

SPECIAL MEETING
REYNOLDSBURG CITY COUNCIL
June 30, 2014

President of Council Doug Joseph called the meeting to order at 9:01 a.m.

Members of Council present: Leslie Kelly, Cornelius McGrady, III., Barth R. Cotner, Chris Long, Dan Skinner.

Approval of Agenda

CONSIDER THE REPEAL OF ORDINANCE 29-14 JOINT ECONOMIC DEVELOPMENT ZONE CONTRACT BY AND BETWEEN ETNA TOWNSHIP AND THE CITY OF REYNOLDSBURG, OHIO.

Mr. Hood: Thank you President Joseph. We've had many discussions regarding this item. What this would effectively do would repeal, as you said in the title, the Ordinance authorizing the Mayor to enter into contract with Etna Township to create or to propose to the voters to create a joint economic development zone. As you know, and as I've advised you, the state law has changed since the time that we had passed our contract, and as you're all aware, we also are embattled in litigation regarding the contract at this moment. What this would do is give us the opportunity and the Plaintiffs in the law suit have indicated to us that they would be willing to dismiss this law suit against the city and not seek any monetary compensation from the city or the township if we were to repeal the contract. I also feel very strongly since the state law has changed and as I've advised you in the past, that I think our position regarding the lawsuit was a defensible one because we entered into contract at the time we did and we abided by the statute as it existed at the time that we did. But it's very clear, as you'll see in the whereas sections of the proposed ordinance in front of you today, that the State Legislature in the General Assembly has changed the rules regarding the JEDZs and made them much more difficult and spoke specifically to folks that are in our position where we have a contract that was adopted by the legislative bodies but have not yet been sent to the voters for approval. They passed it with an emergency clause, making it effective upon the Governor's signature which he did sign the first week of June, so it is now the law of the land. If you would allow me to perfect the record, as we would say in my realm, I would like to read the whereas portions of the proposed ordinances into the record. If there are no questions before hand.

Mr. Joseph: Proceed.

Mr. Hood: WHEREAS, On May 5, 2014, The City of Reynoldsburg and Etna Township entered into contract pursuant to Ohio Revised Code Section 715.691 for the purpose of creating a joint economic development zone with the intent of sharing in the costs of improvements for the JEDZ and to facilitate new and expanded commercial and economic development in the State of Ohio, and to create and preserve jobs and employment opportunities and to improve the economic welfare of the people located in the Township and the City; and

WHEREAS, in order for the proposed JEDZ Contract to become effective, it must be approved by a majority of voters in the Township; and

WHEREAS, the Board of Etna Township Trustees have caused the Licking County Board of Election to hold a special election to be held August 5, 2014 for this purpose; and

WHEREAS, On May 28, 2014, The General Assembly passed Substitute House Bill 289 as an emergency measure that imposes stricter procedural requirements for a proposed JEDZ prior to its submission to the electors for approval. Under H.B. 289, a JEDZ proposal may not be approved or submitted to the voters until after a joint economic development review council consisting of seven members, including representatives of the four largest businesses in the Zone, convenes a public meeting and approves the economic development plan for the JEDZ as being in the best interest of the Zone; and

WHEREAS, Governor Kasich signed H.B. 289 into law on June 5, 2014; and

WHEREAS, Section 1 of H.B. 289 is now codified as R.C. 715.691(G); and

WHEREAS, to implement the new requirements of R.C 715.691 (G), the General Assembly mandated that the parties to a proposed JEDZ Contract that has not been submitted to the electors as of the effective date of the statute “shall recall the contract from the county board of elections and comply with H.B. 289’s new procedural requirements for approving a JEDZ contract”; and

WHEREAS, The City of Reynoldsburg and Etna Township must repeal the enacting legislation that created the proposed JEDZ Contract passed on May 5, 2014 in order to comply with R.C. 715.691(G).

Now, therefore be it ordained by the Council of the City of Reynoldsburg, counties of Franklin, Licking, and Fairfield, state of Ohio that, and then you have the enacting legislation. Are there any questions?

Mr. Skinner: Jed, are we in the clear in your opinion with Etna Township?

Mr. Hood: Yes we are. They are actually, thank you for asking that question, they are acting tomorrow. There was, the first indication was they were going to meet today, however, I believe, their 5th Monday protocol is to delay their meeting by 1 day, and they’re meeting actually tomorrow. What I would propose to do and what I’ve discussed with the Mayor is, once you pass this as an emergency today, it would be presented to the Mayor but will be held and not signed into law until the Board of Etna Township Trustees meet and pass their resolution acting in the same.

Mr. Joseph: Other questions? Any additional discussion on the legislation? Ok, is there a motion to.. you want this as an emergency correct?

Mr. Hood: Yes, there is an emergency and statement of necessity are twofold. One that we must repeal this based on the language of the new version of the statute and second, as you know the Licking County board of elections are making preparations for that special election hold on August 5th, that would cease. After the resolution at the Township is passed and our Ordinance

is passed so we don't want to make those folks continue to do any more work than is necessary because the election will be terminated. There will be no need for an election.

Mr. Joseph: So motion by Councilman Long to pass it as an emergency, second by Councilman Skinner. Any questions or comments?

Clerk called the roll: Mrs. Kelly "Aye", Mr. McGrady "Aye", Mr. Cotner "Aye", Mr. Long "Aye", Mr. Skinner "Aye".

Mr. Joseph: Ok, that's 5 affirmative votes, 0 negative votes, will be Ordinance 46-14. No further business before this Council, at this time we will adjourn.

Adjourned 9:08 a.m.

Doug Joseph, President of Council

April L. Beggerow, Clerk of Council