

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
July 27, 2015

President Doug Joseph called the meeting to order at 7:30 PM

PRESENT: Joseph, Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

ABSENT:

Invocation - Councilman Cornelius McGrady, III.

Approval of Minutes

a. City Council – Regular Meeting – July 13, 2015

Minutes stand approved.

Approval of Agenda

Agenda stands approved.

Community Comments and Requests

Norm Brusk, 1861 Crosswick Court, Reynoldsburg: The reason I am speaking is in regard to the Huber Park master plan. I have a few questions. My understanding is we have completed phase one, which cost, according to the paper, \$16,000. My question is, what did phase one say, and what came out of it? Secondly, what will we get in phase two and will there be a phase three? Three, when will implementation of the plans occur, or will they be obsolete by the time everything is in there? Four, how much will implementation likely cost for the project? I would expect you could have a range without having phase two and future phases already in hand. And last, where and when will we have the resources to do this? I will let Council or the Administration answer, if they are willing.

Council President Joseph: Does anyone on Council have questions or comments at this time? Thank you very much.

Communications

CLERK OF COURT REPORT

Clerk of Court Report ending June 30, 2015.

Pursuant to Ordinances 146-94 and 104-02, total amount submitted \$33,493.00

Computerization Needs Fund: \$2,666.00

Enforcement & Education Fund: \$60.00

AUDITOR REPORTS ENDING JUNE, 2015

Departmental Budget and Budget by Classification ending June 30, 2015

Reports

LIQUOR PERMIT REQUEST SC BAR & KITCHEN (TRANSFER)

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Council President Joseph: SC Bar & Kitchen transfer, this is the one we dealt with during our Committee Meeting last week and we will let the Chief talk about what they have discovered.

Chief O'Neill: Thank you President Joseph, Members of Council, as stated last week, we have been working on the liquor permit for the new owners of Sunset Grill. We found some inconsistencies in their application once we started doing the background check, and we were not prepared to make a report last week. We have since completed the report and there are a couple of issues. The application lists co-owners as Malson Kim and her son Sean Chapman. They are both going to own and operate the bar. When we started to look into the investigation, we saw that Mr. Chapman had some convictions on his record that would be cause for concern, and possibly cause for denial of this application. He has a couple of OMVI arrests, two disorderly conduct charges, and two weapons violations on his record. Those, in and of themselves, would raise cause to object under Chapter 43 of the ORC. Additionally, on the permit, Ms. Kim misrepresents some material. In fact, she stated that neither her or Mr. Chapman had been convicted of a felony or misdemeanor. Obviously, when we talk about his record, there have been convictions in place. She also states on the application that she has never owned another permit, and Officer Bock was able to determine that, under a different name, Malson Park, she owned a bar called the C Note Bar, up around the Karl and Morse area in the 90's. Due to some record keeping issues within the enforcement branch of the Department of Public Safety, we were not able to ascertain whether there had been any violations. But, based on the fact that there are inconsistencies and misrepresentations in her application, we took that as a second cause for objecting to this permit. I can answer any questions.

Council President Joseph: Any questions for the Chief? We did prepare legislation in the event we would send this to a hearing. Would the Clerk please go over that?

Ms. Beggerow: The motion will state that the Council of the City of Reynoldsburg, does hereby request a hearing, on the request for a new liquor permit, Classes D1, D2, D3, D3-a, and D6. SCK, LLC, doing business as SC Bar & Kitchen and Patio at 1921-1925 St. Rt. 256 Reynoldsburg, OH 43068.

Motions

THAT THE COUNCIL OF THE CITY OF REYNOLDSBURG DOES HEREBY REQUEST A HEARING ON THE REQUEST FOR A NEW LIQUOR PERMIT- CLASSES D1, D2, D3, D3A, AND D6-- SCK LLC DBA SC BAR AND KITCHEN & PATIO, 1921-25 SR 256, REYNOLDSBURG, OH 43068. (B TRFO 7918845)

Councilwoman Kelly: I want to clarify the procedures. Are we denying the permit and stating it must go to a hearing?

Council President Joseph: Yes, if we had not taken any action, it would have stood approved.

Attorney Hood: Councilwoman Kelly, the motion that was just passed by Council, requests a hearing in front of the Liquor Commission. I will represent the City, and I will prepare the case

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with the Police Department and Officer Bock. I will present evidence to the Commission, in front of a hearing officer, and they will make the ultimate determination of whether or not the transfer goes through.

Councilwoman Kelly: Thank you.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mel Clemens, Ward IV
SECONDER:	Scott A. Barrett, Ward I
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

MOTION TO RECESS FOR THE MONTH OF AUGUST.

Council President Joseph: Council has traditionally taken an August recess, this motion is to take the recess and return on Tuesday, September 8th.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Leslie Kelly, Ward II
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

THAT WHILE COUNCIL IS IN RECESS FOR THE MONTH OF AUGUST, 2014, THE CLERK OF COUNCIL BE AND IS HEREBY AUTHORIZED AND DIRECTED TO RETURN ANY LIQUOR PERMIT REQUESTS RECEIVED, MARKING THEM 'WITHOUT A REQUEST FOR HEARING', AS LONG AS THE REYNOLDSBURG POLICE DEPARTMENT FINDS NO REASON FOR A HEARING. IF A HEARING IS REQUIRED, A SPECIAL MEETING OF COUNCIL WILL BE CALLED.

Council President Joseph: Again, this is something we have traditionally done each July so that we do not have to have an August meeting, unless required. Is there a motion to approve this item? Are there any questions or comments? Yes, Mr. Clemens.

Councilman Clemens: If a special exception use permit comes up, what happens if we do not bring it to Council.

Ms. Beggerow: I believe it needs to be heard at the next meeting.

Council President Joseph: Correct. The next meeting would be in September, so it would be on that time table.

Councilwoman Kelly: Could we confirm that with Attorney Hood?

Attorney Hood: I believe the language states that it would be presented at the next regular meeting, which is September 8th. However, if action for council would arise while you are in recess, we could notify you of the need to call a special meeting. It does not have to be for a

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liquor permit request, or a special exception use permit. Theoretically, anything we need Council to do, we can bring you back for an emergency measure. There is a mechanism in the Charter to do that.

Council President Joseph: We have done that a few times in the past. We have had a motion and a second. Would the Clerk please call the role?

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott A. Barrett, Ward I
SECONDER:	Dan Skinner, At Large
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

LEGISLATION REQUIRING ONE READING

65-15

A RESOLUTION SUPPORTING THE KEEP AMERICA BEAUTIFUL ORGANIZATION IN REYNOLDSBURG AND ESTABLISHING A KEEP REYNOLDSBURG BEAUTIFUL COMMITTEE. --- Kelly. Community Development Committee.

Council President Joseph: Yes, Councilman McGrady.

Councilman McGrady: Are we recognizing the presentation that took place two weeks ago?

Councilwoman Kelly: Yes, and their establishment of a committee.

RESULT:	ADOPT AS AMENDED [UNANIMOUS]
MOVER:	Leslie Kelly, Ward II
SECONDER:	Scott A. Barrett, Ward I
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

66-15

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE LEASE DATED AS OF DECEMBER 1, 2011 AND A FIRST SUPPLEMENTAL TRUST INDENTURE IN CONNECTION WITH THE \$9,000,000 HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2011 (WESLEY RIDGE RESIDENCE CORPORATION) PREVIOUSLY ISSUED BY THE CITY OF REYNOLDSBURG, OHIO; PROVIDING FOR AND AUTHORIZING CERTAIN OTHER MATTERS RELATED TO HEALTH CARE FACILITIES REVENUE BONDS ISSUED OR TO BE ISSUED FOR THE BENEFIT OF WESLEY RIDGE CORPORATION; AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

67-15

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR HUBER PARK MASTER PLAN PHASE 2, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

Council President Joseph: Councilman Clemens.

Councilman Clemens: First, I would like to thank the Mayor for the phase one report and for making the figures correct. My mistake was that I thought the final master plan would be separate, but it is in with the preliminary plan, and that's fine. I do think that after the master plan is down up, Council should meet, as well as the administration, so questions can be asked and problems settled. We should have a couple of weeks to think about the preliminary plan and the meeting should be open to the public. Council should be involved along with administration.

Council President Joseph: I too want to thank the Mayor for the documents. And, I would like, upon receipt of the phases, two weeks to fully digest before opening up for further dialogue.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

LEGISLATION FOR SECOND READING

68-15

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" SUBSECTION (F) "POLICE DEPARTMENT"; OF CHAPTER 160 EMPLOYEE COMPENSATION, AND DECLARING AN EMERGENCY. (FIRST READING 7/13/2015 ~ REQUESTS PASSAGE AS EMERGENCY AT SECOND READING.) --- Long. Safety Committee.

Council President Joseph: Councilman Long.

Councilman Long: Thank you, President Joseph. Prior to moving for adoption, I need to amend the redraft date of 07/13/2015, to add the emergency language.

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Council President Joseph: Councilman Long moves to amend. Seconded by Councilman Skinner. Questions or comments on the amendment? Would the Clerk please call the roll? Councilman Skinner: Aye; Councilman Barrett: Aye; Councilwoman Kelly: Aye; Councilman McGrady: Aye; Councilman Clemens: Aye; Councilman Cotner: Aye; Councilman Long: Aye; Seven affirmative votes, no negative votes, the legislation is amended. Councilman Long.

Councilman Long: Thank you President Joseph. I move to adopt as an emergency.

Council President Joseph: Councilman Long has moved to adopt as an emergency. Is there a second? Ok, second by Councilman Clemens. Questions or Comments? Would the Clerk please call the role?

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Mel Clemens, Ward IV
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

69-15

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH EMH&T TO DESIGN AND BID THE LIVINGSTON AVENUE IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY. (FIRST READING 7/13/2015 ~ REQUESTS PASSAGE AS AN EMERGENCY AT SECOND READING.) --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Mel Clemens, Ward IV
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

LEGISLATION FOR THIRD READING

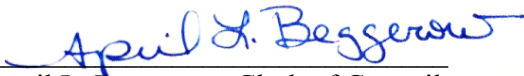
70-15

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PHOENIX DISTRIBUTORS, FOR THE TRADE IN OF CURRENT WEAPONS. (SECOND READING 7/13/2015). --- Cotner. Finance Committee.

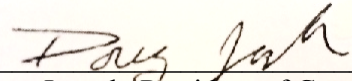
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AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

Adjournment



April L. Beggerow, Clerk of Council



Doug Joseph, President of Council