

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
July 27, 2009

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

Members of Council present: Ron Stake, Fred Deskins, Jr., Doug Joseph, Mel Clemens, Barth R. Cotner, Donna Shirey. Councilwoman Leslie Kelly was absent.

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

Minutes of the regular Council meeting held July 13, 2009 were approved without objection.

Mr. Deskins moved to amend the agenda by adding a Motion regarding liquor permits during the August recess. The amended agenda was approved without objection. Mr. Hills said the topic would be Item 10a.

Communications - Clerk read report from Clerk of Court: total monies collected from Courts held during the month of June, and also on July 2nd, 2009 - \$60,272; monies also collected during that period pursuant to Ordinance Numbers 146-94 and 104-02 - -\$5,694 for the Computerization Needs Fund; and \$200 for the Enforcement and Education Fund.

Motion: Clerk read Motion: That while Council is in Recess for the month of August 2009, 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. Mr. Deskins moved adoption. Mr. Joseph seconded. **With the roll called, members voted:** Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE FRANKLIN COUNTY BOARD OF HEALTH FOR 2009 INTEGRATED MOSQUITO MANAGEMENT SERVICES AND DECLARING AN EMERGENCY - -Clerk read ordinance by title for the one required reading. Mr. Deskins moved adoption. Mr. Stake seconded. **With the roll called, members voted:** Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 47-09 adopted.

ORDINANCE AUTHORIZING THE MAYOR TO SIGN A "Tactical Emergency Medical Services Team Memorandum of Understanding" with TRURO TOWNSHIP FIRE DEPARTMENT and DECLARING AN EMERGENCY - -Clerk read ordinance by title for the one required reading. Mr. Deskins moved adoption. Mr. Joseph seconded. President Hills thanked the Administration for the letter sent to all the other Fire Districts, and for copies of responses received by letter and/or email from each one. **With the roll called, members voted:** Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 48-09 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2009
SANITARY SEWER TELEVISIONING AND CLEANING PROJECT, APPROPRIATING FUNDS
THEREFORE, AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the
one required reading. Mr. Clemens moved adoption. Mrs. Shirey seconded. With the roll
called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens
"Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 49-09 adopted.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR SPECIAL COUNSEL
ACCOUNT (MAYOR'S OFFICE) AND DECLARING AN EMERGENCY- - Clerk read
ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Deskins
seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr.
Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed;
Ordinance No. 50-09 adopted.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR UNEMPLOYMENT
COMPENSATION ACCOUNT (GENERAL ADMINISTRATION) AND DECLARING AN
EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Stake moved
adoption. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr.
Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea".
Motion passed; Ordinance No. 51-09 adopted.

A RESOLUTION ACCEPTING, APPROVING AND RATIFYING THE SUBMITTED
RECOMMENDATIONS OF SEVERAL CITY OF REYNOLDSBURG TAX INCENTIVE
REVIEW COUNCILS.- - Clerk read resolution by title for the first reading. Mr. Stake moved to
amend the resolution by adding 'and declaring an emergency' at the end of the title; and by
changing the language in Section 3 to reflect emergency language. Mr. Clemens seconded. With
the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr.
Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; resolution amended.
Mr. Stake moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mr.
Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs.
Shirey "Yea". Motion passed; Resolution No. 52-09 adopted.

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
RUMPKE OF OHIO, INC. TO BE THE SOLE PROVIDER OF SOLID WASTE,
RECYCLABLE MATERIALS AND YARD WASTE COLLECTION SERVICES FOR WASTE
GENERATED BY RESIDENTIAL UNITS, MUNICIPAL FACILITIES AND DURING
SPECIAL EVENTS IN THE CITY OF REYNOLDSBURG, OHIO **AND DECLARING AN
EMERGENCY**- - Clerk read ordinance by title for the second reading. Mr. Clemens moved to
amend to the redraft date of 7-22-09; Mr. Joseph seconded. With the roll called, members voted:
Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea";
Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Clemens moved adoption. Mrs.
Shirey seconded. Mr. Hills said he had received a letter from one of the unsuccessful bidders. He
said he had also received a copy from both the attorney coordinating the bids, and also from Mrs.
Boratyn earlier in the evening, explaining that the bid being accepted is fine; that the Administration
had gone out of their way to get responses back and all would agree that Rumpke is certainly in the

best interest of the city. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 53-09 adopted.

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY GRASS AND WEED CUTTING COSTS FOR COLLECTION BY THE FRANKLIN COUNTY AUDITOR AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the second reading. Mr. Stake moved to amend to the redraft date of 7-23-09. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 54-09 adopted.

ORDINANCE AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY GRASS AND WEED CUTTING COSTS FOR COLLECTION BY THE LICKING COUNTY AUDITOR AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the second reading. Mr. Stake moved to amend to the redraft date of 7-23-09. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Stake moved adoption. Mr. Deskins seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 55-09 adopted.

ORDINANCE TO AMEND THE "CITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL" ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED, Chapter 6 Personnel Procedures, by adding Section 6.10 "Identity Theft Procedures" AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the second reading. Mr. Stake moved to amend to the redraft date of 7-23-09. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Stake moved adoption. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 56-09 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Addition of Subsection (d) "Portable On-site Deliverable Storage Units (PODS)" to Section 1171.06 "Accessory Use, Accessory Structure" OF CHAPTER 1171 GENERAL REQUIREMENTS; AND AMENDING TABLE 1155 "ZONING CODE FEES" - -Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend to the redraft date of 7-23-09. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No.

57-09 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Definition of "Child Day Care" in Section 1131.02 "Definitions" OF CHAPTER 1131

DEFINITIONS: And

"Table 1175.01 Permitted Uses and Special Exceptions, All Districts" of Chapter 1175 DISTRICT

REGULATIONS - - Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption.

Mr. Stake seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 58-09 adopted.

~~ORDINANCE TO ADOPT THE CITY OF REYNOLDSBURG OFFICE & INDUSTRIAL INCENTIVE PROGRAM GUIDELINES PREPARED BY THE DEPARTMENT OF DEVELOPMENT~~

AN ORDINANCE TO PROMOTE THE RETENTION AND CREATION OF COMMERCIAL AND INDUSTRIAL EMPLOYMENT OPPORTUNITIES WITHIN THE CITY BY AUTHORIZING AN APPLICATION FOR RELATED INCENTIVES AND THE CREATION OF AN INCENTIVE ADVISORY BOARD FOR THE PURPOSE OF REVIEWING SUCH APPLICATIONS AND MAKING RECOMMENDATIONS TO THIS COUNCIL.- - Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance to the redrafted version received from Attorney Franzmann via email on 7-14-09. Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; ordinance amended. Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed; Ordinance No. 59-09 adopted.

MOTION FOR COUNCIL TO RECESS FOR THE MONTH OF AUGUST - - Mr. Deskins moved that Council recess for the month of August. Mr. Clemens seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed.

Request by President of Council for an Executive Session to review collective bargaining strategy; and to discuss Imminent Litigation.- - Mr. Hills said an additional topic would be added for the Executive Session, which would be to consider dismissal and compensation of public employees. Mr. Deskins moved to recess for the Executive Session; Mr. Cotner seconded. With the roll called, members voted: Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Cotner "Yea"; Mrs. Shirey "Yea". Motion passed. Mr. Hills said those attending would be all elected officials, Clerk of Council, Attorney Marc Fishel. Mr. Hills said Council would reconvene only to call the roll and adjourn. Council recessed at 7:54 p.m.

Council reconvened at 8:48 p.m. With the roll called, members responding were: Mr. Stake "Present"; Mr. Deskins "Present"; Mr. Joseph "Present"; Mr. Clemens "Present"; Mr. Cotner "Present"; Mrs. Shirey "Present".

Meeting adjourned at 8:48 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council