concerns that citizens have had, because if you read in the newspapers, it says their fire safety is good. She said then all this happens in the public and people are now worried. She said they are not saying it's Council's fault, Truro's fault, or anybody's fault. They are just telling Council that it exists. She said she agrees with Mr. Wade that this is a financial issue. She said but because of all of this, people have concerns. She said they've had a lot of people talk to them. She said they were going through the neighborhood on Sunday and a lot of people have said, "is our mutual aid okay? Is this going to cause a problem?" She said it's these kind of things that they need to talk about. She said also, they weren't going to talk about taxes, but she will a little. She said it would raise taxes for most people in their area if it's done the way they're presenting it. She said if there's a safety issue, she can't see people having a problem of having their taxes raised to help address that. She said they just want to know if there is a safety issue. She said they don't think there is, but if there is they'd like to know.

Mr. Wade asked, "Compared to what"? He asked if there is a safety issue compared to what? He said there's always a safety issue. He said there's always going to be a safety issue. He said some of the response times are going to be faster than other times. He said it sounds to him like Ms. Long's group is the one who is making the most debate about this. He said it's been in conversation for a long time. He said he doesn't understand what Ms. Long is asking Council to do. He asked if she is asking Council to raise the taxes to the extent that they have the fastest response time in the nation?

Ms. Long said no. She said they are not asking Council to do any of those things. She said what they are asking is simple. She said they have read the Truro Township Trustees study and they know Mr. Underwood is not an expert in fire safety or the fire department. She said they are asking Council to bring in an expert for fire safety issues for fire departments. She said they're separate issues in their minds. She said they are trying to say that if taxes need to be raised, so be it. She said the issue of conforming the boundaries is so complicated, and so confusing, and has such an impact in so many different areas, they wouldn't tell Council what to do. She said they don't know. She said they are saying that they're hearing a lot about the financial matters. She said they would like to know about the fire safety.

Mr. Wade asked if that is what our fire department is hired to do, is to be the experts on that? He said he is concerned about spending tens, and possibly hundreds of thousands of dollars of taxpayers' money to find out the answer that there's not a problem. He said if we had an underlying problem here, he would suggest that maybe we do need a consultant to look at this. But right now it's a financial issue. He said it's not a safety issue. He said he doesn't know of anybody of this body that has said there is a safety issue anywhere.

Mr. Clemens said that all of his years as a Township Trustee with Truro, and he has high regard and high respect for our fire department, as he does Violet, Jefferson, and West Licking, and he doesn't feel there is a safety issue. He said he feels that all four of the fire departments are probably four of the best fire departments around. He said the safety issue is well handled through the fire departments. He said as we look at it, it's a monetary issue. He said to help Ms. Long feel safe, we have nothing but high regards for all four of the fire departments. He said if they have a problem, Truro and West Licking will be there. He said he knows that there has been

some dispute in the last few weeks, but he thinks that's only common during election time. He said he thinks it will blow over. He said he thinks all of the fire departments will get together and work this out. He said he doesn't think there is anything to worry about with the safety issue part of this. He said he thinks we have good response from all of our departments and they all work together. He said whether we have one or four, he doesn't think it makes that much difference as far as the safety issue is concerned. He said it's a monetary issue that Council has to worry about and that's something that we'll probably look at. He said he doesn't know when. He said we've had no reports that he knows of, of any problems in the years he's been here against any of the fire departments.

Ms. Long said neither do they. She said that since it has been questioned in the public, they are asking the question in Council Chambers for a statement of fact.

Mr. Rawski asked why one of the big issues in the elections was that they are changing the fire departments. He asked why.

Ms. Long said she checked with the state about what requirements there are and she said they are very comfortable with their fire departments. She said she is here tonight because of mutual aid. She said she is ill and she wouldn't be afraid of who shows up at her door. She said they think they're all great. She said that some of these things have been talked about in the public and now people have some concerns and they are just bringing their concerns to Council. She said under no circumstances do they want this to appear as if they are supporting one fire department over the other one.

Communications- - Clerk read report from Clerk of Courts: total monies collected from courts held during October 2003, \$29,320.15. Monies also collected during that period pursuant to Ordinance Numbers 146-94 and 104-02- -\$1,640 for the Computerization Needs Fund and \$175 for the Enforcement and Education Fund.

Consent Agenda items:

Clerk read each of the following items by title. Disposition results listed at end of each title.

for second reading: ORDINANCE ACCEPTING RECORDED DEEDS OF EASEMENT FOR PHASE I OF THE REYNOLDSBURG MAJOR COMMERCIAL CORRIDORS STREETSCAPE PROJECT- -item referred to Service Committee.

for second reading: 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- -item referred to Service Committee.

Mr. Hills moved approval of the actions on the consent agenda; Mr. Gilbert seconded. With the roll called, members voted: Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea". Motion passed; disposition listed above.

Regular Agenda items:

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 first 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 first 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 first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH EVANS, MECHWART, HAMBLETON & TILTON, INC., FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH DLZ OHIO, INC., FOR PROFESSIONAL BACKUP CONSULTING ENGINEERING SERVICES- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH DLZ OHIO, INC., FOR PROFESSIONAL STRUCTURAL ENGINEERING SERVICES- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

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 second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH ASEBROOK & CO., ARCHITECTS, LLC, FOR PROFESSIONAL ARCHITECTURAL SERVICES- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO EXTEND CONTRACT WITH MOODY/NOLAN LTD, INC., FOR PROFESSIONAL BACKUP ARCHITECTURAL SERVICES- -Clerk read

ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR TAX ADMINISTRATOR'S DEPARTMENT (Miscellaneous contract services and Nonreimbursed legal fees accounts)- -Clerk read ordinance by title for the second reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR COLLECTION AND DISPOSAL FOR RESIDENTIAL SOLID WASTE, ETC.- -Clerk read ordinance by title for the second reading. Mr. Gilbert moved to amend the ordinance as of the redraft date listed at the top of the ordinance, and also to amend to request the declaration of emergency on the legislation. Mr. Hills seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Gilbert moved adoption. Mr. Wade seconded. With the roll called, members voted: Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea". Motion passed; Ordinance No. 90-03 adopted.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE A PERPETUAL NONEXCLUSIVE EASEMENT FROM THE ESTATE OF LENA ROSE CLARK (FRED WILLIAM APPLEMAN, EXECUTOR) (Pleasant View Heights Sanitary Sewer Improvement) **AND APPROPRIATING FUNDS THEREFORE**- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved to amend the ordinance as redrafted. Mr. Hills seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea". Motion passed; Ordinance No. 91-03 adopted.

RESOLUTION OF INTENT TO APPROPRIATE PERMANENT RIGHT-OF-WAY AND TEMPORARY EASEMENTS FOR CONSTRUCTION OF MAIN STREET AND GRAHAM ROAD INTERSECTION IMPROVEMENTS, APPROPRIATING FUNDS THEREFORE- -Clerk read resolution by title for the third reading. Mr. Gilbert moved to amend the resolution as redrafted. Mr. Beougher seconded. All voted "Aye". Motion passed; resolution amended.

Mr. Gilbert moved adoption. Mr. Wade seconded. With the roll called, members voted: Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea". Motion passed; Resolution No. 92-03 adopted.

ORDINANCE RATIFYING MAYOR'S EXECUTION OF "PARTIAL ASSIGNMENT OF EASEMENT" (Columbus Southern Power Company, an Ohio corporation, 1 Riverside Plaza, Columbus, Ohio 43215)- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Hills seconded. With the roll called, members voted: Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea"; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea". Motion passed; Ordinance No. 93-03 adopted.

ORDINANCE MAKING APPROPRIATIONS FOR FIRST INTEREST PAYMENT ON 2003 CAPITAL FACILITIES BONDS- -Clerk read ordinance by title for the third reading. Mr. Hills moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mr. Beougher

“Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”; Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”. Motion passed; Ordinance No. 94-03 adopted.

Request for Executive Session by City Attorney for discussion of imminent litigation.- -Mr. Hills moved to recess for Executive Session. Mr. Beougher seconded. With the roll called, members voted: Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”; Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”. Motion passed. Mrs. Cannella said following the Executive Session, Council would reconvene only to call the roll and adjourn. Council recessed at 8:05 p.m.

Council reconvened at 8:29 p.m. With the roll called, members responding were: Mr. Beougher “Present”; Mr. Stake “Present”; Mrs. Cannella “Present”; Mr. Gilbert “Present”; Mr. Clemens “Present”; Mr. Hills “Present”.

Meeting adjourned at 8:29 p.m.

Sarah Cannella, President Pro Tempore of Council

Nancy C. Frazier, Clerk of Council

(Transcribed/Susie Smith, Ass't. Clerk of Council)