

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
JULY 10, 2006

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

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

The Invocation was given by Mr. Stearns. Mr. Hills led the Pledge of Allegiance.

Minutes of the regular Council meeting held June 26, 2006 were approved without objection.

Mr. Hills removed Item 16 ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1756 and 1762 Brice Road, proposed use of land/structure - The Spot Family Fun & Billiards Club); applicant, Pat Manley - as the item had actually been returned to the BZBA for reconsideration.

Community Comments and Requests:

Mr. Hills: This is a part of the agenda where anyone who would like to address Council on items that are not on the agenda, have the opportunity. I do have three speaker slips. The first one I pick up here is Thomas W. Hartwell regarding community policing. Mr. Hartwell.

Mr. Hartwell: Name is Tom Hartwell. I'm from 7399 Sabre Ave. over here in Reynoldsburg. The issue is community policing. I've lived here in town for about 16 years. And I've heard of and have read, different things as far as community policing. It's been done in different areas around the country. In this town, we're looking at increasing taxes to add 3 more policemen. From what I've heard, in some of the areas that have implemented the community policing, they've actually decreased the number of policemen, and they've also decreased the crime rate by switching to the system. I've been here like I said, 16 years and I've seen the policemen around, and I've interacted with some of the policemen and they're very good. It's just that they're always rotating and stuff and so there's not any policemen that's in a specific area. So you always see somebody different every time. It's not like they have a, how do you want to put it, like a vested interest in that neighborhood. They're not assigned to a specific area. And that's one of the principles of the community policing system.

Mr. Hills: Okay. Thank you for your comments. Any questions of Mr. Hartwell? (No response). Thank you.

The second speaker slip is James Ackerman regarding burning camp fire in back yard. Mr. Ackerman.

Mr. James Ackerman: Everybody, this is about a camp fire being out doors, outside in the city here. And everyone enjoys the camp fire outside and I don't blame them. So as long as it doesn't affect someone's air space. I'm going to get kind of detailed so you know what I _____

. So any way, _____. Now, 30 years ago we had less living in Reynoldsburg. And in the last 20 years, we had more people crowded and close by. The houses only space out as far enough to keep the _____ from sitting down. I would assume that the Huber are pretty close, and the Brookside, and the old section of the Reynoldsburg. And new sections of the homes built, probably on Waggoner Road are more, a little bit more spaced out. So as you recall many years back, that we had been trash burning in the back yard, not that long ago. Probably about what, 15 years ago, 18 years ago we used to have trash barrel in the back yard and they used to burn their trash. They banned that because it was generating a lot of pollution and so forth. And so I can see having a camp fire at the camp site or country side or farm land, but not in the city where the apartments and houses are like so close together. What really makes it bad, at night you try to open your window and let some fresh air, and then it's all this smoke and smog coming in from the camp fire. And in some cases, your neighbor has complained and said they couldn't even sit in their front yard or back yard, which I experience that too because so much fire from their camp site which I'm figuring they don't know or they're disrespectful or they don't care. But there has been many times that the people with the camp fire have let their kid or their buddies throw in trash scrap. Plastic, styrofoam cups, and plastic which generates a lot of toxics to human to breathe that stuff. And you're not supposed to burn that any way but you know, when they're getting carried away with that camp fire, what happened is that they just do it you know. And then that starts floating in that low draft of the air and it's over where you're at, and then you breathe it. Now, I think what it is now, we've got new people living, but it only takes about a couple, or two, or three, and then it generates a lot of pollution. Now one isn't bad. But when you start having more than those people, that's where you had more generation of pollution coming your way or whatever way the wind carries it. So another thing that, I don't know but, when you burn wood like that, it's been laying around, mildew and molds are in it, and I don't know if I would even want to breathe that stuff in. But so, what I'm asking is, is there any way that they could try to either ban them from having that? I know it's going to make them mad but it's just creating a lot of pollution. So if you were living where I'm living and you want to open your window at night, or in your front porch, what are you going to do? And I get a lot of headache from this stuff. So I'm hoping maybe that you're able to have some control over that. I don't think they have a law on that here as I know of. I know they can do something about factories but they can't do anything about people burning that stuff in their back yard. That's all I have.

Mr. Hills: I think there are. And I'm going to ask the Mayor if he has any comments. But I think there are some regulations on open burnings.

Mayor McPherson: Yeah. We'll be more than happy to provide the copies of the ordinances that are in place on that. This is the first complaint that I'm aware of since I've been Mayor. So you know, if there are others, I don't know if they're complaining to the Police Department, but usually if there's any complaints, I hear about them. But our ordinance is pretty strict really about what you can and can't burn.

Mr. Ackerman: Okay.

Mayor McPherson: But no one's contacted us until tonight. So we'll see that the ordinances are sent to the gentleman.

Mr. Ackerman: Yeah. It's a new generation of people living here and that's what's happened. And I never noticed it either until this year. It's gotten worse. So okay.

Mr. Hills: Well, I think there are a number of open burning _____ being sold too for use along those lines.

Mayor McPherson: Open burning regulations.

Mr. Hills: But certainly, the Mayor will get to you a copy of the ordinances as they are. And certainly, if the ordinances are on the books, they are enforced.

Mr. Ackerman: Okay. So you see _____ that something will be done about it or something like that?

Mayor McPherson: No. I'll send you the copy of the ordinance. If you have somebody specifically that you think is burning in violation of our ordinance, what the ordinance says, then all you need to do is call us and let us know and we'll talk to them.

Mr. Ackerman: Okay. Because I know, in another city they were talking about, they could talk to the people. Now it does create more problems. One, they're not worried about. When it's several of them, then they said they could talk to them to reduce the pollution from the smoke. But I don't know what the laws here are.

Mr. Hills: The third speaker slip I have is Shirley Archer regarding taxes, schools, building.

Ms. Archer: Thank you. I did check out the, what I thought were apartments there this week and those places are up for sale. So they must be condo's now. So any way, my concern in this community is taxes. And that's school taxes. You're asking for us to vote for something in August, and I understand we're going to be voting possibly for something again in November. Taxes because of schools, because of the influx of our children. More children come from approval by Council as I understand it because you keep approving houses and apartments being built. I think I asked about 5 or 6 years ago, how much possibility there was going to be for any more building here. And I think I was told then, maybe 700 more houses. And then if we start annexing, that's more schools coming in here, more kids coming in here, because maybe they don't have schools where you're going to annex. And when does this stop? I mean, I'm all for, and I think a lot has been done to bring commercial property in here, and we still have commercial property sitting over there that wasn't approved for commercial, which I don't understand that to date, and we need that. But all you keep doing, and please correct me, and please inform me of what the future holds here with this Council, as far as more apartments, more homes, which means more schools, which means more taxes. And I've paid about all the taxes I'm going to pay for schools. And so do a lot of people here. I've paid for all the children I want to pay for schools. I don't know when it can come to the fact that the parents here in this city and any city can start paying their own way for the children. It's sort of like being on welfare. You come in for welfare, and we pay you for two children. We can't tell you how many you can have. But my God, we certainly can stop paying for any more than two. So my whole concern is home building,

apartment building, that brings more people in here. If it's, I think it's Sub 8 home building. So can someone enlighten me on when this stops? Or have we run out of property yet?

Mr. Hills: Does anybody want to address that? Mayor, do you want to? Mr. Clemens, do you want to say something?

Mr. Clemens: Yeah. I don't know basically what you're talking about stopping. We don't zone for apartments. I mean, that's one thing that we've fought and are not going to do. The ones you spoke of, of course are condo's. I don't like the looks of them but they are condo's. I've been here a long time. If we would have stopped having people come in, I raised 5 kids and paid for them going through school, and I never was wanting to stop people from wanting to move to Reynoldsburg. That's why we've increased from 1,000 when I started here to 35,000. All the other communities, people want out of Columbus. They want a good life. They want to move to a community. We've never had the idea to stop building of homes. We don't build that many. People talk, we only built I think, 110 last year compared to other communities. We probably won't build that many this year. And that's not very many houses. We do have to keep the economy going in Reynoldsburg. We don't want to end up like Bexley. We don't want to end up like Whitehall. Whitehall is in terrible shape as far as finance is concerned. That's because they can't grow. Bexley can't grow. Their finances are terrible. I for one, am not for having a gated community and not allowing more people in Reynoldsburg. As far as school taxes, they have School Board meetings and there is a School Board. Those are the ones you should speak to about their taxes. Their increase and what they're doing and so forth, and how they're constructed, and how they're building, and how they're spending their money. We don't control that.

Ms. Archer: You can _____ to a point.

Mr. Clemens: As far as the taxes that we're going to put on, it's for safety, and it's only ½ percent. Nothing compared to what the School Board is going to put on. We're putting ours on for a reason and we've stated that the last time. And I think everybody else here has stated in the newspaper. We don't build apartments. And I would not be voting for apartments. But also, I would not stop home construction. I like children moving into Reynoldsburg. Maybe some people don't. I do. And I'm proud that I raised my family here and I'd like to see other people raise their families in Reynoldsburg. I paid for my children. Somebody helped me pay for those children. I intend to help pay for the children that other people have. And I'm almost 75 years old. I'm no different than anybody else. I'm retired. I'm almost your age. I believe in our school system, and I want our children to have as much as they can, and the best really. And I realize it's hard on us but, you have to stay up with the other communities. You have to give a good education for these children or we're going to have nothing. I think it's wrong to sit back and say, I raised my children, now let somebody else pay for theirs. Because somebody always paid for my education, and somebody else always helped pay for my children's education, and my grandchildren's education, and my great grandchildren's education. And I intend to help pay for somebody else's education. And that's how I feel about it. We're not planning on building 1,000 homes like we did 20 years ago. We have slowed down, and we will continue to slow down. But I agree with you, we should have no more apartments. I have a strong feeling on that.

Ms. Archer: You're saying you've built 100 homes in what period of time?

Mayor McPherson: Last year.

Mr. Hills: Last year it was actually less than 100 permit.

Mayor McPherson: It was 103 I believe.

Mr. Clemens: And it will probably be less this year.

Mr. Hills: And the year before that was just a small number over the 100. And now I don't think we're anywhere near that.

Mayor McPherson: We won't hit 100.

Mr. Hills: So, you add the numbers together, we're going to be under 300 homes in the last 3 to 4 years.

Ms. Archer: So it must be some, a lot of people that are already here are having a lot more children.

Mr. Clemens: They're quite active.

Mayor McPherson: That, we can't control.

Ms. Archer: I know that. But they keep saying, it's over crowded, and over crowded, and it's getting more children.

Mr. Clemens: If you look at Reynoldsburg, we're one of the few communities that have one high school. Westerville has two and is going to go for another one. Dublin has three and is going to build another one. Hilliard's got three and are going to build another one. Grove City's got three. Gahanna's only got one. So that's in Gahanna. And there are very few cities our size, because we did have a low spot as far as having children. We have a lot of young people now and I know I supplied the city with 5 of them real quick like. I think some of these...

Ms. Archer: You're the problem.

Mr. Clemens: I was quite active.

Mayor McPherson: I had to pay for Ward IV myself.

Mr. Clemens: It's just one of those things. Now our grade schools are starting to catch up with our high school. And that's what's causing the situation.

Ms. Archer: How many children are in the schools?

Mr. Hills: I'd rather have the School Board address that. We don't determine what levy's go on for the school. The School Board and City Council are two totally different animals entirely.

Most of the property taxes you pay, the school derives the benefits from that. The income taxes that are paid comes to the city. So if you ever looked at your property tax break down, you would be shocked at the amount of property tax money that goes to the city. Most of it goes to the schools. It's a very small percentage, and that's just the way it is. But you bring up the fact that the city does have a tax increase. Yes they do. And it's up for August 8. And what it's doing is, bringing Reynoldsburg in line with basically, almost in line with any other city. It's still going to be lower than most cities. And this money, these monies, and when you talk about schools, these monies are dedicated to the safety forces and the street programs. Nothing can be done to pay off any current debt of the city with these new tax dollars. These new tax dollars are dedicated. And they're on income tax. Therefore, if you're on pensions, retirement systems, you are not going to be taxed. You will not see a difference at all. So it's a very beneficial, I'm not going to say taxes are beneficial, it's a very necessary tax. When you heard the reference to community policing earlier, and I would suggest by the way, that you may want to talk to the Police Department. Because I think there are some efforts on, and there is some community policing being done. I think maybe there's a misunderstanding of where they are and how they are. The bike patrols and the number of different things that are along that line. But as you said, we don't see them in the neighborhood, well, you've got to have enough to get to the neighborhood. And that's where the problem is. As we increase, I certainly would think that you'd see maybe the same face more often because we don't have to stretch it as far. But that's where those tax increases are going. Those officers on the street. The number was made of three. Three's not the number. There's so many mis-statements going on. I think the number of officers on the street for next year is six new. Not three new. And then more after that. So it's a staged thing. But the school taxes...

Ms. Archer: So when the school tax goes on to be voted on, City Council has no part in it?

Mr. Hills: Absolutely. Absolutely not. That's not before us for discussion, consideration, or anything else. Just as they didn't come to us to talk about the discussions on the increase of the income tax by the half percent. They're two total separate entities. But now, their forums are all open, and you'll be able to speak to all of the board members. Dick Ross himself will be there. So some of these statements you're making, raise to them. And I suspect what they feel is good justification and answers. But it is an open forum as it is here so you can bring up those issues there.

Ms. Archer: Your control really starts with the building part of it. The building of apartments.

Mr. Hills: Mr. Stake.

Mr. Stake: Thank you. Ms. Archer, I just want to point out that we don't have total control over the building part because the City of Reynoldsburg boundaries and the school district boundaries are not the same thing. There's building going on outside the City of Reynoldsburg where children come to Reynoldsburg schools. So Reynoldsburg City Council has no control over approval of that at all.

Mr. Clemens: They have their own district.

Mr. Stake: They have their own district and it's not the same as the city's boundaries.

Ms. Archer: But they come to our schools.

Mr. Stake: They come to the Reynoldsburg School District. Yes.

Mr. Clemens: If you'd look over in the section over around Brice Road, McNaughton, over there, you'd see a bunch of those homes that are in the City of Columbus. The children go to Reynoldsburg schools. So there's sections like that. Although that's not Reynoldsburg, people think it is, but it's not. Their children go to Reynoldsburg schools. And I have noticed, and I've noticed in our neighborhood, like I said, we had a lot of children, we've always had a lot of children around, then they all grew up, and then for years there weren't any children. And I notice now as they're getting older, a lot of people go to the old golf school up above and new young people are moving in, and we have children there now which we didn't have for maybe 10, 15 years. Younger people are moving in. So I think that happens all over the older sections of town. Because you know, a lot of us are going, or going to be going, and they bring in younger people and they come in with 2 or 3 children. So I think that has started the schools to grow again where we laid dormant there for a while. These young people don't lay dormant. So it's a different story.

Ms. Archer: Thank you for your point.

Mr. Stake: And I believe those Dominion Homes up on the north side, off of Lancaster Avenue where it turns into Reynoldsburg-New Albany Road, that's Reynoldsburg School District. But that's the City of Columbus. So all those new homes will be part of Reynoldsburg schools.

Mr. Clemens: That's a lot of a promise.

Mr. Hills: Mr. Baxter.

Mr. Baxter: Thank you, President Hills. And I commend you. You see the dynamic of the building of homes and how that affects the schools, and you've also heard that we've been rather responsible I think as a Council in that matter. But we also have great schools. And when you're surrounding Columbus and we're looking at the schools, they're in there saying, I want to come somewhere where I have great schools and my child has a chance. Reynoldsburg, and Westerville, and Gahanna, and all these surrounding cities have great schools. So that's what's happening. Looking out there saying, I want my child to have a chance. They're coming to our city. And so as Councilman Clemens and President Hills all said, we have younger families moving in, so we do have a bigger burden on our schools. And like Councilman Clemens, I have kids in school now, and I plan on paying for them, and I will be paying for the next set of kids, hopefully my grand kids to go through that same school. Thank you.

* *

Mr. Baxter commented about how nice the Fourth of July parade was.

Communications-- Clerk read report from Clerk of Courts; total monies collected from courts held during June 2006, \$30,499. Monies also collected during that period pursuant to Ordinance Nos.

146-94 and 104-02- -\$1,914 for the Computerization Needs Fund and \$275 for the Enforcement and Education Fund.

Reports:

Mayor McPherson presented a Proclamation to Paul Walsh, Parks and Recreation Director, for July 2006 being National Parks and Recreation Month. Mr. Walsh then introduced the new Senior Citizens Assistant, Judy Doran. Mr. Walsh also gave a report on partners and sponsors of the department.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby adopt the Resolution of Support for the D.A.R.E. Program of the Reynoldsburg Police Department as referred to in the resolution signed and dated July 10, 2006; and authorizes the Reynoldsburg Police Department to apply for the annual D.A.R.E. Grant for the 2006-2007 school year. Mr. Baxter moved adoption. Mrs. Shirey seconded. All voted "Aye". Motion passed.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR VEHICLE MAINTENANCE DEPARTMENT AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 54-06 adopted.

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 first reading. Item referred to Service Committee.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF .60+/- ACRES IN TRURO TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Wesley S. Mendenhall)- -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE AUTHORIZING ENGINEERING SERVICES FOR INSTALLATION OF A 24" WATER MAIN ON EAST BROAD STREET FROM WAGGONER ROAD EAST TO THE TAYLOR ROAD TANK YARD; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the second reading. Mr. Clemens moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 55-06 adopted.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (7435 East Main Street, proposed use of land/structure - Upholstery - Auto Related Business); applicant, Dave Hines- -Clerk read ordinance by title for the second reading. Mr. Clemens moved suspension of the CRC Section 4.04 three reading rule. Mr. Stake seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; rule suspended.

Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 56-06 adopted.

RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF REYNOLDSBURG, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2007 AND DECLARING AN EMERGENCY- -Clerk read resolution by title for the third reading. Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Resolution No. 57-06 adopted.

Mr. Hills said there was a request for an Executive Session by President of Council to discuss imminent litigation. Mr. Baxter moved to recess for Executive Session; Mr. Stake seconded. Mr. Hills said those attending would be elected officials, and the clerk. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed. Mr. Hills said following the Executive Session, Council would reconvene only to call the roll and adjourn. Council recessed at 8:25 p.m.

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

Meeting adjourned at 8:48 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council
(Transcribed/S. Smith, Ass't. Clerk of Council)