

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
September 8, 2008

President of Council William L. Hills called the meeting to order at 7:37 p.m.

Members of Council present: Leslie Kelly, Doug Joseph, Mel Clemens, Antoinette Newman, Donna Shirey, Ron Stake, Fred Deskins, Jr.

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

Minutes of the regular Council meeting held July 28, 2008 were approved without objection.

Mr. Hills: Item#6 Approval of the Agenda, we have four additions to the agenda: Item #11 will be Purchase of Salt (Joseph, Safety); Item #12 will be Repavement of Rodebaugh Road (Joseph, Safety); Item #13 will be Consortium and the bidding, or the questionnaire (Clemens, Service); and Item # 14 will be OBES (Stake, Finance). Does anyone have any additional changes to the agenda? If not, is there a motion to modify the agenda? So moved by Mr. Clemens. Second by Mr. Stake. All in favor say "Aye". (All voted "Aye") Opposed. (No response). It is modified. Thank you.

Item#7. Community Comments and Requests. This is the opportunity for people to address Council on items that are not on the Agenda. I do have two speaker slips. The first is Annie Bowen. If you would like to come to the mike and give us your name for the record, please. And we do try to limit our speakers to approximately three minutes.

Ms. Bowen: My name is Annie Bowen. My address is 28 3rd Avenue, SW, Pataskala, Ohio 43062. I have this for the Council - (Statement distributed to members of Council, and is attached). The first sheet is an email that I emailed Kroger Customer Relations on July 26, 2008, after I had received a criminal trespass warning from Reynoldsburg City Police, that summarizes an incident that supposedly happened there.

Mr. Hills: Ms. Bowen, if I could note, and you do have substantial attachments here, I want to clarify with both the Mayor and the Chief, you filed complaints against the Officers and they are currently being investigated?

Ms. Bowen: Yes, sir.

Mr. Hills: Then whether we like it, or not like it, we're not going to be talking about it. It is under investigation, and I'm sure that if I understand it correctly Chief, she will receive a copy of the report; and Mayor, I would ask that we have some response back once it's completed. And certainly you wanted to bring it to the attention, you have, it's just we can't get into a discussion back and forth.

Ms. Bowen: That's fine. I just wanted the City Council to know that it was just very upsetting to me and my family, even my nine year old son, very upsetting.

Mr. Hills: And I can understand that, and you've been able to express that, and I'm sure that when the investigation is completed, no one may agree with each other, but it's not one that we're going to taint in any way by going on with this discussion, okay.

Ms. Bowen: Thank you.

Mr. Hills: Thank you. Second witness slip I have is Richard Donovan. His issue, and Richard if you would come to the mike and give us your address, and it's a residency issue.

Mr. Donovan: Yes, Richard Donovan, 7502 Lismore Drive, Reynoldsburg, Ohio 43068. I'm here to talk about the hiring of City employees that don't live in the City. The situation that we have here smacks of reciprocity and cronyism and I for one feel that a lot of the citizens and residents of Reynoldsburg probably feel the same way that I do. They really don't appreciate the City's Administration misanthropic attitude toward the will of the people, that being the City Charter, leveraging some piece of Legislation that a bunch of politicians that probably have the benefit out of it, came up with it and personally, I don't care for it. Thank you.

Mr. Hills: I have been handed a third speaker slip, Jacqueline South. If you want to come again and Ms. South, we would remind you that we're trying to keep all comments under three minutes; we're lenient, I'm usually not accused of being lenient, but I was lenient on the first one and certainly we have talked with you a number of times, if you want to give us a synopsis of...you sure can (Ms. South had asked for the speaker slip), I would like to have it back so that we can note that you were here.

Ms. South: My name is Jacqueline D. South. I was here in April over safety and health hazards and code compliance dealing with Briarcliff Plaza owned by Plaza Properties of Columbus and ultimately Schottenstein's. I have taken over 500 photographs and shown a few to this Council of the health hazards that were in my apartment when I moved in, that are cat urine and feces all underneath a 27 foot floor in the living room. Bedroom and hallway are the same in just moderation but they were never treated. The living room was never treated properly.

Mr. Hills: You have told us all this before, so is there something you want to bring to us?

Ms. South: During this, I want the City to know that this had to do with my complaints now to the company that was fully paid for me by HUD, by CMHA through HUD. I have been evicted from, now and am homeless and have been sleeping on the streets of Reynoldsburg, on park benches now for five days, and been through the Court process, seeing an Attorney tomorrow. The Code Enforcement non-enforcement of Reynoldsburg and two assaults by the Manager of the apartment and Officer Caruso which has something to do with what the other lady said here backing up the manager on July 2, 2008, both assaulted me and left bruises all over both my arms and both my legs over a nine day period, they kept coming. My neighbors witnessed them, my friends witnessed them and they are photographed. These have not been prosecuted and at this time, before I left the apartment on the first of September, I called the Fire Department Chief and left a message on his voicemail stating that I had photographs of an older man in the apartment there who's been painting illegally in his apartment for a year and fourteen months that I've been

there. I have photographs of his paint cans open in a common hallway room of that apartment building, my floor where he had paint cans open, he had the rag bag there with all of his rags, he'd been spraying inside the room which is a storage closet for four different apartments. All the fumes came out, they came in my apartment. I've been diagnosed now with tumors since July 30th since, I was not here then, I was here in April and so I'm proceeding that way, but at the time I called the Police Chief and I said that this is some of the complaints of the Code non-enforcement that's been going here for quite some time and they're all aware of the man who drives the three-wheel bicycle around here and takes wood into his apartment and builds furniture, stains it, shellacs it and you know, we all share a common ventilation system in there so we all in the apartments get these kind of fumes from it and the Doctors at the Hospital, when they diagnosed the tumors, when they saw the photographs of the apartment, everyone in the Hospital at St. Ann's North, up on Cleveland Avenue, were just appalled that this has gone on and they gave me a notice right then to move out of the place so we're proceeding that way but today down at the Welfare Department, the Supervisor Caseworker down there told me other tenants, two others from down there have complained too of this and it's just an atrocity. It's atrocious, the conditions inside those apartments. I have 50-60 some photographs filed in a court case in Columbus right now that show my building beside my, between my bedroom window and my living room window that get soaked 6 foot wide with the rain, every time it rains, that's on the inside too and caused a lot of the mold. I've showed those to Code Enforcement, Chet Hopper and they've done nothing about it over the year.

Mr. Hills: Mrs. South, if I could have that form back please. Thank you. I have no other speaker slips as far as the Community Comments. Is there anyone else that wants to address Council on something that's not on the agenda? Not seeing any rush to go the mike, we'll move to the next item, Communications.

Communications- - Clerk read two reports from the Clerk of Court. (1) Monies collected from the Courts held during July, 2008, \$58,703. Also collected during that period pursuant to City Ordinances #146-94 and 104-02 - - \$3,503 for the Computerization Needs Fund; and \$160 for the Enforcement and Education Fund. (2) Monies collected from Courts held during August, 2008, \$48,639. Monies collected during that same period pursuant to Ordinances #146-94 and 104-02 - - \$2,764 for the Computerization Needs Fund; and \$100 for the Enforcement and Education Fund.

Motions:

Clerk read motion: That the Council of the City of Reynoldsburg does hereby reject the bids received on August 15, 2008 for the replacement of the roof at the Senior Citizens Center; and hereby authorizes and directs the Parks and Recreation Director to re-advertise for bids for the replacement of the roof at the Senior Citizens Center.- - Mrs. Newman moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Charles McGrath to serve an unexpired term on the Planning Commission; term will end January 14, 2012.- - Mr. Stake moved adoption; Mr. Clemens seconded. With the roll called, members

voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR STREET DEPARTMENT (Road Salt) AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Joseph moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 53-08 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH SHELLY AND SANDS, INC. NECESSARY TO COMPLETE THE RE-PAVING OF RODEBAUGH ROAD IN CONJUNCTION WITH TRURO TOWNSHIP; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Joseph moved adoption; Mrs. Kelly seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 54-08 adopted.

RESOLUTION AUTHORIZING MAYOR TO SIGN QUESTIONNAIRE REGARDING NOTICE OF INTENT TO PARTICIPATE IN CONSORTIUM BIDDING PROCESS- - Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; Resolution No. 55-08 adopted.

ORDINANCE TO APPROVE PAYMENT OF SERVICES PERFORMED PRIOR TO THE AUDITOR'S CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY (Unemployment Compensation)- - Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 56-08 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING SECTION 351.05 "DISPLAY OF ITEMS FOR SALE NEAR STREET." of Chapter 351 PARKING GENERALLY; and adding a new SECTION 1171.08 "OUTDOOR DISPLAY OF ITEMS FOR SALE" to Chapter 1171 GENERAL REQUIREMENTS- - Clerk read ordinance by title for the first reading. Mr. Hills set a Public Hearing for Thursday, October 2, 2008 at 6:15 p.m., prior to the Planning Commission Meeting, in Council Chambers.

ORDINANCE TO AMEND CHAPTER 174 PROCEDURE FOR SELECTION OF DESIGN PROFESSIONALS- - Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE AUTHORIZING CITY AUDITOR TO MAKE REIMBURSEMENT FROM THE

FEMA FUND TO THE STREET FUND, AND TO THE GENERAL FUND, FOR THE MARCH SNOW EVENT- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1103.05 "DUTIES AND RESPONSIBILITIES" Subsection (a) OF CHAPTER 1103 DESIGN REVIEW BOARD- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (e) of Section 1127.07 "Drainage" OF CHAPTER 1127 STANDARDS- -Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend the ordinance as redrafted 9-8-08; Mr. Stake seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; ordinance amended. Mr. Clemens moved adoption; Mr. Joseph seconded. With the roll called, members voted: Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea". Motion passed; Ordinance No. 57-08 adopted.

Meeting adjourned at 8:05 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council