

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
October 11, 2010

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

Members of Council present: Leslie Kelly, Doug Joseph, Mel Clemens, Barth R. Cotner, Chris Long, Nathan Burd, Fred Deskins, Jr.

The Invocation was given by Mr. Hills, who also led the Pledge of Allegiance.

Minutes of the regular Council meeting held September 27, 2010 were approved without objection.
Minutes of the special Council meeting held October 4, 2010 were approved without objection.

The agenda was approved.

Community Comments and Requests:

Mr. Hills introduced Tony Frissora from Franklin County Auditor Clarence Mingo's Office, who was present to explain software and calculating services that are available to the Franklin County residents.

Mr. Frissora: Yes, Sir, thank you for having me. Auditor Mingo sends his apologies for not being here. Two items I wanted to discuss with you folks this evening is, first of all, as you may know, we're in the middle of our 2011 reappraisal process, and one of the tools that we've been using as part of our appraisal process is an aerial photography along with software that allows you to view all the properties within the county at a 360 degree angle of the property, so you can go completely around the properties. We've been using that as part of our collection process. That technology is now available by the license that we purchased at the Auditor's Office to all the townships and municipalities in the county for no cost. What it would be is a web-based application, so your users within the city could access it on the web. It allows them to measure height, distance, pitches of roofs, and also allows you to do some other items linking directly to our real estate information which is part of the website. We've been making the rounds of various city councils and townships and Fire Chiefs. I think we're meeting with them next week to make this available and make you aware of that. So if you are interested, we'd be welcome to come out and do a demo for any of you or your Service Department, your Safety forces. We think it's a really good tool that they could gain a lot of good information from it and no cost to you. So we wanted to make that available to you folks. If there's any questions with that, I'd be happy to answer them before I go on to my next item.

Mr. Hills: Any questions on that topic? Go right ahead, Tom.

Mr. Frissora: The other item is on our website. We do have a tax levy calculator. Any items that are on the ballot this year are on there. If you look at your individual property within Franklin County and look at the actual levy information on there, you'll see what the levy would cost your property as opposed to the hypothetical \$100,000 home that's always used as an example. You'd actually be able to see what a proposed levy will cost you, if it were to pass. It gives you more information when you go to the ballot in November or if you've done an early ballot. What it does also do, it has all the ballot language on there. So if you want to actually read the ballot language, it's linked to the Board of Elections and it allows you to read that information on there. Again, it's a nice tool for you to be able to have more information. So if there's any questions, I can answer those too.

Mr. Hills: Nope, no questions I don't believe.

Mr. Frissora: All right, thank you for your time, appreciate it.

Mr. Hills: Thank you for coming in.

Mr. Frissora: Right.

Mr. Hills: I do have two speaker slips. If anybody else wants to submit a slip, please feel free to. Norman Brusk.

Mr. Brusk: Norman Brusk, 1861 Crosswick Court. This again is my final chance of making any comments relative to the curfew ordinance and I just wanted to post for the record that I am very disappointed in the route that the Council took towards that. We never did find out what the real goal of the ordinance was. I still don't know the answer to why you think the school skippers don't also contribute to the problems that we have with kids being where they shouldn't be. I've never gotten a good answer. We've asked, we've asked numerous times, and just don't get it. I don't think that you define the problem and I don't think that suspended or expelled students is broad enough for it to do any good. I think it will be just a pat-on-the-back type of ordinance and I hate seeing that. I don't think it's worth it. I think we should have just pulled the ordinance and just said we're not going to do it now if that's the way you wanted to do it and that's just my say.

Mr. Hills: Okay, thank you, Mr. Brusk. Is there anyone that has any questions or comments or want any response to Mr. Brusk's comments? Seeing none, we'll move to the second speaker, Jor-El Godsen, is that correct?

Mr. Godsey: Godsey.

Mr. Hills: Godsey, I'm sorry.

Mr. Godsey: Yeah, Jor-El Godsey, 8426 Priestley Drive, Reynoldsburg. I want to thank Mr. Brusk for bringing up the same point you brought up at the last meeting and that's answering the question as to why this Council has come to this point in time. I think that the many meetings that have gone on, the many discussion points, all the various Officers and various individuals that have contributed really answer the question in its fullness. We started with a very broad ordinance that captured a whole lot of people only to find out early on that the whole point of, and a key component were our expelled and suspended students that the school cannot account for and so the original legislation was simply not going to be supported even by the Safety Council and therefore as Councilman Clemens promised, that this would not, we would not, we had not seen the end of this. We would be dealing, something would be done with this as Councilman Clemens himself said and that's exactly what your Council, the Safety Committee has worked on. Councilman Long, Councilman Burd have worked on this to come up with a more targeted effort that could be acceptable. So I for the life of me cannot understand why anyone on this Council who supported the original ordinance would now not support this one. If it's not all five steps toward what was originally intended, it's at least one or two of those and frankly it's helpful to do that. I can only really see three reasons why someone would stand in opposition to this that supported the original one, and the first reason would be because you're opposed to a curfew outright. If that's the case, fine and if we have no curfew, that's fine but the only other two reasons would be political posturing for special interests or third, which is the one I really don't want to consider, is personal issues and really frankly, petty, personal reasons and so I would hope that all of the Council members would support this as the compromise which politics is really best at producing. Maybe it's not everything some wanted, but it's something that everyone can live with that will target an issue that is a part of the problem that was represented as the foundation for the original ordinance. So thank you again for all the time and energy and effort, for all the efforts that have gone into doing this and settling this. I appreciate your deliverance on this and think that this is a workable scenario, even if it's not what everybody wants. It's certainly better than nothing, if indeed the problem is as difficult and challenging as has been defined. Thank you, Council.

Mr. Hills: Any questions for Mr. Godsey? Mr. Clemens.

Mr. Clemens: Yes, and I want to, just a statement. We did bring this to an end like I said we would through our committee and I respect the different members of the committee's vote this evening and I wish them to respect it, and you also to respect other peoples' votes. They may not agree with your opinion. We all have our own opinions, but I would hope that you would respect other people as I respect you.

Mr. Hills: Thank you. Any followup comments? Do I have anybody else that wants to address Council this evening? I have no other speaker slips. We always try to make the opportunity available to anyone who wants to address Council. I don't see anyone getting up running to the mike, so we will move on.

Clerk read report from Clerk of Court- -total monies collected from courts held in September 2010 -

\$41,587. Total monies also collected during that same period pursuant to Ordinance Numbers 146-94 and 104-02- - \$3,218 for the Computerization Needs Fund; and \$250 for the Enforcement and Education Fund.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR BIG BEAR COAF PROJECT (Demolition and Asbestos Abatement) AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mrs. Kelly moved adoption. Mr. Cotner seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 68-10 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (GPD Group)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (W. E. Stilson Consulting Group)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Mannik and Smith Group)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (American Structurepoint, Inc.)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Burgess & Niple)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Watcon Consulting Engineers)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Strand Associates, Inc.)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (CT Consultants)- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (EMH&T)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (M E Companies)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (BBC&M Engineering, Inc.)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Bird Houk, a Division of OHM)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Resource International, Inc.)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Quality Control Inspection, Inc.)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (Asebrook & Company Architects, LLC)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES (DLZ)- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

A RESOLUTION ACCEPTING, APPROVING AND RATIFYING THE SUBMITTED RECOMMENDATIONS OF SEVERAL CITY OF REYNOLDSBURG TAX INCENTIVE REVIEW COUNCILS- -Clerk read resolution by title for the second reading. Item referred to Finance Committee.

AN ORDINANCE TO AMEND THE ~~REYNOLDSBURG~~ CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Section 537.14 "Curfew" of Chapter 537 Offenses Against Persons AND ESTABLISHING A DAYTIME CURFEW FOR MINORS BETWEEN AND INCLUDING THE AGES OF SIX AND SEVENTEEN WHILE UNDER SUSPENSION OR EXPULSION FROM SCHOOL- -Clerk read ordinance by title for the third reading. Mr. Long moved adoption. Mr. Burd seconded.

Mrs. Kelly: I will be voting against the current daytime curfew and I want to take a moment to clarify why. First, I am a proponent of a daytime curfew, the original daytime curfew that was initiated by Officer Mielke and Jed Hood. I believe the original curfew is comprehensive and will be able to address the issues of truancy, suspended and expelled students from not only Reynoldsburg, but also outside districts. I do not believe the current curfew that we'll be voting on tonight will fully address these issues and instead has a very real danger of becoming an ordinance that allows Council to say 'we did something', but there's no real impact. It is my hope that if this passes, we will receive updates from the Police Department regularly on the reality and efficiency of implementation and effectiveness of the ordinance in dealing with truancy and juvenile crimes. In regards to the parent component in the second ordinance related to the daytime curfew, my concerns are the same. We currently have a similar ordinance and our City Attorney has never seen a case come before him in violation of this ordinance. I strongly believe in parent accountability for our children and I would like to see an ordinance that has teeth and a clear plan for implementation to match a comprehensive daytime curfew with a clear plan for implementation. Unfortunately, I do not believe either ordinance is comprehensive, has teeth, or a clear plan of implementation, and that is why I will be voting against the curfew this evening.

Mr. Hills: Any other questions from anyone else on Council or anybody has questions of Ms. Kelly, if you'd like to respond. Any other questions from anyone on Council? Before the vote is taken, I will clarify, because somehow, my name got up as anybody who'd do talk radio call me and that didn't start until today. Most of my comments have been codified in the paper. My concern here as I've said publically, there certainly appear to be four votes to pass this. Is it a compromise? It's not a compromise unless everybody sits down and talks about it. So is it tweaked? The one to tweak is in "Other Legislation". The concern I have and I certainly, I'm, I don't vote, okay? Now if one of whomever hadn't shown up then I would have to vote and break a tie, if there was one. The concern I have, and I want to be sure that the Mayor and the Chief of Police, I would hope that the passage of this ordinance would not deter any of the Police Officers from continuing to stop and question or interview anyone that they see on the street, whether they're minors or whether there's an adult when there's a feel of a need to. I would hate to think that something is being passed here saying 'whoops, well this kid, I don't think he's suspended or expelled so therefore I'm not going to stop him, we see Johnny all the time'. That's not what this is about. The goal hopefully here, and I think as it did originally, comes with recommendations, as Councilperson Kelly said, from Administration and the schools with support, the goal here is to try to minimize daytime crime, which is proven, I've heard comments made, the Chief has turned around and said it's hard to break down the specific statistics, but yes there are daytime crimes that are being committed by minors, and to avoid or minimize the opportunities to have either our juveniles involved with being the shooter or the victim of whatever kind of incident has been going on, of which in the last three months, we've had a couple, does this what is being passed tonight, get us down that line? No, it's not, but I want to be sure that the citizens understand, I'm going to request and I think the Mayor will go along, we're not going to be changing any policies of who we stop and see now, and I think the Chief is in agreement with that. We, whether you care for our Police Department or you don't care for our Police Department, and whatever your kids are doing out here, if they suspect that something isn't right, they need to stop that person and respond and get some answers to the questions and nothing being passed here tonight is going to change that. Does anyone have any responses back on that or? Councilman Burd.

Mr. Burd: Yeah, thank you, President Hills. This is different from the original ordinance. It's not the same ordinance and we understand that. One of the things I like about this ordinance is that the Officers will still have the discretion to stop anyone they see fit. This ordinance doesn't take that away at all, but we heard during testimony, and to me this is what it comes down to, we heard during testimony from Officer Mielke that it's not uncommon for an Officer to stop a minor and for the minor to say 'hey, I'm expelled, you can't do anything about it'. If this passes, the Officer will have a very appropriate response to that. If this fails, they won't. To me, I think that it is a step in the right direction. I would urge Council to support it, and I think it's the right move, given the current situation. Thank you.

Mr. Hills: Further questions, comments? (No response)

With the roll called, members voted: Mrs. Kelly "Nay"; Mr. Joseph "Yea"; Mr. Clemens "Nay"; Mr. Cotner "Nay"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 69-10 adopted.

AN ORDINANCE TO AMEND THE ~~REYNOLDSBURG~~ CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Section 537.15 "*Wrongful Influence of Minor*" of Chapter 537 Offenses Against Persons AND ESTABLISHING PARENTAL OR GUARDIAN RESPONSIBILITY FOR A CHILD WHO IS CURRENTLY UNDER DAYTIME CURFEW WHILE UNDER SUSPENSION OR EXPULSION FROM SCHOOL - - -Clerk read ordinance by title for the third reading. Mr. Long moved adoption. Mr. Joseph seconded.

Mr. Hills: Questions or comments on this ordinance? No questions or comments. I will repeat the same thing I said last week, if you'll read all 537.15, paragraph "d" being added is repetitive to what's already there. Any parent that aids and abets a kid in a curfew violation is guilty, is going to be charged. All you're doing is just repeating in the last paragraph to I guess appease somebody.

With the roll called, members voted: Mrs. Kelly "Nay"; Mr. Joseph "Yea"; Mr. Clemens "Nay"; Mr. Cotner "Nay"; Mr. Long "Yea"; Mr. Burd "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 70-10 adopted.

Meeting adjourned at 7:55 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council