MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
SEPTEMBER 11, 2006

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

Members of Council present: Doug Joseph, Mel Clemens, Antoinette Newman, Donna Shirey, Ron Stake, Brett Baxter. Councilman Preston Stearns was absent.

Mr. Hills requested everyone present to stand and participate in a moment of silence in remembrance of September 11, 2001, saying, "May we never forget."

Mr. Hills led the Pledge of Allegiance.

Minutes of the regular Council meeting held July 24, 2006 were approved without objection.
Minutes of the special Council meeting held August 7, 2006 were approved without objection.
Minutes of the special Council meeting held August 21, 2006 were approved without objection.

The agenda was approved.

Community Comments and Requests:

Ms. Montgomery: I'm Sharon Montgomery, 572 Bonnington Way in Gahanna. I've come here tonight to ask for your help. I'm a victim of a serious three car crash caused by a driver using his phone. The driver of one victim car is now partially disabled. The driver of the other victim car, my husband John, was killed. I had life threatening complications of my injuries. You have a victim here in Reynoldsburg also. A year ago last month, John Hammond was hit by a woman who turned left into his car; she was using her phone. John had five hospital stays and is now disabled. The phoning driver who hit him was charged only with failure to yield. The driver who caused our crash was charged only with failure to maintain assured clear distance ahead and fined $75. Our offenders were charged with minor misdemeanors. Most of the other known offenders have been charged with first degree misdemeanors at the most, for killing or seriously injuring someone. However, illegal bingo is a felony. Something's seriously wrong here.

Since 1997, State Legislators have ignored Bills to restrict this dangerous behavior. Meanwhile, research evidence mounts, showing that a phone conversation is a more distracting behavior than other non-driving behaviors drivers engage in. And more and more people are using cell phones while driving. Something is seriously wrong here. This past April, a Bill was introduced that doesn't even say you can't drive while phoning. It merely says if you do it and cause a crash, you will be charged with a felony if you cause serious injury or death. Obviously, this Bill won't prevent as many crashes as restricting the use of phones, but at least it will be a long overdue official pronouncement that this behavior is unacceptable, and it will provide some measure of justice for victims. Just before the General Assembly's long summer recess, a sponsor hearing was held for Senate Bill 317. Only the Bill sponsor can speak to the committee at sponsor testimony. I attended the hearing. Afterwards, I asked the Committee Chairman, Senator Jim Jordan, what his plans were for hearings this Fall. He said he didn't plan to hold any. I asked him what he based his decision on. He said we don't know where to draw the line on

driver distraction. I told him that was precisely why he needed to hold hearings. Victims were waiting to tell the committee where to draw that line and why. This is an urgent matter for several reasons. First, we must start some place. Uncertainty about the best approach, blood alcohol level for instance, didn't stop DUI laws. The first law started somewhere, and the law's frequently amended as we learn more. Second, justice demands the Defenders be penalized more in proportion to the harm they cause. Killing should carry more than a $75 fine. Third, if this Bill does not have more hearings this Fall, this chance will be lost. The sponsor introduced that merely as a courtesy to constituents who lost their father to a phoning driver in January. He gave very unpersuasive testimony. If the Bill is not acted on this Fall, it will die when this session of General Assembly ends in December. It's very unlikely this sponsor will reintroduce it at the next session. I believe it is irresponsible to admit you don't know what to do about an issue, know how to get more information, and refuse to get it. Senator Jordan's decision not to learn more, denies his committee the opportunity to hear the public, denies the Bill the chance to be considered by the whole General Assembly, and denies the public their right to participate in their government. Recent polls have shown that the majority of Ohioans consider this to be their top safety concern, and want legislative action. You can help by passing a resolution, and any of you can write to Senator Jordan individually. The Mayors of Urbana, Senator Jordan's home, and Gahanna, have written to him. The Gahanna Police Chief has written. The Gahanna City Council has passed a Resolution in support of public input for Senate Bill 317. The Marysville City Council is discussing my request. A number of individuals who aren't even victims are concerned and have written to Senator Jordan. Obviously, your neighbors, the Hammond's, and the other victims and I would be thrilled if you would support the content of this Bill also. However, all I'm asking is you to support the right of the public to be heard. I have packets of information for each of you. They include my remarks here tonight, copies of the letters I've received, the Resolution Gahanna passed, and a draft of the resolution I suggested. These could help save you time by giving a starting point in choosing your language. I've also included minutes from the Gahanna meetings in which this was discussed. Those members had some reservations at first. But they did exactly what I'm trying to get Senator Jordan to do. Learn and think before deciding. Regardless of what you decide individually and as a body to do about my request, I appreciate your time and attention this evening. I would be happy to answer any questions you might have, now or after the meeting.

- - -

Ms. Archer: Shirley Archer, 7150 E. Main St., Reynoldsburg, Ohio. I asked 2 or 3 months ago, the Council or someone that was going to look into the possibility of a light at the end of Haft Road and Livingston. I didn't know if anyone had researched that and had some type of an answer for it, for the need for it. Any of you have that on an agenda somewhere?

Mr. Hills: I think the Mayor has something he'd like to offer.

Mayor McPherson: Shirley, I totally forgot it. I remember telling you we were going to do that, too.

Ms. Archer: Yes.

Mayor McPherson: It totally escaped my mind. I'm going to write it down tonight and we'll figure that out.

Ms. Archer: I'm sure glad you aren't running again.

Mayor McPherson: Me too. I will look into it.

Ms. Archer: If nothing else, it will help control the speed on Livingston Avenue.

Mayor McPherson: People are going to speed, Shirley. They're going to speed. It doesn't matter. You can put a stop sign at every block. They'll speed between them. But I'll look into it and I apologize for not doing that. It just totally slipped my mind.

Ms. Archer: Okay. I accept your apology.

Communications- - -Clerk read two reports from Clerk of Courts: (1) total monies collected from courts held during July 2006, $30,594.05. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- -$1,919 for the Computerization Needs Fund and $250 for the Enforcement and Education Fund.

(2) Total monies collected from courts held during August 2006, $32,700.67. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- -$2,008 for the Computerization Needs Fund and $200 for the Enforcement and Education Fund.

Report- - -Franklin County Auditor Joe Testa presented the Parks and Recreation Department with a framed copy of the county's annual financial report, the cover of which included a picture of Blacklick Creek taken by Parks and Recreation Director Walsh.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "Authorized Positions, Personnel, Classification and Pay Grade" Subsection (g)"Service Department" (1) AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Baxter "Yea". Motion passed; Ordinance No. 64-06 adopted.

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 AND DECLARING AN EMERGENCY - - -Clerk read resolution by title for the one required reading. Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Baxter "Yea". Motion passed; Resolution No. 65-06 adopted.
ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT TO PURCHASE ROAD SALT- - -Clerk read ordinance by title for the first reading. Item referred to Safety Committee.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (HH Gregg, 2339 Taylor Park Drive, proposed use: outdoor sales - front sidewalk)- - -Clerk read ordinance by title for the first reading. Item referred to Service Committee.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF .52+/- ACRES IN TRURO TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Marvin D. VanFossen and Janet Marlene VanFossen)- - -Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Baxter "Yea". Motion passed; Ordinance No. 66-06 adopted.

Meeting was adjourned at 7:45 p.m.

_____

William L. Hills, President of Council

_____

Nancy C. Frazier, Clerk of Council

(Minutes compiled by Ass't. Clk. of Council Susie Smith)