

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
June 26, 2017

At Large Chris Long called the meeting to order at 8:09 PM

PRESENT: Clemens, Cotner, Long, Skinner, Luzader, Spalding

ABSENT: Cicak, Joseph

Invocation - Councilman Brett Luzader

Approval of Minutes

Minutes stand approved.

- a. City Council – Public Hearing – June 12, 2017
- b. City Council – Appeal Hearing – June 12, 2017
- c. City Council – Regular Meeting – June 12, 2017

Approval of Agenda

Mr. Long - Moving Item 10A to the end of the council meeting. Adding Items 11G through 11K, which are the City Charter Amendments that were submitted from the Finance Department.

Community Comments and Requests

Prajul Karrarah - 8257 Kingsley Drive, Reynoldsburg, OH - Purpose wanting to know how we can put a smoking ban on public parks in Reynoldsburg, Ohio.

Mr. Long - You can speak to the City Attorney along with our Parks and Recs Director, Donna Bauman. They can draw something up and bring it to council.

Chris Albanies - 550 Oakwood Ave, Columbus, OH 43205 - Purpose here is to inform you about a fantastic ballot issue campaign that will be on this November election. It's called Marsy's Law. Marsy's Law for Ohio is a citizen initiated constitutional amendment that will be on this November's ballot. This is a grass roots coalition of individuals across the state who have collected signatures to submit to the secretary of state. The only way for a victim to have their rights enforced, if it is infringed upon in the court, is to have a higher court overturn the hearing instead of back down to a lower court for a redetermination to put that victim in the way of that tragedy one more time. Marsy's Law simply gives the victim, the victim's attorney, or the prosecutor the ability to petition the court to hold those rights true. Marsy's Law has 87% informed ballot polling.

Mr. Long - I have read the information on this and naturally this is a non up or down environment, but Chief O'Neill has been involved in it as well. If you have any questions I would advise you to speak with him.

Communications

CLERK OF COURT REPORT

The Clerk of Court report was read into the minutes.

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AUDITOR'S REPORTS, MAY, 2017

The Auditor's Report was read into the minutes.

Reports

None

LEGISLATION FOR FIRST READING

68-17

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 190.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX OF CHAPTER 190 INCOME TAX EFFECTIVE JANUARY 1, 2016; AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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74-17

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A (NO COST) LEASE AGREEMENT WITH TAYLOR SQUARE OWNER, LLC., 250 CIVIC CENTER DR., SUITE 500, COLUMBUS OH 43215 AND DECLARING IT AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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75-17

ORDINANCE AUTHORIZING MAYOR TO PURCHASE VIPER 911 AND RELATED EQUIPMENT FOR THE REYNOLDSBURG POLICE DEPARTMENT AND APPROPRIATING FUNDS THEREFORE AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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76-17

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AN INTERGOVERNMENTAL WORKING AGREEMENT WITH THE CITY OF COLUMBUS. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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77-17

ORDINANCE AUTHORIZING MAYOR TO PURCHASE SIERRA WIRELESS MODEMS AND RELATED EQUIPMENT FOR THE REYNOLDSBURG POLICE DEPARTMENT AND APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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92-17

AAN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT BY AND BETWEEN ETNA TOWNSHIP AND THE CITY OF REYNOLDSBURG, OHIO AND DECLARING AN EMERGENCY. (SECOND READING 7/10/2017, PUBLIC HEARING 7/31/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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70-17

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 4.14 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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69-17

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 8.04 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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71-17

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 7.01 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Charter Review Commission.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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72-17

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 7.02 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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73-17

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 4.11 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY. (FIRST READING 6/26/2017).

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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LEGISLATION FOR SECOND READING

64-17

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 6/12/2017). --- Long. Safety Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Luzader, Spalding
ABSENT:	Cicak

80-17

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1187.07 RESIDENTIAL APPEARANCE STANDARDS OF CHAPTER 1187 SPECIAL PROVISIONS FOR RESIDENTIAL USES. (SECOND READING 6/26/2017; PLANNING COMMISSION 6/1/2017). --- Luzader. Service Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:33 PM
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81-17

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 1183.05 STANDARDS FOR DEVELOPMENT REVIEW OF CHAPTER 1183 PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT AND SECTION 1184.05 STANDARDS FOR DEVELOPMENT REVIEW OF CHAPTER 1184 PLANNED COMMERCIAL DEVELOPMENT DISTRICT. (SECOND READING 6/26/2017; PLANNING COMMISSION 6/1/2017). --- Luzader. Service Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:33 PM
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78-17

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING, PLANS, ADVERTISING, AND TO PREPARE BID DOCUMENTS FOR PINE QUARRY BRIDGE REPLACEMENT AND APPROPRIATING FUNDS THEREFORE. (SECOND READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/10/2017 7:45 PM
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79-17

RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF REYNOLDSBURG OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND DECLARING AN EMERGENCY. (SECOND READING 6/26/2017). --- Cotner. Finance Committee.

RESULT:	REFERRED TO PUBLIC HEARING	Next: 7/10/2017 7:45 PM
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65-17

ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH BLACKLICK PROPERTIES LTD. FOR A REYNOLDSBURG POLICE SUBSTATION; AND DECLARING AN EMERGENCY. (FIRST READING 6/12/2017). --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Brett Luzader, Ward II
AYES:	Clemens, Cotner, Long, Skinner, Luzader, Spalding
ABSENT:	Cicak

LEGISLATION FOR THIRD READING

66-17

ORDINANCE AUTHORIZING THE CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. - PARKS & RECREATION DEPARTMENT. (SECOND READING 6/12/2017). --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Luzader, Spalding
ABSENT:	Cicak

LEGISLATION FOR ONE READING

67-17

67-17 : A RESOLUTION APPROVING AN APPEAL FROM THE BOARD OF ZONING AND BUILDING APPEALS IN PART AS IT PERTAINS TO THE WALL SIGNAGE; AND DENYING THE APPEAL AS IT PERTAINS TO THE MONUMENT SIGN; APPLICATION 176211 BY EVANS CAPITAL INVESTMENTS.

Mr. Snowden - I reviewed the minutes from your last meeting and I was present at the original BZBA hearing where the variance was denied. I want to put a couple finer points on the situation. We are approving a size increase, but the applicant is entitled to some signage. Here is what they are entitled to per code (Chapter 1193 of the zoning code) 18 square foot for a wall sign and 20 square foot for a ground sign. What they are proposing is 50 for each. The distance the building is from the road and the size of the building seems to give justification for allowing the increase in the size of the wall sign. There seems to be less interest in increasing the size of the ground sign above what is permitted by the code. What I want to be completely clear is what council and what BZBA previously was being asked to approve is the size of the signage area. The applicant has provided a couple different versions where they've revised the sign style and some materials based on comments that were heard from both the staff, Director Havener, myself, and BZBA. They still have to get design review board approval for specific materials and a specific design. What the council is being asked is, are they justified in having the variance given this additional request for additional sign area.

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Justin Scalf with One Stop Signs, 2502 SR 131, Goshen, Ohio - Acting as agent representative for Dollar General at 7578 E Main St - We are asking to go up to 50 square feet. The two walls that you see, one being the laterate 50 square feet, but the smaller set is actually 18 square feet, against a frontage that's 80 linear feet you can see it's pretty minimal. In terms of composition of the property, were more than a 100 feet plus back from road way. In the nature of the historic signage allowances, I think the idea would be that the structure would be closer to the road way and fit the kind of historic composition. In this case we have a commercial development that is over 100 linear feet back from the road way. This creates a situation where we have minimal wall signage and really low visibility. The 50 square feet is an attempt to achieve the most visibility in terms of the wall sign. With the monument sign the 5 x 10 is 50 with a 1 foot base. Just the face itself is 50 square feet. The 3 x 6 is representative of what will be allowable in that area. You can see that the 3 x 6, the visibility is very difficult in terms of the property. There is a soft sloping grade to the front of the commercial space. As a result, 18 square feet is really limited for drivers. There's kind of a compromise a 4 x 8 that would be 32 square feet. I think that would be the sign that I would seek out for tonight in terms of a compromise with the city. The materials will be matching composite brick, architectural features like a crescent at the top of the structure, awnings, brick on the monument to match, and gooseneck lighting. Instead of doing internal LED lighting method, they've gone with indirect lighting for both above and below the signage.

Mr. Long - We don't want very large signs blocking the view of the historic district as you're going down the road. You haven't been approved for a monument sign. They're are specific designs that Eric can show and there's no way you're going to hang a 50 square foot sign from it. It just physically won't work, but once again those type signs and their design are specifically intended to continue to enhance our historic district not with the inside backlit type signs.

Mr. Clemons - I see no reason why you want such big signs to start with. I drive that road everyday. I can read the signs on the buildings that are back there. Once we start this, there's not stopping. You can't make exceptions for you and not make exceptions for other people. It's in the historical district and we had these laws put in here for a reason and I think we should stand by them. The part I don't understand, things haven't changed and what you brought to us the last time on whether you wanted one or whether you wanted two. I suppose tonight you're representing yourself for two. We're not discussing one.

Justin Scalf - My understanding with the BZBA was that because both signs were jointed together that the project was an overall denial. I was hoping that with the separation of the elements, separating both wall and monument would result in a vote this evening. And we could have an indication that the wall was going to fly. In terms of the monument, we can continue to negotiate and work through that, but on the wall tonight Michael wants to see whether or not the 50 square feet will be approvable by council.

Mr. Clemons - I don't think you will have any problem negotiating if you go back to what you're allowed to put up. Put up the size of sign that we require and you will have no problem building your building.

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Mr. Long - Two weeks ago the general discussion carried a consensus of the fact that we understood the distance of the building from the road and the plans that were submitted to us looks appropriate and it's very well done on the building. It was the signage on the street.

Justin Scalf - We can come back on the monument, but in terms of the wall I'd like to get into a discussion about materials.

Mr. Long - Mr. Snowden, what would be there process?

Mr. Snowden - I have provided our chairman with some conditional language that would allow the application to be approved, but it would only approve the wall signage portion. The applicant would not be able to apply for a variance for a period of 1 year. I'll have to double check that. They would only be able to stick with the existing size permitted for the ground sign, but they would be welcome to try again for a variance for just that item in the future. In the meantime, they would be able to move forward with a certificate of appropriateness from the design review board for the ground signage, proposing it met the area requirements for the code and with the wall signage for materials.

Mr. Long - We're going to meet you half way.

Unknown* - The signs in that same area, Donato's, O'Toole's. What are those sizes?

Mr. Snowden - Donato's sign is at least 50 square feet, which was meeting the sign regulation that were in place at the time that was constructed. At that time, the historic regulations were not in place. The signage for the businesses west of the proposed Dollar General, those are 32 square feet and the panel for the Carnival Ice Cream, which is the most recent business that opened, is 20 square foot non-illuminated panel, because that meets the code requirements.

Mr. Long - We're proposing this store to be how many feet back from the right of way?

Unknown* - At least 150 feet back from the road way.

Tammy Schuler - 925 Henderson Rd, Columbus, OH 43220 - Dollar General is bringing a lot of the amenities that the historic district overlay would like because they have the walkway, the bike rack. We're trying to bring a tenant into the community that people will use and want. I think the amenities add to the discussion.

Mr. Clemons - If you drive by it, there's no problem reading the signs that are up back there. I don't see the problem. We have a code that was put there for a reason. It's the historical district. Once we start chopping it up like spaghetti, you might as well forget about the code because it will go from one thing to another. I'm here to represent the city. I'm not here to represent you.

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Justin Scalf - If we were outside the historic district we would have a linear ratio that would determine the allowance for wall signage. Typically areas would consider the amount of frontage that one has within a space. I know this is historic, so I know that we have a standard set size here. We have an 80 foot frontage in the space that's much more sizable of a structure than the other tenants. In terms of visibility, industry standards say that for every bit you move text back, you want to increase your size.

Mr. Long - I'm making a motion to overturn the decision of the BZBA and approve Application # 176211 on condition that no increase in the size of the ground signage will be permitted.

Unknown* - If you would like to grant their appeal in part as to the wall signage on the building and deny it in part as to the ground signage, the monument sign that we've been referring to, I think that is more a proper motion if that is the chairmans prerogative.

Mr. Long - That is what I received in wording on that.

Unknown* - To approve the appeal in part and deny the appeal in part, I think is the most appropriate way.

Mr. Long - I will retract my motion, since we didn't have a second on it at the time.

Mr. Long - I'm changing the resolution as it was presented.

Mr. Luzader - For clarity, to make sure exactly what wall size we are talking about. Is it 50 square feet?

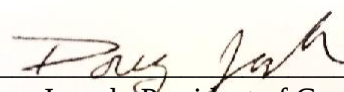
Mr. Long - Yes, it's in the application.

Mr. Long - I will make a motion to grant and approve in part the wall signage, but to deny in full as to the monument or pedestal sign.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Chris Long, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Long, Skinner, Luzader, Spalding
NAYS:	Clemens, Cotner
ABSENT:	Cicak

Adjournment




Doug Joseph, President of Council

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April L. Beggerow, Clerk of Council