MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SERVICE AND TRANSPORTATION COMMITTEE
October 22, 2018

Ward 2 Councilmember Brett Luzader called the meeting to order at 7:42 PM

Call to Order - Roll Call

PRESENT: Luzader, Baker, Bryant, Skinner, Joseph
ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Public Service and Transportation Committee – Committee Meeting – October 8, 2018

RESULT:	**ACCEPTED**

NEW LEGISLATION/DISCUSSION ITEMS

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: ENACTING CHAPTER ____ RENTAL PROPERTY REGISTRATION AND MAINTENANCE --- Bryant. Public Service and Transportation Committee.

Ms. Bryant: Ok, so we shelved this at the last meeting, I wanted to do some editing to the proposal. Unfortunately, I've been dealing with family emergencies and haven't had an opportunity to amend this the way I want to. However, I think what I would like to accomplish with this kind of goes hand and hand with the next item that we will be discussing. I would say we'd move on from here unless there's anything any committee member would like to suggest, have a question about, anything of that sort.

Mr. Luzader: I just have one. I'd like to know if the Mayor and the City Attorney have had a chance to peruse this and if they've got any questions, concerns.

Mayor McCloud: You may recall Mr. Luzader, I introduced something similar in 2008 and it didn't gain traction so as a concept I support it. I haven't really had a chance to fully digest what she submitted but I like the idea.

Mr. Luzader: Mr. Hood.

Mr. Hood: Inaudible

Mr. Luzader: Ok, I'd appreciate that. That might actually help with some of your edits and revisions.

Ms. Bryant: Possibly so.

Mr. Luzader: Ok, so your pleasure would be to extend this on for a first reading?

Ms. Bryant: I...

Mr. Joseph: You can also hold it if you want.

Ms. Bryant: I would like to hold it. It's not ready. And I think 4b needs to go before 4a.

Motion to hold legislation for 2 weeks by Council woman Bryant, Second by Councilman Skinner
All voted affirmative by voice vote. Motion Carried

RESULT:	**ITEM HELD**	**Next: 11/13/2018 7:32 PM**

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 154.03 DIRECTOR DUTIES AND RESPONSIBILITIES OF CHAPTER 154 DEPARTMENT OF DEVELOPMENT; SECTIONS 160.02(C) DEPARTMENT OF DEVELOPMENT AND 160.02 (G)(2) BUILDING DEPARTMENT OF CHAPTER 160 EMPLOYEE COMPENSATION; SECTION 1541.03 USE AND STORAGE OF CHAPTER 1541 LIQUEFIED PETROLEUM GAS; SECTIONS 1701.01 DEFINITIONS AND 1701.08 ABATEMENT OF A PUBLIC NUISANCE BY THE BOARD OF NUISANCE ABATEMENT OF CHAPTER 1701 GENERAL PROVISIONS; AND SECTION 1711.02 AMENDMENTS, DELETIONS AND MODIFICATIONS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF CHAPTER 1171 GENERAL PROVISIONS. --- Baker. Public Service and Transportation Committee.

Mr. Baker: Thank you Councilmen Luzader: The reason for this ordinance, this legislation is to try to help, try to help the Development Department be, to get more hands on with the City. More so to help ease some of the burden that the current structure has. I had April distribute a packet to all the Councilmen or Council members so they can look at some, what some of the other City's have done regarding this. Which is moving building and zoning over to the department of Development. I believe this will help make building and zoning more efficient. It will cut out, it will cut out the middle man and also help streamline the departments. And give the department of Development a little more, a little more hands on, on the day to day operation that pertains to building and zoning. Because on the things that's in this draft, in this draft that I submitted, it talks about, it has the Abatement and Board of Zoning and Appeals under the department of Public Service. Well the department of Director already does that, already sits on the board so why not go ahead and just move that on over to the Department of Development also. Its also to help make our City a little, a little more business friendly when it comes to doing permits and stuff. So I know a lot, all of y'all got this packet tonight. And I would like for you to look over it. Please look over it. And also I have handed out a flow chart of the City of Dublin that actually show how they have it set up where the department of Development has planning, building, zoning, economic development all under one

roof which I think will help us in the long run. Especially towards as we grow as a city and we invite in new businesses to the City of Reynoldsburg. So if we can make this painless as possible for those businesses and also improve what's already there, I'm not trying to reinvent the light bulb. You know, even the light bulb went from incandescent to now we have LED, its just improved over time and this what I'm trying to accomplish with this piece of legislation. And I'm sure some of you have questions and I'm willing to answer any questions to the best of my ability so.

Mr. Luzader: Are there any questions from members of the committee on this item? I just have some concerns. This is one of those things, I actually think should fall under an administrative function. If the Mayor and his staff feel that it would be better this way or things work well and they think they continue to work well where their at, that's up to the Mayor. We're here as a legislative board not an administrative board. I think moving differently employees, group of employees under different departments and everything else, should be an administrative function not a legislative function. Is where I stand.

Mr. Baker: I mean respectable but I look at it as a better way to make the City of Reynoldsburg more efficient and I believe its within Councils power, I have not heard no objection from the City Attorney that we couldn't do this. I'm sorry say again I couldn't hear you.

Inaudible

Mr. Hood: Section six of the charter, provides for the Department of Public Service. And it says in there specifically the building department is a service department so in order to change this you have to ask for a charter amendment. But I also echo the sentiments of the Chairmen that there are different functions of the government administrative and legislative. I understand your argument of being more efficient but those are really his decisions to make of how he employs and divides the job responsibility and functions of the different administrative departments. The development department wasn't around when we enacted our charter. So its a creature of statue a creature of ordinance. The building department is not. The building department is a creature of charter. And its a charter provision that puts it under the building department. So until we change that there is really not a whole lot we can do.

Mr. Baker: So let me this clear. So your saying that this legislation cannot move the Building Department correct?

Mr. Hood: Not the Building Department.

Mr. Baker: But it could the move zoning portion correct?

Mr. Hood: I would have to look at it. But I think building and zoning is the same the way we do it. 6.07 is the charter section.

Mr. Baker: So from my understanding, first of all, why is this now brought to me when this was submitted a few weeks ago.

Mr. Hood: Because you didn't speak to me before you submitted this.

Mr. Baker: I had the Clerk submit to the Attorney for review.

Mr. Hood: No sir.

Mr. Baker: Ok maybe, I'm looking at it this way, something needs to be done and from my understanding that this could be done, and that I'm not deleting any department I'm just simply shifting one department to another for it to be more efficient for the City to run. We have to be prepared for business growth. And I believe this will help us, especially when you the department of Development talking, having to, excuse me. When you have the department of Development, department, trying to talk to the building department but they have to go through the department of service, that's creating a middle man. That's tying up time where we could spend giving out permits that people have applied to help make, applying for permits a lot more efficient is what I'm getting at.

Mr. Hood: I'm not judging that your, whether your argument is valid or not. I'm just saying that the charter provides for the Building Department to be placed...

Mr. Baker: From my understand that we can cross that bridge when we get there, however this portion right here. There is nothing in the charter that says that the zoning portion has to be under correct? You said it was for it to be the building, correct?

Mr. Hood: Provides for the building department, that's correct. 6.07.

Mr. Baker: Yes, so the zoning could be potentially moved.

Mr. Hood: Maybe, I would have to look at it again for that purpose. But I think its in there too.

Mr. Baker: But why didn't you look at it before you came up here. Because if you looked at the charter...

Mr. Hood: Because you didn't speak to me before you submitted the legislation. I would have been happy to tell you it then too.

Mr. Baker: I.. you know what... Seem like from what I'm getting that there's just no moving this because...

Mr. Hood: Sir, I wouldn't have stood up here this evening if you didn't say "I've heard no objection from the City Attorney."

Mr. Baker: I didn't hear any no objection Sir and I do remember saying, I do remember saying in the email, will City Attorney Hood look at this as well.

Mr. Hood: I'm not sure what email your talking about, I'm sorry. I didn't receive any email asking me to look at this...

Mr. Baker: Because I have...

Mr. Hood: I did discuss with the Mayor after your discussion...

Mr. Baker: Ok, because I can show, I can pull up on my phone where it said...

Mr. Hood: You emailed me?

Mr. Baker: No, I didn't email you, I asked the Clerk, and I said would City Attorney Hood look at this as well. Just because I know this is a legal matter, this is a legal move. So I wanted to make sure this was efficient before I proceed to it. So your saying you never got an email you never got no notice or nothing about this. Which is hard to believe that you haven't heard anything about this until I don't know today.

Mr. Hood: No. I saw it on the agenda and that's why I prepared for the meeting.

Mr. Baker: And the agenda was pushed out how long ago?

Mr. Hood: We got it on Friday, I think when you guys did. Mr. Baker...

Mr. Baker: So the reason im saying that, the reason im laughing because I met with the Mayor last Wednesday about this, so you cant tell me that he did not consult with you about this ordinance.

Mr. Hood: I'm sorry Mayor I thought we talked on Friday, unless my memory is mistaken.

Mr. Baker: I mean I know I'm kind of losing my memory too but that's what two kids will do. You have kids you know how your memory sometime go but I did talk to the Mayor about this. Actually he sent out a nice email to me about why he didn't support this. So I'm assuming, you know what I'm not assuming, I probably know that you had to talk him. he had to talk to you to make sure this was legal.

Mr. Hood: We discussed the agenda on Friday and I told him exactly my concerns.

Mr. Baker: Ok.

Mr. Hood: Mr. Baker all I'm saying to you is...

Mr. Baker: And I'm just saying that its hard for me to believe that you just now noticed this and could have said something in advanced about this but what I understand and what I read, what I

researched that this could be done all was needed was an ordinance to move the Building and Zoning over by majority vote of Council.

Mr. Hood: Ok well we can discuss it, if you would like. But as I researched the Building Department has to stay under Service. And all I'm saying to you again is and I'll say it to like I said every council members, if you'd like to discuss proposed legislation before you submit, I'm happy to discuss whatever it is you want but I don't know what you guys are thinking until I see it on the agenda unless you give me some heads up.

Mr. Baker: So you saw it Friday but you couldn't call me or email me and tell me?

Mr. Hood: And again, I would not have said anything tonight publicly if you didn't say there was no objection from the City Attorney. That's when I said...

Mr. Baker: Because I didn't receive any objection. I didn't see an email. When I submit legislation few months ago, Auditor Cicak called me and said that I couldn't do this. He called me and said you couldn't do this. He picked up the phone, how come you couldn't just pick up the phone Friday after discussing with the Mayor, that this could not be done. Instead I'm pushing something that potentially cannot be done forward.

Mr. Hood: Well, again as I said to the Mayor on Friday and i'll say to you again, I was going to speak to you privately, without doing this publicly, and talk to you about it. But you said there is no objection from the City Attorney, that's when I stood up.

Mr. Baker: Correct, because there wasn't. I didn't receive any objection early about that this couldn't be done. But you know what were going back and forth here. Like I said it stands from my understanding, from my research that this could be done. I'm trying to help make this City more efficient. But I'm getting push back for no apparent reason.

Mr. Hood: Only that the charter compels us to leave the Building Department under the Service Director. That's the only push back I'm offering. As to the rest of the ordinance, I cant opine yet because I haven't looked into it. But I'm very confident... inaudible... must stay under the Service Director.

Mr. Baker: But yet you... ok ok.

Mr. Hood: Because the charter compels us to. If we chose to change it we have to go through a charter review process. Which we have done, that's why we changed our contract and perused yours just in 2017 to be more modernized but that's the procedures that were stuck with and were left with. We have to let the voters decide.

Mr. Luzader: If your concerned about the planning part and the permitting with new Development, the actual Planning and Zoning administrator falls under the Development Director now.

Mr. Hood: Yes.

Mr. Baker: Yes, but it goes hand in hand with the building and zoning so that's what I'm saying. Since that's the case then, can we just separate it?

Mr. Luzader: Building inspections and planning permitting fees or planning and permitting are two separate items.

Mr. Baker: But no I'm, that's more of a question. Because according the City Attorney that apparently the Building cannot be moved over but it says, as of right now I haven't heard anything saying that we couldn't. So I was just asking the questions.

Mr. Hood: Might I suggest Chairmen that we hold this for a few weeks. Inaudible

Mr. Luzader: That's going to be my next suggestion. Is we just hold this two weeks and you can talk and the City Attorney can have a chance to look at this over a little bit closer and maybe give us a little more in depth opinion two weeks from now. Would be my suggestion but its your legislation so I will defer to you. If not I will make a motion that we hold this for two weeks.

Motion to hold legislation for 2 weeks by Councilman Luzader, Second by Councilman Skinner
All voted affirmative by voice vote. Motion Carried

RESULT:	**ITEM HELD**

LEGISLATION FOR THIRD READING

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH RUMPKE OF OHIO, INC. TO BE THE SOLE PROVIDER OF SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE COLLECTION SERVICES FOR WASTE GENERATED BY RESIDENTIAL UNITS, MUNICIPAL FACILITIES AND DURING SPECIAL EVENTS IN THE CITY OF REYNOLDSBURG, OHIO. --- Luzader. Public Service and Transportation Committee.

Letter from residents attached to minutes in regard to ordinance.

RESULT:	**REFERRED TO COUNCIL [UNANIMOUS]**	**Next: 10/22/2018 7:34 PM**
MOVER:	Brett Luzader, Ward 2 Councilmember	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Luzader, Baker, Bryant, Skinner	