

COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES

September 21, 2009

Members of Community Development Committee present: Leslie Kelly, Doug Joseph, Donna Shirey, Barth R. Cotner.

Other members of Council present: Ron Stake, Fred Deskins, Jr., Mel Clemens, Council President William L. Hills.

Mrs. Kelly: I'll call the Community Development Committee meeting to order at 7:30 p.m. Item No. 2 on the agenda is approval of agenda. Are there any additions or deletions to this evening's agenda? Hearing none, it will stand approved.

Item No. 3 is approval of the minutes of the Community Development Committee meeting held May 18, 2009. Are there any corrections or deletions to those minutes? Hearing none, they will also stand as approved.

Item 4 - Discussion: Amendment of Ordinance No. 78-05 that supported a cooperative date by which all Central Ohio Municipalities would celebrate Halloween Trick-or-Treating on October 31, to read that Trick-or-Treating will be determined yearly based on the recommendation of MORPC. Mayor?

Mayor McCloud: Thank you Chairman Kelly and members of Council. Earlier this Spring, specifically March 12th, Mid Ohio Regional Planning passed a resolution that changed the, that addressed the issue of Beggar's Night. We did not realize, and I'll take the blame for this, that it was actually codified in our city ordinances as to when specifically Beggar's Night was. We want to be in conformance, and with other communities, so we're asking that this ordinance be amended.

Mrs. Kelly: Does anybody have any questions for the Mayor? I have a question. Do we know what the other municipalities in our MORPC area are doing?

Mayor McCloud: I am told that the other municipalities who were at that meeting and voted on this issue, voted unanimously; I think with the possible exception of Delaware and New Albany, but I will get you that information between now and next committee meeting where the other communities are on this issue.

Mrs. Kelly: Okay. Any other questions? Okay, I would like to move this forward to Council for its first reading with an emergency. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Okay, and with that I will call the Community Development Meeting adjourned at 7:32 p.m.

Community Development Committee
- - -Nancy C. Frazier, Clerk of Council
September 21, 2009
(Transcribed/S. Cochran, Ass't. Clerk of Council)

SAFETY COMMITTEE MEETING MINUTES

September 21, 2009

Members of Safety Committee present: Fred Deskins, Jr., Ron Stake, Doug Joseph, Barth R. Cotner.

Other members of Council present: Donna Shirey, Leslie Kelly, Mel Clemens, Council President William L. Hills.

Mr. Deskins: I'll open the Safety Committee at 7:33 p.m. First thing on the agenda is the approval of agenda. Are there any changes to the agenda from the Committee this evening? If not, the agenda will stand as written.

I need approval of the Safety Committee minutes of the meeting that was held July 20, 2009. Are there any changes to the minutes? If not, they'll stand as written.

Item 4 - Discussion: Liquor Permit Request - New - Walgreen Co dba Walgreens #09286, 2300 Baltimore Reynoldsburg Rd, Reynoldsburg, Ohio 43068. The Chief is already standing up ready to talk.

Chief Suci: Yes, Chairman Deskins. An investigation was conducted into this new permit. We found no reason to appeal this new permit.

Mr. Deskins: Thank you very much. Are there any questions for the Chief? If not I'd like to refer this back to the Clerk for her disposal without any action from our Committee as a motion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 5 - Discussion: Liquor Permit Request - Transfer - from Donna, Inc. dba Nishis Market TO Visam, Inc. dba Nishis Market, 6505 E. Livingston Av 1st Fl Only, Reynoldsburg, Ohio 43068. Chief.

Chief Suci: Yes, again, Chairman Deskins, an investigation was conducted into this transfer. We found no reason to appeal this transfer.

Mr. Deskins: Thank you very much. Are there any questions for the Chief? Same as Item 4, I'd like to refer this to the Clerk for her disposal with no action from our Committee and I'll do that as a motion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you very much and I will close the Safety Committee at 7:35 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

September 21, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES

September 21, 2009

Members of Service Committee present: Mel Clemens, Donna Shirey, Doug Joseph, Barth R. Cotner.

Other members of Council present: Ron Stake, Fred Deskins, Jr., Leslie Kelly, Council President William L. Hills.

Mr. Clemens: I'll call the Service Committee Meeting to order at 7:36 p.m.

The first item on the agenda is approval of agenda. Are there any additions or deletions to tonight's agenda? If not, it'll stand approved.

Item 3 - Approval of minutes of the Service Committee Meeting held September 8, 2009. Are there any changes to the minutes from Committee members, members of Council? If not, they'll stand approved.

Item 4 - Discussion: Moratorium on multi-family structures- -topic added to 9-8-09 agenda and discussed; *item held two weeks*. I'd like to hold this two weeks until our City Attorney gets back from vacation; until I have a chance to meet with him. So, if that's, I'd like to make a motion we hold this for two weeks. Seconded by Mrs. Shirey. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 5 - Discussion: Code Compliance- -on 7-6-09 item held; on 7-20-09 item discussed and held; on 9-8-09 item discussed and held - - - *To be kept on agenda so committee can follow up and see results*. Are there any items that any members of the Committee would like to discuss as far as Code Compliance, members of Council? If not, this will remain on the Council agenda or the Committee agenda. We'll leave this on here in case any items come up that anybody feels they would like to discuss.

Item 6 - ORDINANCE ACCEPTING NINE UNRECORDED DEEDS OF EASEMENT (drainage easements; sanitary sewer easements; highway easements) (Rosehill Road Reconstruction Project)- -first rdg 9-14-09. Are there any questions by members of Committee of our Service Director, members of Council? If not, I'd like to move this on to Council for its second reading. Pam, did you have something you'd like to say on that or not? Okay, I saw you stand up. I was just curious. I'd like to move this on to Council for its second reading. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 7 - ORDINANCE ACCEPTING THREE UNRECORDED DEEDS OF EASEMENT 1) sidewalk .012 ac; 2) sanitary sewer .375 ac; 3) sanitary sewer .064 ac. TR/Taylor Development, LLC- -second rdg 9-14-09. Are there any questions pertaining to this item from members of the Committee, members of Council? If not, I'd like to send it to Council for recommendation for adoption for its third reading. Seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 8 - ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1762 Brice Road, proposed use - place of worship/semi-public use); applicant James E. Strausbaugh- -second rdg 9-14-09. I do have a speaker slip, but first we'll discuss this with members of the

Committee. Members of Committee, are there any questions? I think we have representation here this evening. Reverend Robinson, here? Are there any questions, you know, you'd like to discuss with Mr. Robinson? I know we had discussed the possibility of putting a six month review on this to see how things work out. As far as I know, there were some questions as far as the Council and as far as the drugs are concerned and such things as that and that also in the position where it's at but we have to see what problems may occur. So I know that we've discussed on that. Councilwoman Kelly, do you have something to say?

Mrs. Kelly: I would really like to see if maybe we can take it a step further and do a three month check to see how things are going and a six month check to see how things are going. I do have a reservation with having an after school program as well as I understand you're going to have them on different times but as well as an outreach program for people who may be addicted to different substances and such. Especially when, currently if it's in a building that is basically one large room which is my understanding. So I would, you know you talked about a lot of the different things that you want to do so I would like to, I would be more comfortable with this if we had a three month check and a six month kind of probation to where if things really weren't happening that we could come back and if need be, take away the Special Exemption.

Mr. Clemens: Yes.

Pastor Robinson: If I may add, we've talked about this since, and I just kind of looked at all of the concerns. What we're planning to do with the drugs and the alcohol, we're going to just move it off the premises so this way there won't be any conflict of interest in any way.

Mrs. Kelly: But those people who will be working with the kids will all still be fingerprinted and all that stuff.

Pastor Robinson: Yes, yes.

Mr. Clemens: Our problem is with this, we'd have to put that I believe, I believe we'd have to put that in our ordinance or something to refrain you from doing it later. Don't get me wrong, you know.....

Mr. Robinson: No, no, no.

Mr. Clemens: ..but I mean just by saying you weren't going to do it don't get me wrong, you could leave and somebody else could come in there and they could decide to do it.

Pastor Robinson: Right.

Mr. Clemens: And.....

Pastor Robinson: I mean, I honestly, I don't think that would.....

Mr. Clemens: I understand. I'm just saying as far as what we do legally, we have to watch what we do.

Pastor Robinson: Put it like this, it won't be happening at 1762. You know, we've already worked out something with the Donatos across the street, because right now they're housing the AA Anonymous there and so we've worked out an agreement to basically be able to hold those meetings there in a secluded place. This way it takes it completely off of the church premises.

Mr. Clemens: Councilman Deskins.

Mr. Deskins: Thank you Chairman Clemens. I also agree with Councilwoman Kelly. I have a problem with some of the things that he's proposing to do all together. I'd like to see something in an ordinance that would give us some kind of assurance that these things wouldn't happen down the road and I'd like to, if we approve something like this, I'd like to see something in writing, that we would have, make me feel a lot better.

Pastor Robinson: That's right, I would agree to it, I mean it's, you know whatever you guys come up with, that's fine.

Mr. Clemens: All right, I believe we could get with our Council Clerk and have something drawn up and have it in the ordinance come next Monday night when it would come up for adoption. Also, we could put a six month, just six month review also but we've never did it this way before so we can do that. President Hills.

President Hills: Yes, Chairman Clemens, we certainly, a Special Exception Use Permit can be granted with the following contingencies, one being no alcohol or substance abuse counseling on the premises; you can set it for three month and six month review; you can put on there licensure requirements or finger printing requirements; you can make that contingent, we're going to issue the Special Exception Use Permit, however, here are some contingencies with it. It's still going to go for a vote as to whether people want that or don't want it, but it certainly can be documented and should be documented on the piece of legislation on the Special Exception. Mrs. Frazier, I'm not incorrect? You just, she just definitely needs to know what it is and what words are on there so it doesn't create confusion.

Mr. Clemens: I understand and that's what we can do and that's what we will do.

Mrs. Kelly: One more thing.

Mr. Clemens: Yes, Mrs. Kelly.

Mrs. Kelly: Thank you, and the other thing that I would like to see talked about, a lot of the improvements and a lot of the things you're looking to do. If you could give us something that kind of illustrates a time line when you're looking to do these different things, that would be wonderful.

Pastor Robinson: Okay.

Mrs. Kelly: The improvements to the building, and starting your different programing, that would be great.

Pastor Robinson: Okay, hopefully ASAP, I can plan right now so.

Mrs. Kelly: That would be great.

Pastor Robinson: Yeah.

Mr. Clemens: Are there any other questions from the Committee for Reverend Robinson, members of Council? Any questions? Councilman, Bill, Mr. Hills.

Mr. Hills: Chairman Clemens, do you, you're getting ready to send this forward with those contingencies, right?

Mr. Clemens: Right.

Mr. Hills: Are you going to read those contingencies in for Nancy, or do you want, or suggest what we talked about?

Mr. Clemens: We probably have to, going to have to meet with Nancy and get them in there, I mean, it'll go with those recommendations, you're correct on that.

Mr. Hills: There is, there will be no alcohol or substance abuse counseling on the premises.

Mr. Clemens: That's correct.

Mr. Hills: And there's going to be a three month check or....

Mr. Clemens: Three month and a six month.

Mr. Hills: Three month check and a six month check and then there's a commitment, I believe to do some renovations on the inside of the building, is that correct? I mean, I don't think anybody's

putting a time frame on that but that was your goal that sometime you're going to take the open room and make it into something more?

Pastor Robinson: Right, basically just according to the plans, it's just, you know, changing some doors...

Mr. Hills: And as it comes in in three months, we can see whether those have.....

Pastor Robinson: Okay.

Mr. Hills: ..been done or what the plans are to be done.

Mr. Clemens: Right.

Mrs. Kelly: The finger printing and the licensure.

Mr. Hills: Yes, your childcare, the childcare providers will be finger printed and licensed.

Pastor Robinson: We're not doing child care, just after school. So is there a difference, I mean, we're not a daycare.

Mr. Hills: I don't know. Well, it depends on which way you want to argue.

Pastor Robinson: No argument, just after school tutoring program, that's all that we're doing is just tutoring kids.

Mr. Hills: Lay people in the church, I mean, they're not.....

Pastor Robinson: College kids, high school kids, we're talking with Reynoldsburg High School with Honor Society classes to see if some of them will volunteer. It's strictly on a volunteer basis.

Mr. Hills: Volunteer, okay.

Pastor Robinson: Yeah.

Mrs. Kelly: With that being said, I would like to see kind of I think more details on that. What is the age of the kids you're going to be after school tutoring? Are they elementary?

Pastor Robinson: Yes.

Mrs. Kelly: Then, you might want to look into, just what Mr. Hills just said about daycare because there might be a licensure issue in there because their parents aren't going to be there. You're going to have a lot of kids there, you're going to be tutoring them. You know, there are other places that are, that do call them daycares that are very similar except that the kids are, the kids might do homework there but they're also outside playing.

Pastor Robinson: Well.....

Mrs. Kelly: You might want to check that.

Pastor Robinson: It's really just children that are having difficulty in school, helping them with their homework because, you know, we don't have any recess time for them.

Mrs. Kelly: Right. Is there a charge for them at all?

Pastor Robinson: No. It's free of charge. So, that's why we have volunteers. We're not getting into the daycare business, yet.

Mr. Clemens: Yes, you are in daycare in a way because you're taking care of kids after school, you know what I mean?

Mrs. Kelly: Is there a cap on the numbers?

Pastor Robinson: I'll have to speak with that Director to see exactly what the numbers are. Because, again, we're looking at, we're not looking at first or second graders, I mean they're really not having trouble in school, more towards your Junior High, High School. Those that can get off the bus, walk over and have the proper parental forms for them to fill out so.

Mr. Clemens: I don't, you know, we're not in a situation where we want to require you to do more than any other church is doing, that's doing the same principle. Now I don't know what other churches do, don't get me wrong but I'm sure there's other churches do the same thing that you're planning on doing and I don't know how it's handled. I wish I did, I'm sorry but, so we want the same requirements that....

Pastor Robinson: I mean, do you have any churches in that area that.....

Mr. Clemens: Man, I couldn't tell you.

Pastor Robinson: ...know what they're doing or what's happening.

Mr. Clemens: I don't go to church in the daytime so, and I don't really know, I don't know how they operate.

Pastor Robinson: We'll have to change that.

Mr. Clemens: Do you know Councilwoman Kelly and how they do that? I know that after school, you see a lot of kids at churches so I don't know how they do that.

Mrs. Kelly: Right, I would say that there's a, it's probably some kind of organizing that people sign up for which I'm sure yours will be an organized event. I would like to see, just see the details on it. This is how a kid signs up for it, this is how the cap's going to be, this is going to be the number, especially if you're going to have Junior High, High School kids. Are you going to have thirty kids and one adult or what is that ratio going to look like? I guess as somebody who works with Junior High kids a lot, that ratio's probably not going to work. So just kind of the details of that.

Pastor Robinson: Okay, again, that's something that we haven't really advertised. It's basically, in-house, church community. Now again, there are people that come and go. We do send out a newsletter so anyone that, we're just not trying to open it to the whole city. We're not quite prepared for that yet so, you know, it could be three students, it could be seven, who knows so, we just have to, as we go, we grow so, but I mean it's something to really think about so.

Mrs. Kelly: Right, because I think it has the potential to be wonderful. It just doesn't have a very clear plan.

Pastor Robinson: Right, right.

Mr. Deskins: I guess I'm more confused now than I was in the beginning. Is this a place of worship or is this a baby tutoring place for kids or, where's your church located at?

Pastor Robinson: It's a place of worship slash semi-public use. So again, as a church, as a community church, we, again we want to reach out into our community. You know, parenting classes, things of those sort so.

Mr. Deskins: So you're going to tutor all age kids but this is also a place of worship?

Pastor Robinson: Absolutely.

Mr. Deskins: For those kids.

Pastor Robinson: Absolutely. Well, not necessarily for the kids, but if the kids are not going to a church, quite naturally we'll invite them.....

Mr. Deskins: And where are you going to draw these kids from, you're approaching the different schools about this right now?

Pastor Robinson: Yes, but right now we've been focusing just on Century City, the apartment complex right next to us, because again, the kids, they don't have anything, you know, after school and you know, we've tried it on a, just a test, doing it right there in the Century City apartments. They have a Board Room so we've tried it in there and it seemed to work out pretty good so.

Mr. Deskins: Thank you.

Mr. Clemens: You're welcome. Councilman Kelly, his explanation, is that an official to you as far as moving this on with other restrictions. I don't know how we put a restriction on this one, that's what I'm trying to figure out. Other than he can come back in three months and explain more of what they're doing but if we're talking about him coming with a.....

Pastor Robinson: Now even if.....

Mr. Clemens: ...some kind of a restriction, I don't know how we're going to get that into print.

Pastor Robinson: Well, I mean, first of all, we got to get into the building to get the place of worship so three months, you know, we may not even have that in place with school already started so..

Mrs. Kelly: For me, because I will tell you, I think it's admirable wanting to work with the kids and bring something to the community and there's some great kids in Century City so I'm happy that they're getting that. I think it's just important that we make sure that it is clearly planned, there's a clear time line, that there is clear supervision and there's a clear separation which I'm glad that you are doing. For me, I would like to see it, all of those things you're talking about in writing.

Pastor Robinson: Okay.

Mrs. Kelly: Then I'd like to come back in three months and see what you are doing. One, to check and make sure the plan's being carried out, but two, to celebrate the success, hopefully, you're having and then come back again in six months and see how you've grown.

Pastor Robinson: Okay.

Mr. Clemens: Okay, what I'm asking is do you want this in the ordinance?

Mrs. Kelly: Yes.

Mr. Clemens: That's what I want to make sure of. Okay, to get this all together and do it correctly, you're going to have to come up with this and we'd probably be better off if we held this for two weeks, to give you the opportunity. I know it'll set you back unless you can come to, with the things that she's asked, if you could bring it to our Clerk of Council and I know Leslie can look at it and I can look at it so we can get in the, it has to be in what we're requiring on the six months - three months, six months, it has to be in the requirements for next Monday night.

Mrs. Kelly: I'm okay with moving it forward as long as those things come.

Mr. Clemens: That's what I mean. It has, we have to have the information or it will be held.

Mrs. Kelly: Because we can always vote on it. I mean next week, we'll be voting on it, so as long as those come forward..

Mr. Clemens: If it's moved forward.

Mrs. Kelly: Uh huh.

Mr. Hills: Mrs. Frazier, you have a number of points that you know to include at the current time, right?

Mrs. Frazier: That's correct.

Mr. Hills: I think that probably Mrs. Frazier's got about everything that's been talked about, but I think you wanted some additional information from Mr. Robinson?

Mrs. Kelly: Just the plan, kind of what you're talking about, written out, a time line.

Pastor Robinson: It may be included in the information that she already has.

Mrs. Kelly: I want you to write it out for me.

Pastor Robinson: Okay.

Mr. Deskins: I think it just needs to be a different request...

Pastor Robinson: Okay.

Mr. Deskins: ..in more understanding terms of what you're asking so we know what we're voting on.

Pastor Robinson: Okay.

Mr. Clemens: If this is going to be in the Special Exception Use Permit, it's going to be a law.

Pastor Robinson: All right, now who should I turn this in to?

Mr. Hills: The Clerk of Council, Nancy Frazier. If you can get it to her by.....

Pastor Robinson: By Wednesday?

Mr. Hills: Wednesday of this week would be fine.

Pastor Robinson: Fine.

Mr. Hills: Because that way, she can talk with the Chairman of the Committee and be sure we've got something to move forward with. The piece of legislation has to logically read that there are some things that are required and there's other things we want to follow up on and then it would go forward for.....

Pastor Robinson: Okay.

Mr. Hills: ..for a vote.

Mr. Clemens: Thank you Reverend. Are there any other questions for Mr. Robinson from members of the Committee, members of Council? I do have a speaker slip pertaining to this, Ken Wright.

Mrs. Kelly: You're done.

Pastor Robinson: Oh, I'm done? Okay.

Mr. Clemens: Thank you.

Mrs. Kelly: Thank you.

Mr. Wright: First of all, I just want to urge the Council to vote this down, the Special Exception Permit just for the same reasons that I've made the same arguments I've made over the years. All the Council knows that how opposed I am to it and to put churches into commercial spaces and particularly in this space in Century City. It, you wouldn't want any, if it's my understanding correct, children were going to be brought after school to this area? Okay, that's a bad idea. Gangs hang around there. Even today, as you'll see I was trying to take some pictures and I had to wait for the drunks to move so I could take the picture without getting them in the picture and they're staggering around the parking lot and plus I think it's wrong that they should have the gall to even ask

for a Special Exception Permit to tell you the truth because they've been operating there for a long time illegally and they've had it, they have a cover over it though. They claim to be a dance studio, they also claim to be an arts center, underneath and then they put their church banner underneath that. So, I just think it's, I mean, they've already proven that they're breaking the law and breaking the rules of Reynoldsburg and I think it's inappropriate for the area because it's commercial and it's, I want to show you why I think that it's inappropriate to have churches in commercial spaces in Reynoldsburg. I have some panels here and I have some photographs I took and I'd just like to pass them around to each of the members and have them look at it, take a look at it and just see what you guys think and then think in terms of a, putting this church in a commercial space and see what it looks like and see what you, see if you think it's appropriate for Reynoldsburg. Oh, by the way, I figured, I've used so many words on this topic, I figured I'd try some pictures because they say a picture's worth a thousand words so if possible, I'd like to, after Council sees them, I'd like to lay them here and then if anybody in the audience wanted to take a look at them, the press or anybody so they could see what they are and at least see what we're talking about. I know it's kind of frustrating sitting out there when you can't see what everybody saw, what Council's looking at.

(Mr. Wright approached the Council dais and distributed pictures; some conversation was inaudible)-
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Mr. Wright: ...okay, these pictures are of the Century City area where they want to put, not only where they want to put their church and as you can clearly see, this picture right here in the center, on the bottom, it has the address, 1762. Okay, up here in the middle is their front window now in their church today and it says Cross Point Dance and Art Center and this reads "Empowerment Worship Center, service times, Sunday 3:00 p.m., Thursday 7:00 p.m., Pastor Charles Robinson, Jr."

Mr. Hills: When did you take that picture Mr. Wright?

Mr. Wright: When or where?

Mr. Hills: When, that group you have there. Did you say there's a sign there? Was that today or was that three weeks ago?

Mr. Wright: No, that was, actually, well this is still there, I mean, it still looks the same, but it was probably, some of them were taken, some of them were taken today.

Mr. Hills: The signs?

Mr. Wright: Yeah, because I just got done with this project.

Mr. Hills: The sign that's up in the dance studio.....

Mr. Wright: Pardon?

Mr. Hills: The sign that's up in the dance studio that says it's a church, when did you take that picture?

Mr. Wright: I guess about a week ago. I guess it would have been last Tuesday and this is still, it looks the same today as it did a week ago.

Mr. Hills: I understand there was a Cease and Desist Order from that, if I understand it properly. Am I correct, Mayor?

Mr. McCloud: Yes.

Mr. Hills: And that's why I ask. I mean I can assure, I didn't drive by there today nor did I drive by there three days ago, but you've just shown ten pictures of St. Pius, the Methodist Church, the three largest churches in the city..

Mr. Wright: Right.

Mr. Hills: ..and then we're saying here they've got this sign up. It's my understanding, it was related to me that there is a question about were they having, I hate to say illegal when you talk about church activities, but activities in a zone where they had not been granted a Special Exception Use Permit and it's my understanding that when that was determined now, how long has it been going on, the Administration's going to have to answer that one, I don't know but once it was brought to someone's attention, the Cease and Desist and it would concern me if that picture's a week old. It would not concern me if it's three weeks old, because I think that was before the Cease and Desist and I don't know if the Safety/Service Director has that or who but a lot of little facts. I'm not saying you're wrong, Mr. Wright, I'm not saying you're incorrect, I just was curious as to when that picture was taken because if it was taken in the last week, then I am concerned that they've gone right back to doing something that they've been told not to do.

Mr. Wright: This was the same as it was, today it was the same as it was when I was by there, it looked the same....

Mr. Hills: You're telling me Mr. Wright, the church, this is a place of worship sign was up there today?

Mr. Wright: Yea, and they've been operating that way a long time....

Mr. Clemens: (inaudible)

Mr. Wright: ..and they're next to the State Liquor Store.

Mr. Hills: Yeah, I realize where they are Mr. Wright.

Mr. Clemens: Hold it, hold it, hold it.

Mr. Hills: We have a question from the Chair.

Mr. Clemens: Mr. Robinson, is the sign, are they still up or not?

Pastor Robinson: The sign is still up.

Mr. Clemens: It's still up, okay. See, that solves the whole problem.

Mr. Wright: Okay, so let me pass this around too and you can see.

Mrs. Kelly: Are they still holding services? I want to know if they're still holding services.
(Inaudible).

Mr. Clemens: (inaudible)

Mrs. Kelly: Right, can you ask him?

Mr. Clemens: Yeah, I'm going to ask (inaudible).

Mr. Wright: (inaudible)

Mr. Clemens: All right, let's get passing that around, okay. Reverend Robinson, did, have you been holding church there, I mean did you hold church there Sunday?

Pastor Robinson: No, we just moved our services.

Mr. Clemens: When you were notified, you just didn't take the sign down, but you did move...

Pastor Robinson: We left everything as is because when we came into that building, I believe I spoke with um, Aaron um.....

Mr. Clemens: Right.

Pastor Robinson: I can't think of his last name but when we moved into that building, it was a sublet, it was up under Cross Point Dance Studios.....

Mr. Clemens: Um hum.

Pastor Robinson: ...so that's why the sign has not been changed. Now, we've been there for two years operating up until Aaron came and said "hey" you know.

Mr. Clemens: Okay, when you moved into that building operating, did you tell somebody that you were going to be there?

Pastor Robinson: No, we took it from someone else. We were subletting from someone else that had a dance studio.....

Mr. Clemens: Okay.

Pastor Robinson: ..that was having church in there.

Mr. Clemens: That had a church there.

Pastor Robinson: Yes.

Mr. Clemens: I knew there was a church there but I didn't know that was yours.

Pastor Robinson: Yes, they've been operating with the sign.

Mrs. Kelly: Since the Cease and Desist Order, what activities, or have you been doing any activities at that location?

Pastor Robinson: No, we've done nothing.

Mrs. Kelly: Okay.

Mr. Clemens: It's a dance studio is what it is.

Pastor Robinson: Right.

Mr. Clemens: Okay, all right. Are there any other questions for.....yes Bill.

Mr. Hills: Just a statement. I need Aaron, Aaron's not here but Luke is here, help my memory because we have churches right across the street on Livingston Avenue in commercial buildings. A church can operate if the zoning is CO or CS, correct, without having to have a Special Exception Use

Permit? CC is the only zoning that requires a Special Exception, is that a correct statement or, mostly correct?

Development Director Haire: To operate in any commercial district, a semi-public use needs to have a Special Exception.

Mr. Hills: In the CO or CSs?

Mr. Haire: Yes.

Mr. Hills: Then do our other churches that we see on Livingston Avenue in Reynoldsburg have Special Exceptions?

Mr. Haire: The only other church I know of in the Livingston Avenue area is the Baptist Church. That's a traditional church.

Mr. Hills: No, the white office building on the right hand side going east on Livingston Avenue, set back, a white building, has a church sign up there all the time.

Mr. Haire: Yeah, I'm unsure if they have a Special Exception or not. I've never checked that. That's been here prior to my appointment with the city in 2005 so..

Mr. Hills: So in his Special Exception Use Permit Application, which was filed on 5/10, 5/12 or sometime in that period, then the other person, the semi-public use is something probably something the city helped him with the application and added it to, correct? To make it compliant? Because it's not his writing. You can look at it later and see.

Mr. Haire: Yeah. (Both Mr. Haire and Mr. Hills talking at once....is inaudible) So that's the actual.....

Mr. Hills: Any commercial zoning has to have Special Exception for a church?

Mr. Haire: A church to operate in any commercial district requires Special Exception.

Mr. Hills: Thank you.

Mr. Clemens: You know, my thought would be whether you're here or you're not here, if we have somebody that's operating improperly, I think I would check on it really. It's, you know, it would stop some of the stuff that we're getting into. I mean, if we know there's a church there and it's commercial area, I think I would check and see if they had a Special Exception Use Permit.

Mr. Hills: I think it would be wise to drive around and look at a number of(inaudible)

Mr. Clemens: I think so. Are there any other questions for either Mr. Wright or Mr. Robinson? Thank you Mr. Robinson, thank you. Are there any other questions, members of Committee, members of Council? If not, I'd like to move this Special Exception Permit forward with a motion for approval for it's third reading with conditions that's been spoken of this evening that will be in the Special Exception Use Permit before it's approved at the next Council Meeting so that we make sure that everything is in the Special Exception Use Permit that has been brought up by members of the Council by next Wednesday, I think Mr. Robinson will have contacted our Clerk, am I correct?

Pastor Robinson: Yes.

Mr. Clemens: Yes, ok, so I'd like to move this forward for it's third reading for adoption. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 9 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1115 Preliminary Plat; Chapter 1119 Final Plat; Chapter 1127 Standards; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; and Table 1155 "Zoning Code Fees"- -second rdg 9-14-09. Are there any questions for Mr. Haire, the Development Director, on this issue from the members of Committee, members of Council? If not, I'd like to send this to Council for it's third reading for approval. Seconded by Mr. Cotner. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 10 - ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 7375 East Broad Street, Blacklick, Ohio 43004; from Unzoned to R-3; applicant, Wesley Hawk and Ann Lane (3.795 ac.)- -second rdg 9-14-09. Are there any questions pertaining to this from members of Committee, members of Council? If not I'd like to make a motion to send this to Council for it's third reading and for adoption. Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you. That ends the Service Committee at 8:10 p.m.

Service Committee

- - Nancy C. Frazier, Clerk of Council

September 21, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

September 21, 2009

Members of Finance Committee present: Ron Stake, Mel Clemens, Fred Deskins, Jr., Leslie Kelly.

Other members of Council present: Doug Joseph, Barth R. Cotner, Donna Shirey, Council President William L. Hills.

Mr. Stake: I'll call to order the Finance Committee Meeting at 8:11 p.m. Item 2 is approval of the agenda. Are there any changes to the agenda by members of the Finance Committee? For various reasons, I'd like to hold this evening Items 8, 9 and 10. Any questions or comments in regards to those? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 3 - Approval of minutes of Finance Committee meeting held September 8, 2009. Are there any questions or comments in regards to those minutes? None being heard, they'll stand as submitted.

Item 4 - Discussion: Acceptance of amounts and rates, etc. (Franklin County). This comes from our Auditor. Mr. Harris.

Mr. Harris: Thank you Chairman Stake, members of Council. As we have every year at this time following the tax budget being accepted by counties, we will get in resolutions for acceptance of the rates and this is first one here, is the one from Franklin County. This is like it's been every year. If there's any questions on it, I'd be glad to answer them.

Mr. Stake: Are there any questions from members of the Finance Committee for Mr. Harris? Members of Council? And you'd like an emergency on this, correct?

Mr. Harris: Yeah, they would like it back by the 3rd or 4th of October.

Mr. Stake: Okay, so, any problems with that with anybody on Council? Then I'll make a motion that we send this item forward with recommendation for adoption. Seconded by Mr. Deskins. Any questions, comments, discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 5 - Discussion: Acceptance of amounts and rates, etc. (Licking County).

Mr. Harris: This would be the companion ordinance or resolution for the Licking County Budget Commission to accept the rates and the amounts from the tax budget.

Mr. Stake: Okay, same as the last one, just for Licking County. Any questions or comments from members of Finance Committee, members of Council? Same thing, emergency on this?

Mr. Harris: Please.

Mr. Stake: Okay.

Mr. Harris: The good news is we haven't received anything yet from Fairfield County.

Mr. Stake: That'll be a real emergency won't it? Okay, if there's no problem with that, then I'll make a motion that we send this on to Council with recommendation for adoption. Seconded by Mr. Clemens. Any further discussion. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Mr. Harris: Thank you.

Mr. Stake: Thank you.

Item 6 - Discussion: Legislation regarding the United Steelworkers of America (USW) bargaining unit employees (two pieces of legislation). The Mayor will address this I guess.

Mayor McCloud: Thank you Chairman Stake. The first ordinance is a request to implement the last best offer to the United Steelworkers. We are at an impasse, the two parties are, the city and the Union are at an impasse and we're asking the Council to implement this last best offer.

Mr. Stake: Okay, are there any questions or comments for the Mayor in regards to this item from members of Finance Committee, members of Council; and Mayor, I guess, with the help of the HR Director and legal counsel this is a decision that you've come to, correct?

Mayor McCloud: Yes.

Mr. Stake: Okay, and an emergency on this?

Mayor McCloud: Yes, please.

Mr. Stake: Okay. Any problem with that with anybody? And I guess we'll send this forward to a Special Council Meeting this evening, correct? I'll make a motion that we send this item on to the Special Council Meeting this evening with recommendation for adoption as an emergency. Seconded by Mrs. Kelly. Any further discussion.

Clerk Frazier: In the blank there, in Section I "that the City will implement it's last best offer to the USW effective _____ 2009", you want to put in today's date, if you're going to sign it tonight?

Mayor McCloud: Yes.

Mrs. Frazier: You might want to insert that in there. You can do that at the Special Council Meeting, insert that before you move adoption, but that will have to be done.

Mr. Stake: Okay, with that being said, I believe we do have a motion and a second. Any discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. The second item I believe Mr. Harris can address.

Mr. Harris: Thank you Chairman Stake, members of Council. I have the second part of this puzzle. This is a request for an ordinance authorizing me to pay the back pay and to change the pay status on those people in the USW to conform to the city's last best offer. This being pay week, it will not be in this pay, it will be in the pay in two weeks. So this will also need an emergency so I can have it effective in time for me to make those changes to the payroll and to get it paid.

Mr. Stake: Okay. Any questions or comments from members of the Finance Committee in regards to this item, members of Council? Then I will make a motion that we also send this item on to the Special Council Meeting this evening with recommendation for adoption as an emergency. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Mr. Harris: Thank you.

Mr. Stake: Item 7 - Discussion: Amend Resolution No. 44-09 regarding grant application for Summit Road. This comes from our City Engineer James Miller.

Mr. Miller: Thank you Chairman Stake, members of Council. I have requested that we amend Resolution 44-09 to read "Summit Road Reconstruction Project, from Refugee Road south to Reynoldsburg Corporation Limit". Again, that is a result of Etna Township and Licking County pulling out of the Grant Application this year and tonight, at the request of Chairman Stake, I've distributed a map detailing the new proposed project. Again, that is from Refugee Road south to our City Corporation Limit and if there are any questions, I'd be happy to answer.

Mr. Stake: Thank you Jim. I know you did this on short notice and I appreciate that. Thank you very much. Are there any questions or comments from members of Finance Committee in regards to this amended ordinance, members of Council?

Mr. Miller: If I may, Chairman Stake.

Mr. Stake: Go ahead.

Mr. Miller: When it's amended, if we could make it, I forget the vernacular, but if it can be made retroactive to the previous date the ordinance was passed, retroactive to that August 26th date before so the Resolution again is retroactive to the date before September.

Mr. Stake: Don't you want it to coincide with the date of your application?

Mr. Miller: It can, yes. Which would be September 8th.

Mr. Stake: That would be better wouldn't it Mrs. Frazier, is that okay?

Mrs. Frazier: Yes.

Mr. Hills: You're just amending the Resolution that was passed at that date.....

Mr. Miller: Correct.

Mr. Hills: ...through this amendment.

Mr. Miller: Correct.

Mr. Hills: Retroactivity I think always makes us people cringe just a little bit, but what you're doing is you're amending an earlier, the number's on here, 44-09 which was passed on such and such and the attachment was larger then than it is now because Licking County and Etna Township said 'bye - bye', we're not going to play this year.

Mr. Miller: That's exactly right, President Hills.

Mr. Hills: And I think we can word that accordingly without using the word retroactively.

Mrs. Frazier: It's not retro; it's doing what he's requested here, and then authorizing the application that was made.

Mr. Hills: (inaudible)

Mr. Miller: I was struggling with the vernacular myself. I didn't know what word to use.

Mr. Hills: Retroactive sometimes generates lawsuits.

Mr. Stake: Okay, emergency on this, correct? Since the application's already been filed. I'll make a motion that we amend Resolution 44-09, changing the project title in Section I from Summit Road Reconstruction from East Main Street to Refugee Road, to Summit Road Reconstruction Project from Refugee Road south to Reynoldsburg Corporation Limit. I make a motion that we send this forward with recommendation for adoption as an emergency. Seconded by Mr. Deskins. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Mr. Clemens, you had a question or comment.

Mr. Clemens: I don't have a question, but I did want to bring something to everybody's attention. Councilman Joseph brought this up and it's strange. If you'll notice on that annexation where the school is and all that other, we've annexed the road, then if you go to the southern part, we didn't annex the road. So, we want to watch that from now on in. I don't know how that happened or didn't happen, but it's rather strange.

Mr. Miller: Agreed.

Mr. Clemens: Yeah, I mean, I just wanted to bring it to everybody's attention, because if we had of, we could have been clear down there, you know.

Mr. Stake: Thank you Councilman Clemens, and I will close out the Finance Committee Meeting at 8:19 p.m.

Finance Committee

- - -Nancy C. Frazier, Clerk of Council

September 21, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)