

SAFETY COMMITTEE MEETING MINUTES

September 20, 2010

Members of Safety Committee present: Mel Clemens, Chris Long, Nathan Burd, Fred Deskins, Jr.

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

Mr. Clemens: I'll call the Safety Committee Meeting to order at 7:30 p.m. First item on the agenda is the approval of the agenda. Do I have any additions or deletions to tonight's agenda? If not, it'll stand approved.

Item No. 3 - approval of the minutes of the Safety Committee meeting held September 7, 2010. Are there any corrections to the minutes? If not, they'll stand approved.

Item No. 4 - Discussion: Liquor Permit Transfer - from Main Brands, LLC to Pzaz, LLC, dba Just Off Main, 1371 Hentz Dr, Reynoldsburg, Ohio 43068. We have a communication from our Safety Director stating that the Police have done their investigations and their report comes back that there is no problem as far as they can see with the transfer and they would recommend to move it on. Are there any questions from the Committee? Yes, Chief.

Chief Suci: We did our investigation into this transfer of liquor permit and find no reason to appeal the transfer.

Mr. Clemens: Thank you. Are there any questions pertaining to this subject? If not, we'll move on.

Item No. 5 - **AN ORDINANCE TO AMEND THE REYNOLDSBURG CODE OF ORDINANCES AND ESTABLISHING A DAYTIME CURFEW FOR MINORS BETWEEN AND INCLUDING THE AGES OF SIX AND SEVENTEEN WHILE UNDER SUSPENSION OR EXPULSION FROM SCHOOL-** -first reading 9-13-2010. Are there any comments from members of City Council? Yes, Councilman Long.

Mr. Long: Thank you, Chairman. There were changes that were distributed this week to Council. I just wanted to let everybody know that the wording changes will be made effective tom.....er, next Monday night.

Mr. Clemens: Thank you, Councilman Long. I do have some speaker slips and on these speaker slips, we appreciate your bringing your concerns before Council, but please do not be repetitious of your speaking. If you have something to say and it's, pertains to exactly what was said before you, all you really need to do is agree with it and we'll mark you down as agreeable. First speaker is Robert Cook. Mr. Cook, please give your name and address please.

Mr. Cook: Robert Cook, 8170 Priestley Drive, Reynoldsburg, Ohio. Mr. Clemens, members of the Safety Committee, members of Council. I came here to say a few words and now I've come to ask a question. What word changes? Am I now going to be addressing something that no longer applies? You just said you were going to make some changes to the curfew. Did I misunderstand that?

Mr. Long: These were just housekeeping changes on a few words.....

Mr. Cook: Housekeeping changes, excellent.

Mr. Long:that were requested by the Clerk of Council, Sir.

Mr. Cook: Excellent. Thank you very much for that clarification. Let me continue. When someone steals something, someone else pays. When people steal a lot, other people pay even more. When they feel they're paying too much, they move. That is the basic economics of crime and for anyone who has run on a platform of fiscal conservatism, they'll know exactly the bottom line of what it means when crime is too expensive for us to sustain, we move.

The curfew ordinance you are currently discussing addresses directly the reduction of the cost of crime. It does so by introducing, not just as we discussed earlier the apprehension of students out of school, but it will trigger in motion the act of prevention. So you reduce crime and the cost of crime two ways, by a very strong comprehensive ordinance. The ordinance you are looking at does not do that. It fails to be comprehensive and it fails to be inclusive and I urge tonight that you would reject that.

Lastly, I think that there is, I think the process of legislation is sometimes almost as important as the outcome of legislation and as I have watched this since June and participated on other occasions in the discussion of a daytime curfew, I have noticed some things that I found somewhat curious. While several of the Committee members have professed that they have researched and studied the issue, it seems curious to me that no one studied it so much that they wrote a paper of 400, 800, 1,000 words, word processed it up, distributed it to the Committee, the Committee discussed it, it came out and was presented at a public meeting. I know we do this thing through email, but that's not a public meeting. So gosh, if you've been doing that, I've missed it.

It also seems curious to me that you've never formed a task force. This is a very important piece of legislation that really impacts virtually everybody in the city, and I haven't seen a task force that went out and researched, that went out and talked to other cities - Akron, Baltimore, to St. Paul, Minnesota, all of which have been introduced here before. To discuss with them on the phone, \$1.50, \$2.00, what's \$5.00 for a phone call? Find out what's going on or a task force that would solicit opinion from residents without necessarily just doing it at an open meeting, but I did notice in the Reynoldsburg weekly from last week that maybe you've come across another way to do legislation, one that I would have missed. That paper's quoted and I assume it was a correct quote, that one Councilman member said 'well, let's just pass it and we'll tweak it later'. Legislation by tweaking. We don't need to research it, we don't need to listen to the Block Watch Captains who've shown up here since June telling you that we feel that stronger one is better. We'll just pass it and we'll tweak it.

Thank you very much for your time. If you have any questions pertaining to my remarks.

Mr. Clemens: I would like to say this Mr. Cook. We did have a committee of Councilman Long,

Councilman Burd that did study the issue, and then did call for extra meetings, which we did.

Mr. Cook: Was that just the report, or a written (inaudible).

Mr. Clemens: That produced the legislation that's before us.

Mr. Cook: But not a report. (Inaudible) asking how you all go about doing business.

Mr. Clemens: A verbal report at the meeting.

Mr. Cook: Okay, verbal report. Unlike most committees in my entire life I've ever been on where you really have to do a lot of hard work, foot notes, documents.

Mr. Clemens: I just want to bring up that we did.....

Mr. Cook: That's fine, that's good.

Mr. Clemens: We did have.....

Mr. Cook: I know email's very important and sometimes email goes right on by the public. Email doesn't happen (inaudible).

Mr. Clemens: It goes by me because I don't have it, so....

Mr. Cook: That's pretty good, that's pretty good. You might want to be (inaudible).

Mr. Clemens: Probably the only one. Councilman Burd, please.

Mr. Burd: Yeah, thank you Chairman Clemens, and I do appreciate the comments, but I do also want to point out, and you may say that it's not directly related, but I was on an Ad Hoc Committee earlier this year that had school officials and city officials and everything was on the table. These were promoted heavily in the newspapers. They were completely open to the public; participation was not what we would have liked, but we discussed a lot of great things. We met for over a month and nobody from the school district and nobody from the city at that time, came out and talked about the need for a daytime curfew, and we talked about how to address, let me finish, we talked about how to address wayward students, we talked about things we could do to help, but at that time, which was right before this whole discussion began, nobody saw fit to bring forward a daytime curfew in that committee. That was public. Everything we've done here's been public. We talked about this more than we talked about most things. Go back and read the minutes. If you want to converge all the minutes in a report, you'd have a pretty lengthy report there. I mean, the implication that somehow the process has not been good, the process has been exactly what it's supposed to be, exactly

what it's supposed to be, if not better than normal, because there's so much participation. So I just take issue with the idea that somehow we need to be producing written reports. Everything's open to the public. This has been covered heavily. Anybody can come here and talk, anybody can call us, and a lot of them do. So I just, I don't, I can't say I agree with the idea that we haven't done our work on this. We've done a lot of work on this.

Mr. Cook: I'm sorry to agitate you, but just to clear the point. Those meetings that put everything on the table and discussed everything, they were before the original curfew ordinance was introduced in June.

Mr. Burd: Correct.

Mr. Cook: Before, before.

Mr. Burd: Yes, that's true.

Mr. Cook: Okay, thank you very much.

Mr. Burd: Everything was on the table. It could be a joint issue between the city and School District.

Mr. Cook: Except the one (inaudible).

Mr. Burd: You're not agitating me, but it bothers me when you say that there's been something wrong with the process. The process has been completely open.

Mr. Clemens: All right, let's kind of settle down a little bit, okay? Thank you, Mr. Cook.

Mr. Cook: Thank you very much.

Mr. Clemens: Thank you Council, Councilman Burd, thank you. Next speaker is Richard Donovan. Please give your name and address please.

Mr. Donovan: Richard Donovan, 7502 Lismore Drive. Let me first say that I'm very happy that they're finally doing something about having a daytime curfew for these children, but it seems to me that the legislation that's in front of you folks right now, is going to establish a separate class of citizens, only families will be affected will be those that have expelled or suspended children. Everybody else walks free. That's what was said here in the last meeting. Then we have a lawyer that comes up here and speaks about how he doesn't believe that it's all because of the concern for the student because it causes them to have an intrusive visit by Children's Services. Now if you have a dysfunctional family, you turn your back on it or you try to get something done about it. Some will have to turn their backs on it. I think this curfew thing would be a great thing but for the fact that you've got a separate class of citizens now because only the people that are expelled or suspended are

going to be taken into consideration by this law. We've got people that come from outside the city, we've got kids that skip school, we've got all the rest of the stuff. They get to walk free. How long do you think that's going to fly in a Court of Law? I don't think very far at all; and basically, the kids that are going to complain and all the rest of the stuff, great, but the good kids are going to say 'finally, somebody's doing something because I've been towing the line all this time and finally somebody's doing something to the kids that aren't and I like that'. They'll say it outwardly, they'll complain, but inwardly they'll be real happy because they're finally seeing the rewards of being good and doing what they're told. So I think the first one the City Auditor, the City Attorney I should say, came up with would be a better case because everybody would be covered. That way if they're just hooking school that day or ditching or whatever the heck you want to call it, truant, they would be concerned by being picked up and these children, everybody kept saying well, the children's rights, the children's right. The only right a child seems to have as far as I remember, seeing as they're minors, is that they have a right to have their parents come and be present when the Police question them. Where is the rights where they're being violated? Would somebody please point that out to us? That's all I got to say. Thank you.

Mr. Clemens: Thank you Mr. Donovan. Are there any questions, members of Council? Thank you. The next speaker is Jim Rodenmayer. Please give your name and address.

Mr. Rodenmayer: Mr. Chairman, members of the Safety Committee, members of Council. My name is Jim Rodenmayer, I reside at 1020 Ruskin Drive here in Reynoldsburg. I come here tonight to urge you to examine your options regarding the curfew ordinance, which you are considering. Let me first say that I've been a resident of this city for forty years. I've had three kids go through the school system. All three of them have college degrees. Two of them have Master's Degrees and all three of them are doing very well. One is a 14 year veteran of the teaching staff here in Reynoldsburg City Schools. I'm very proud of all three of them. We knew what they were doing and we knew where they were. Unfortunately, we obviously don't have that luxury anymore here in this city. Obviously, the consideration of such an ordinance suggests a real problem here in Reynoldsburg. As a retired school administrator and member of the now defunct Reynoldsburg City School District Finance and Accountability Committee, I believe I can offer some input about this ordinance.

First, let's identify the problem. We have school age kids on the street during school hours. Some of these kids are committing criminal acts during those school hours. Some of those kids who are committing those criminal acts have been suspended or expelled from school. Some of them are from outside the school district and some of them are released from school. That's right, I said released from school. State minimum requirements are that High Schools be in session for 5 ½ hours daily but the students do not have to be there the full 5 ½ hours. Students in Reynoldsburg no longer have to take what we used to call a full load. Students in Reynoldsburg only have to take two credits per semester. That means two classes per day, two classes per day. That gives them three or four hours on the streets. They can come and go as they please. This has created a high number of kids on the street during the school hours; hence the problem. What have you done to solve the problem?

Our City Attorney has written a reasonable and tough ordinance that would rein in all of those kids seeking mischief. Instead you are considering a very watered down ordinance, which is vague and unenforceable. I urge you to reconsider this ordinance. It is a political solution that needs a leadership solution. The City Attorney's ordinance is a leadership ordinance. It is a leadership solution. Let's keep the City of Reynoldsburg safe and do the leadership thing and not the political thing. Do you have any questions?

Mr. Clemens: Thank you Mr. Rodenmayer. Are there any questions for Jim? Councilman Long.

Mr. Long: Thank you Mr. Chairman, thank you Mr. Rodenmayer for coming here this evening. Have you read the original ordinance?

Mr. Rodenmayer: Yes I have. It's tough. I wish I'd have had one in the school district I was in.

Mr. Long: So you were aware that there were subsections that specified certain exclusions, if you will call it that, where a student or a teenager would not come under this ordinance, correct?

Mr. Rodenmayer: That's correct.

Mr. Long: Okay. In Item No. 3 it states here "At the time the child was found at a place other than in school, for reasons other than being expelled or suspended, the child was not required by law to be at school". So the individuals who are being released from the brick and mortar school, because they have satisfied, as you mentioned, their two credits per semester and are being released, would not come under this, because they're not required by law to be at school.

Mr. Rodenmayer: That's correct, but as I read the new ordinance, the one that you have presented Sir, as I read that, it comes into question as to whether a Police Officer can approach a kid who is on the street and possibly in the process of creating some mischief.

Mr. Long: We've gone through those discussions over the last three months and it is, as Councilman Burd pointed out, it is rather extensive, the minutes and so forth, but it is there. We have taken testimony from the Chief and other individuals from the Reynoldsburg Police Department. They can stop any juvenile that is walking down the street and me, in my mind, as a parent and as a resident of the City of Reynoldsburg, I want them to.

Mr. Rodenmayer: You do.

Mr. Long: Because if there is something amiss, I want that Police Officer to be aware of it. So they have a right to stop anybody, at any time, if they think there is something wrong, but what I wanted to point out is, the very students that you're talking about, whether they happen to be home-schooled, early release, late arrival, cyber kids are enrolled at ECOT who were not.....

Mr. Rodenmayer: I'm aware of that.

Mr. Long:required to be within that brick and mortar school, are not contained and covered under the original ordinance. Now granted, I, admittedly, it's not in the second, the two pieces that we've talked about in replacement in that but the testimony that we heard from the public, from officials, from the schools were that the issue was with the currently suspended and expelled kids who were out roaming the street because they don't come under the school umbrella as far as truancy.

Mr. Rodenmayer: If I may, Sir.

Mr. Long: Yeah.

Mr. Rodenmayer: I want you to understand that in the Committee meeting where that was revealed to me, where kids are being released from school pretty much as they please, I objected to that very strenuously. I don't think the kids during the school hours should, belong on the streets, period. I mean, that's the school person coming out from me.

Mr. Long: I hear you, Sir.

Mr. Rodenmayer: Because the old saying, "idle hands", you know.

Mr. Long: Right.

Mr. Rodenmayer: I don't care how good the kid is, the kid's going to get in trouble.

Mr. Long: Sure.

Mr. Clemens: Councilwoman Kelly.

Mr. Rodenmayer: Yes Ma'am.

Mrs. Kelly: I'm sorry, just to kind of help clarify. Between the two ordinances, the original for students who were not in school, the Police Officer, like Mr. Long had said, can stop any child at any point in time because all kids are supposed to be in school. What the difference between the two is that with the current proposed legislation, if they cannot determine if that child is expelled or suspended from school, they can't do anything to that child. They can't assume custody of them. If the child with the original, if a child is found on the street and they could not confirm are they home-schooled, are they cyber schooled, are they suspended or expelled, if they can't, if the child, if it cannot be proven where the child was supposed to be, then they would assume custody of that child. So really, the differences that I see between the two of them are one, you have to show the kid

suspended or expelled in order to take custody of them. The other one, if you can't prove that I'm supposed to be in cyber school, then the Police have the authority to assume custody of them until they can prove parents know where they are and know what they're supposed to be doing.

Mr. Rodenmayer: Oh, I think that's the whole bottom line right there.

Mrs. Kelly: I agree with you.

Mr. Rodenmayer: I think that, like I said, with my own kids, we knew where they were and what they were doing.

Mrs. Kelly: Right.

Mr. Rodenmayer: In today's situation, that's not the case. We don't have that luxury any more and therefore, I really believe, you know, parents in some cases, make themselves inaccessible.

Mrs. Kelly: I agree.

Mr. Clemens: Thank you. Basically, what we're doing here and what we're trying to correct, is what the parents don't want to do and they won't correct and that's what these two ordinances basically are trying to transfer to.

Mr. Rodenmayer: That's right and it shouldn't have to be and.....

Mr. Clemens: Shouldn't have to be, shouldn't have to be, that's correct. All right, are there any other questions? Thank you, appreciate it.

Mr. Rodenmayer: Thank you.

Mr. Clemens: Thank you. Next speaker is Norm Brusk. Give your name and address, please.

Mr. Brusk: My name is Norm Brusk, I'm at 1861 Crosswick Court. I'm going to hand you each an email (inaudible) this email came from Mr. Patrick Thompson, who is one of the Block Captains and he had sent it to Robert Cook, who had spoken earlier. I feel that since Mr. Thompson was not able to get in to the meeting tonight, that this letter was pertinent and I want to make sure it's read into the record and therefore I will do that. It shouldn't take too long. "Thank you for your email (and that was to Mr. Cook). I am Block Watch Captain for Marvin Drive. I have lived in Reynoldsburg since 1966 and I too am concerned about the watering down of the proposed daytime curfew ordinance. When I first heard about the proposed curfew ordinance I was very pleased and thought the original framework would send a message that we are serious about cleaning up streets. But since then the wording and outline of the ordinance has become very narrow and I don't believe it will

address the crime issues that we have in the community. Earlier in the Summer, I sent an email to the Council members, Mayor and Clerk of Council urging them to pass the ordinance in its original form. Shortly thereafter Mr. Long presented his narrow version. So my plea for passing the original ordinance fell on deaf ears. I'm very concerned that Mr. Long's version will be so narrow that it will do little to prevent crime in the community. Plus as you mentioned it will not address kids coming from outside of the city or kids who are not presently expelled or suspended wandering the streets. Because of Council's concern about offending certain groups of citizens with the original ordinance wording they are opening the door for more crime in the area. My question to Council is what about the people who have had their houses broken into or property damaged? Where is the concern for their rights? Once you have had your house broken into, your sense of security is never the same for you, your family and your neighbors." He has another commitment tonight and could not attend but he wanted you to know his thoughts on the matter and please pass his concerns, he said please pass my concerns to Council. That being said, that does cover a lot of the issues that you heard before. One of, two of the things I'm worried about or concerned about is, okay, we're going to tweak this if it doesn't work quite well. Why in the heck couldn't we tweak the first one? The one that seems to be more pertinent and Mr. Long, I agree that there was, the first one didn't cover everyone but by God, it covered a whole heck of a lot more than your current one and we're not going to, it's obvious, you're only concerned with those children, it says it right in the ordinance, that are suspended or expelled, period, the end.

Mr. Long: Uh-hum.

Mr. Brusk: A good portion of the kids that are on the streets that shouldn't be on the streets and don't have a right to be on the streets are kids who are day skippers or class skippers and that you don't cover at all and that's the majority and that's what's bothering me most about this whole thing. The other thing is, we had a red herring about kids' rights and so on. Children have rights to be safe and to be protected, so does the community. And there's never been a question that this is a real question, that this is a civil rights issue, it isn't, it never was. It was just a red herring that was brought forward. That disturbed me a little bit and I just wanted to get that one off my chest. You guys all know the rest of my feelings on this. I've spoken before, I'll probably speak again just to keep it in the limelight, but in the meantime, I'll keep it short so you guys can go home and watch football.

Mr. Clemens: Thank you Norm.

Mr. Long: Thanks Norm.

Mr. Clemens: Thank you Mr. Brusk. Mr. Hills.

Mr. Hills: Yeah, Norm, I thank you for reading this letter. I did get the letter today and it was circulated to Council, so they have it.

Mr. Brusk: Oh, I didn't know they have it.

Mr. Hills: It's much more informative when it's read into the record. I will note, I remember his earlier email and it was when we were moving through on the first ordinance and he spoke to it and then sent an email, very supportive. I want to repeat one thing that he has in here that's a real concern to me - 'So my plea for passing the original ordinance fell on deaf ears'. One person's not going to pass this ordinance; there are seven people sitting up here, okay? It's unfortunate because probably what they read out of the paper, and not in reality, what the paper should be saying then what on? That ordinance was ready to go forward and Chairman Clemens, there was not support to take it out of Committee. In fact, it was moved to Other Legislation. Now, the press picks up on that, but where a Committee majority would say 'now, we're not going to talk about that anymore, we'll go create our own'. Now I don't mean to cause any hard feelings, but I want everybody to understand, that's what happened here, and let's stand up and attest to it folks. That's what happened and then it was rewritten a different way. Those are frustrating because the papers never write it quite that way; and not to change the fact, but I feel bad for Mr. Thompson, his feelings did not fall on deaf ears. All you know for sure is there's three people on Council that didn't like the other and those three happen to be on the same Committee, which was able to put in Other Legislation. And Mr. Joseph, I will comment on your tweaking comment. You had something to tweak, should you have chosen to tweak the first one, and didn't do it, it was buried. You didn't bury it, you're not on that committee; you just were very instrumental and you were on a committee but you're not on that committee. I think that kind of, I always try to be honest enough for everybody to try to understand where we're coming from and how we got here. I have over the last few days, and I would encourage everyone on Council, if you haven't you should; we do still have a uniform policy in the City of Reynoldsburg. Well, I want you to go by the High School and also the Junior High, sometime about 2:15 p.m. to 3:15 p.m. and you see an awful lot of people that aren't in uniforms. Now if they're not in uniforms, they're not our students, are they? Now, that's why we've had the shootings in the area, that's why we've had the drug sales in the area, go out and see. I've heard comments made "well, we don't have the Police Department to do it". It's my understanding that there are at least two cruisers daily that are in that area at dismissal time. Now, Chief if that's wrong, tell me I'm wrong or Mayor, if that's wrong, but it's my understanding they're scheduled to be there unless some other emergency comes in. I mean, when we talk about, we don't have the Officers. We are putting the Officers out now to try to address the situation and try to avoid future drug sales, shootings and fights. So it's not that we can't, we are doing with what we have the best we can but what we may not have is the tool to reach that unknown group of people and I guess it was time for me to just vent a little bit on it, but I get so frustrated by only reading 45% of what really happened somewhere and I think we all have to stand up and say what we've done sitting here, is what we did and I'm not ashamed of anything that was done. You, we all know we're going to make mistakes, we're going to do things right, we're going to do things wrong, but for Christ's sake, we ought to be able to have people understand why we did what we did and for maybe it to be clear. Thank you, Mr. Clemens, and I'll be quiet.

Mr. Clemens: Thank you President Hills.

Mr. Joseph: Thank you Mr. Chairman.

Mr. Clemens: Councilman Joseph.

Mr. Joseph: Since everyone's using the term, "tweak", tonight and I'm the one that uttered that two weeks ago, I think I'll just make one additional comment. The original legislation got some attention in the Safety Committee, but there are four people up here that don't support that ordinance, that legislation, three on the Committee and myself. That legislation is dead. We either can move forward on a different piece of legislation or we won't be moving forward on anything and I think that the sentiment in this community is we need to do something about the people who are causing the problem for the most part are the suspended and expelled students. So I want to let Councilman Long and Burd know I think they did the right thing in looking for another solution to solve a problem that's affecting a lot of people in this town and for people to say that we are ignoring the community is extremely false. I think every person up here looks closely at every piece of legislation that comes before them and we don't ignore anybody in this town, but we don't always agree on everything that sits here in front of us. So having said that, again I'll say, I think Councilman Long and Burd have a good solution to a problem that will address the vast majority, and again to use the word "tweak", we tweak lots of legislation here every single year. Sometimes it's major re-write, sometimes we change a few words. Call it reform, amend, whatever, and if we pass the legislation in front of us in a couple of weeks, and it doesn't work exactly right, we will come back and make changes. So call it tweak, amend, reform whatever, but the original legislation does not have support from majority of this Council and won't be reconsidered. Thank you.

Mr. Hills: Mr. Clemens.

Mr. Clemens: President Hills.

Mr. Hills: I just would like to (inaudible) followup on that. You made **the statement that it is known that suspended and expelled students are the ones causing the problem.** We're, I didn't see any of that come up. Where's the documentation on that?

Mr. Joseph: I believe that was mentioned during earlier testimony.

Mr. Hills: I don't believe it was, not only....

Mr. Long: President Hills, it was mentioned not only in testimony, it was also mentioned by Lieutenant O'Neill, in video, that the targeted problems were with the suspended and expelled students.

Mr. Hills: When Lieutenant O'Neill came in and testified?

Mr. Long: No Sir. It was videotaped. It was on Channel 10 News.

Mr. Hills: Oh, oh, I don't even want to get into this because that's part of how a bunch of these things are sold in the news and not in what's being done here. I have been told by the Police Department that the second ordinance wouldn't work. Lieutenant O'Neill came in and I don't know whether or not he wasn't informed what the Police Department's feelings were but he turned around and said, 'yeah, we need to do it right away'. I mean, we got disagreement within the Police Department as to what works and what doesn't (inaudible) that hasn't been addressed here until just now.

Mr. Clemens: Chief Suci.

Chief Suci: I don't have the empirical data to say whether it's one way or the other. In fact we would probably struggle to get that kind of data, but I can tell you that we have problems with all kinds of different students with regard to criminal activity, whether they be home-schooled, expelled, suspended, or skipping school, or whatever. I wouldn't say the vast majority are expelled or suspended students. I just wouldn't go there. I don't have those kinds of facts to be able to say those kinds of things.

Mr. Clemens: Thank you Chief. Thank you President Hills. Thank you Councilman Joseph. I want to thank all the speakers this evening and members of Council and usually, I have something to say, but I don't have anything to say tonight, but I will have something to say later. I would like to have a motion to send this to Council for its second reading. A motion from Councilman Long to send this to Council to its second reading. Seconded by Mr. Burd. Thank you both. All in favor vote "Aye". (All voted "Aye" except Mr. Clemens, who voted "Nay") Thank you, this will go to Council for its second reading.

Item No. 6 - AN ORDINANCE TO AMEND THE REYNOLDSBURG CODE OF ORDINANCES AND ESTABLISHING PARENTAL OR GUARDIAN RESPONSIBILITY FOR A CHILD WHO IS CURRENTLY UNDER DAYTIME CURFEW WHILE UNDER SUSPENSION OR EXPULSION FROM SCHOOL- -first reading 9-13-2010. Councilman Long.

Mr. Long: Thank you Chairman Clemens. This piece also will have one, maybe two words that the Clerk of Council has asked to be changed and that will be presented to Council in the second reading next Monday night and will also be amended at that time.

Mr. Clemens: Thank you. Are there any other members of Committee that wish to speak on this item, members of Council? If not, I'd like to have a motion to send this to Council for its second reading. Motion by Councilman Long. Seconded by Mr. Burd. All in favor vote "Aye". (All voted "Aye" except Mr. Clemens, who voted "Nay"). That will end the Committee meeting at 8:05 p.m.

Safety Committee

-- Nancy C. Frazier, Clerk of Council

September 20, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)

FINANCE COMMITTEE MEETING MINUTES September 20, 2010

Members of Finance Committee present: Fred Deskins, Jr., Doug Joseph, Leslie Kelly, Mel Clemens.

Other members of Council present: Barth R. Cotner, Chris Long, Nathan Burd, Council President William L. Hills.

Mr. Deskins: I will open the Finance Committee at 8:06 p.m. First thing on the agenda this evening is the agenda. Is there any changes to the agenda this evening? Hearing none, the agenda will stand as written.

Next is Item No. 3, approval of the minutes from our committee meeting held July 19, 2010. Are there any changes to the minutes? Hearing none, they'll stand as written. Next is Item No. 4. We're going to get a report from our Service Director on the update on the SWACO, I hope.

Safety/Service Director Boratyn: Thank you Chairman Deskins, member of Committee, Council and I will be brief. On September 14, 2010, there was a Public Meeting at SWACO regarding

proposed fees and then there was a meeting of the Board, of the SWACO Board, and I attended both of those meetings, and I provided you with a very brief summary of what went on and what was said at those meetings. Not a whole lot different than what you heard when SWACO came here and testified, so I'm not going to repeat all of that, but this is sort of an update. Where we go from here, there's going to be a couple of other meetings that will take place this week and I'll attend those as well to discuss further these proposed fees; I think that maybe at one of those meetings, some SWACO officials will come. I don't know if the City of Columbus will come to it, but that's, some of the other communities have wanted to attend. There'll be a meeting on Friday of the Solid Waste Advisory Board, Rate Advisory Board Committee which is, we are on. Some committees are already voting their position for or against these increased fees. Some may vote on that day, but we don't have a deadline until 2:00 p.m. on Tuesday the 28th. So what I had recommended is that on Monday night, next Monday night, come back and I'll tell you what has happened during this week, but I would recommend that Council pass a resolution on Monday night, next Monday night that expresses our opinion and directs me to cast our vote on this proposed rate increase and I will deliver that resolution and a ballot before the 2:00 p.m. deadline and my recommendation will be, unless I come back to you next Monday night and tell you something different, that it should be a resolution that authorizes the Safety/Service Director to, as a member of the Solid Waste Advisory Board, to cast the vote against the Solid Waste proposed increased fees of \$3 per ton for 2011, 2012 and to urge the Board of Directors of the Solid Waste Authority of Central Ohio to vote against those proposed increases at its Board meeting on September 29th and some points you might consider for that resolution might include the city's opposition to basically a 22% increase in fees since 2008; that increases in fees will impact the finances of the city, finances of our city residents and businesses here; maybe urge SWACO to defer spending based on the economic conditions and reduce its need for an \$8,000,000 reserve fund. Also, that we would seek more debate on the future direction of SWACO and what's in the best interest and benefits of our community for waste disposal, recycling, other disposal technologies that would reduce reliance on the landfills, privatization of some disposal services, changes that may occur over time, and so what's the rush to put all this money on now, particularly when they say that they'll probably come back and can't guarantee that they won't ask for more money in 2014. Even if they needed something, does it have to be this much? So, those are some ideas that you might consider that we put into that resolution when we express our views, but that would be my recommendations at this point and I don't see it changing except to vote against it and urge them to vote against it and state our reasons why. So if you have any questions, I'd be happy to answer them.

Mr. Deskins: Pam, the 41 voting members, is there any indication of how they're leaning or have you heard anything?

Mrs. Boratyn: No, our vote counts for three points, City of Reynoldsburg and the townships votes count for one point. City of Columbus and Franklin County votes count for ten points. So it would be my guess that Franklin County and the City of Columbus are going to vote for this. I think that, some of the, I believe other cities and townships will vote against, will recommend that, cast their vote against it, recommend against it, but I can't say if it's going to be a majority. If it is a majority, who recommend against it, then the Board will have to pass it with a super majority, 7 of its 9 members.

Mr. Clemens: That's the majority of the vote, not the majority of the people. Majority of the vote.

Mrs. Boratyn: Yes, majority of the vote.

Mr. Deskins: President Hills.

Mr. Hills: If I could, and I called Pam, and included in here a copy from the Dispatch on the 15th, the day after the Public Hearing; and I had asked Pam last Monday afterwards, is anybody going to the Public Hearing, and I called her, and I want to publically say I appreciate the fact that our Safety/Service Director was there, spoke not as much against the rate increase, but the structure of which it was being proposed, it should be considered, and that's one of the big things here, the 2% that we've already incurred, and then 3%, and a 3%, and they didn't want to talk about the 2%. They don't want to talk about them all over a three-year period of time. I think there are better ways to do this, but I do commend you, and I've been in Public Service, or was until I retired, this is still public, but one thing public entities do when they have issues is set a Public Hearing and what happens at the Public Hearing is generally nothing and had our Safety/Service Director not attended, it would have been a Public Hearing where the press comes and a few other interested parties, but nobody wants to speak out. I commend you for representing Reynoldsburg and speaking out. Mayor, I hope you're in agreement with the things that she said.
Mayor McCloud: Yes.

Mr. Hills: But public entities have public hearings so when they get questioned later, they say 'we had a meeting, nobody showed up'. I've been here too long and done this too many times. I mean, this is what it's about. I think what you've done, certainly, hopefully has made other cities look into this and I'm not sure exactly what we have to have for next week, but I'm gathering the recommendation is to vote against it and with some qualifications, just saying there may be other ways and better ways to do it, and I think the editorial that was in there in the Dispatch seemed to be running all over us this week on editorials, but I certainly want to commend you and I think it was just a double-check so all Council's assured that Administration's behind a let's not do these rates at this level at this time and I think, Auditor, you're at the same place, correct? So we.....

Mr. Harris: I spoke last week on my feelings and they haven't changed.

Mr. Deskins: Thank you President Hills.

Mr. Hills: Thank you.

Mr. Deskins: Thank you very much Pam.

Mrs. Boratyn: Thank you and thank you President Hills for your comments.

Mr. Deskins: Are there any other questions from the Committee? Any questions from the Council? Thank you, appreciate it.

Item No. 5 - Discussion:

Mr. Hills: Do you want to send that forward for some kind of vote next week? We need to send that forward, Nancy, for a vote next week? Yeah, send forward Item 4....

Mr. Deskins: We don't have information....

Mr. Hills:well, we do have, but I'm not sure if Pam votes, or Council votes, but we'll want to do a resolution from Council. Mayor, is this correct?

Mayor McCloud: Yeah.

Mr. Hills: We'll want to do a resolution from Council opposing the rate as proposed by SWACO. Nancy, does that all fall in place? Okay.

Mr. Deskins: So I'll make a motion that we do that. Seconded by Mr. Joseph. All in favor vote "Aye". (All voted "Aye") Opposed. (No response) Thank you.

Auditor Harris is going to discuss a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor (Franklin).

Mr. Harris: Thank you, Mr. Deskins, members of Committee, members of Council. For the people who haven't been on Council before, every year when we do the tax budget, and back in July and we send that down to the counties, Franklin County and Licking County send back this resolution saying that we have to accept the tax levies as they are. They have been that way for many, many, many years. This tax budget goes back to times when ten mills was initially inside millage was initially done and they divided it up based on the budgets that were sent in but in the 1930's, they made them permanent but the forms still exist and therefore we have to deal with the forms as they exist. So this is the one from Franklin County, they will use the tax budget we sent down, give us a certificate of available funds, which I need for the audit next year. So this is just a, something Council has done as an administrative function and if there's any new questions on it, I'll certainly be glad to answer it.

Mr. Deskins: Can you get your rate structures changed so we can get more money coming in?

Mr. Harris: Only if the schools are willing to give it up.

Mr. Deskins: Are there any questions for the Auditor from the Committee? Any questions from Council? Okay, I'll move to send this resolution to Council with recommendation for adoption as an emergency. Seconded by Mrs. Kelly. Any questions from the Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Dick you have floor again for Licking County.

Mr. Harris: This is the same motion for Licking County. We will probably not get one for Fairfield County because they, for whatever reason, don't require it.

Mr. Deskins: Any questions from the Committee, any questions from Council? If not, I'll move to send this resolution to Council with recommendation for adoption as an emergency. Seconded

by Mr. Clemens. Questions from the Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you Auditor.

Mr. Harris: Thank you.

Mr. Deskins: Item No. 7 - Discussion: Transfer of funds within the Police Department accounts to pay for gasoline. Chief Suci.

Chief Suci: Thank you, Chairman Deskins. This piece of legislation comes before you as a request to transfer \$30,000 from the Prisoner Care Account, 5375 to Account 5251 Gasoline, so I can pay my gas bill.

Mr. Deskins: Now Chief, you're taking this from the Prisoner Care Account....

Chief Suci: That is correct.

Mr. Deskins: Is that going to hurt you any in the rest of the months that's left?

Chief Suci: No Sir. We're pretty good in that account.

Mr. Deskins: Are you? Are there any questions for the Chief from the Committee, Council? Okay, I'll send this legislation to Council with recommendation for adoption as an emergency. Seconded by Mr. Clemens. Any questions from our Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Thank you, Chief.

Chief Suci: Thank you.

Mr. Deskins: Item No. 8 - Discussion: Approval of recommendations of several Tax Incentive Review Councils. Luke Haire is going to discuss.

Development Director Haire: Thank you, Chairman Deskins, Council members. This is a similar piece of legislation that comes before Council each year and it's approving the recommendations of the Tax Incentive Review Councils that meet. We have three Tax Incentive Review Councils. They met on July 8, 2010 and provided recommendations, reviewed all our various TIF agreements, and Community Reinvestment Agreements, and provided that a, provided recommendations that those agreements were all in compliance and they should be continued; and we're just asking that Council approve that recommendation.

Mr. Deskins: Thank you Luke. You, we all had them in our packets this week. Are there any questions from the Committee, questions from Council? I'd like to move this legislation to Council for its first reading. Seconded by Mrs. Kelly. Any questions from the Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Thank you Luke.

Item No. 9 - Discussion: Transfer of funds within the Police Department accounts to pay for three computers. Chief Suci.

Chief Suci: Yes, Chairman Deskins, this piece of legislation also is being presented to you as a request to transfer \$7,000 from Account 5351, which is Liability Insurance Account, to Account Number 5639, Other Equipment, to purchase three computers for our Com Center, which I've been advised are in dire need of being replaced.

Mr. Deskins: Thank you, Chief Suci. I think we've talked about this in the past and we were expecting it, but are there any questions from the Finance Committee, any questions from Council? President Hills.

Mr. Hills: Chief, and I apologize, I saw this Saturday night or Sunday, but I didn't get back to anybody with the issues I've got going on in my house right now, but on your form that's attached, you just took the total number times three and so that was close to \$7,000?

Chief Suci: That's correct.

Mr. Hills: But in the HP2010 wide screen LCD monitor, you've got four down there which would mean, are you really getting twelve monitors and if you're getting a monitor for each computer, did we, is that, could that be a possible, maybe that just should have said one?

Chief Suci: I believe that we're just getting three, right now the way it's set up, and KeyTel did this out for us, spec'd this out for me. Right now there's three monitors at each work station. I don't know if they are making it for more work ability, but right now we have three work stations, three monitors at each work station so they can do all their jobs.....

Mr. Hills: And now we're increasing that to four you think or?

Chief Suci: You know what, I'll be honest with you President Hills, I did not catch that myself.

Mr. Hills: Okay. In all of this, could we get some clarification.....

Chief Suci: Absolutely.

Mr. Hills:as it goes forward, just so we'll know what it is we...

Chief Suci: Absolutely.

Mr. Hills: Okay. Thank you, Chairman. I apologize.

Mr. Deskins: Are there any other questions from the Committee or Council? I'd like to move this legislation to Council with recommendation for adoption as an emergency. Seconded by Mr. Joseph. Questions from the Committee, Council? All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Thank you, Chief.

Chief Suci: Thank you.

Mr. Deskins: I'll close the Finance Committee at 8:21 p.m.

Finance Committee

-- -Nancy C. Frazier, Clerk of Council

September 20, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)