

MINUTES COUNCIL MEETING  
REYNOLDSBURG CITY COUNCIL  
May 27, 2014

President of Council Doug Joseph called the meeting to order at 7:30 p.m.

Members of Council present: Barth R. Cotner, Chris Long, Dan Skinner, Esq., Scott A. Barrett, Leslie Kelly, Cornelius McGrady, III., Mel Clemens.

Approval of minutes of regular Council meeting held May 12, 2014.

Approval of Agenda

Add Special Exception Use Permit for 6153 Radekin Road added as item 11a. All voted "Aye" on the change. Motion passed.

Community Comments and Requests:

Kurt Keljo, 1306 N. Jackson Ave.: What I'm going to say first may make me lose all of my credibility. What I'd like to ask you to do today is raise my taxes please. I really would like you to do that. I'm really tired of reading in the paper how we're struggling as a city to meet our budget and I know that we've always prided ourselves as a city at least as long as I've lived here. I'm not being a lobsters and steak kind of city I'm making do in kind of a middle sort of way. But as best I can tell that the city right now, we're on a starvation diet. We do not have enough revenue to maintain where we are and we seem to me, just my perception to be a city in decline and as a resident of this city who loves this city, I've lived here for 20 years, that's depressing. It's just hard. And I wish the citizens of this city had seen fit to raise the income tax on the people that work here, they chose not to do that, you can't do that. I work outside of the city so please raise my taxes if that's what you need to do please do that because I think we need the money I truly believe that in my heart of hearts. It's not like I'm rolling in the jelly so to speak, it's not like I have a lot to give, but whatever little I need to give, I'm glad to do that for the sake of community and I believe that's what the community needs, so please do what you have to do. I know it's hard, I know you'll take heat, but you have one citizen and my wife's with me that says please do it because I think you need to. Second thought, I hope you'll reconsider the funding for the Senior Center Parking lot. I know it's not entirely surprising, I've been up here before honestly, but I'd like to talk about it just from a different point of view maybe than I've come at it before. We've already invested a lot of time and money on this, we've spent \$21,000 on design, I've spent a lot of time professionally and personally and other of people have spent a lot of time in it, if you don't vote for it, all of that is wasted. For the want of \$10,000 all of that goes out the window and there is nothing to show for it. Similarly, you can get this, someday that parking lot is going to have to be replaced. You can patch it, you can patch it, but I've got some jeans at home, I can't patch those suckers anymore, I gotta throw them out. There is a time when that parking lot is going to have to be replaced. We can replace it cheaper now with this grant than we can if we don't. We can save money by doing it now rather than waiting. In addition, we have potential for alienating a grantor. Believe it or not, grantors do not like to give money back. Once they give people money, they expect the people to use that money and if you go back to them for more money, they'll say, why should I give you more money now? We gave you money before, you just gave it back. There are other communities who have gotten hundreds of thousands of dollars from the OEPA for projects. Gahanna's doing a project right now, stream restoration project, that's going to protect condos in addition to restoring a stream. It's not just that these are environmental projects, they also help communities deal with problems. If we give this money back, we run the risk of having a harder time getting money in the future that we may want for another purpose and so we run the risk of alienating a grantor. And it seems to me, if we move forward with this, we will have something positive to show for

it. If we just don't do it, I don't know what positive will come out of that. The best that I can imagine is quote, unquote saving \$10,000, but we've already spent money that will be wasted at that point, more money that will be wasted and there will be nothing to show for it. There will be nothing that people can point to and say, "oh we did that", there will just be nothing and a lot of effort and excitement will have gone down the tubes. So please reconsider that. Thank you very much.

Mr. Brusk; Yeah I have a question.

Mr. Joseph: I'm asking questions of Council at this point. Just fill out a slip and submit it.

Mr. Barrett: Quick comment. Thank you very much for coming up there and talking about bellying up for the tax, unfortunately, people aren't too forthcoming about those issues and that is appreciated by all of us up here. And I appreciate your input on the parking lot frankly. That could have maybe been brought up last week and maybe that would have been helpful so thank you.

Mr. Kelijo: Thank you. I didn't know what was happening last week otherwise.. that's my own fault. Thank you.

Mrs. Kelly: I would just like to say that I would really appreciate it if we could bring it back up to have conversation, unfortunately I was unable to be here last week and I would love to be able to throw my vote out there along with everybody else, I feel that this is an important project for the community.

Mr. Joseph: That would be up to Chairman Cotner if he wants to bring it back up.

Mr. Cotner: I believe, if I'm not mistaken, it had to come from someone that voted against that, I can't bring that back up.

Mr. Joseph: I'm saying if you wanted to bring it back as new legislation.

Mr. Cotner: I'll talk to the City Attorney and clarify.

Mr. Joseph: There are multiple ways it can be done if Council wants to take another look at that.

Mr. Barrett: In my opinion, I think it's fair, if she's requesting that I think it would be fair, at least from my seat so...

Mr. Cotner: would you like to bring that back up again to us Mr. Barrett? Sponsor that legislation?

Mr. Barrett: Yes, let's do that.

Mr. Cotner: Ok, thank you.

Mr. Joseph: Any other questions on this item? Thank you very much. Mr. Brusk, name and address for the record.

Norman Brusk, 1861 Crosswick Ct: I'm addressing this towards Mr. Joseph, I want to know why you did not stop the gentleman speaking and I have nothing against what he said, I in fact, 100% agree with it, but I want to know why you did not stop that when 2 weeks before you did just the opposite, when there were no other speakers while tonight we have multiple speakers. That's all I have to say. That's under 3 minutes isn't it?

Mr. Joseph: Any questions for Mr. Brusk?

Mr. Clemens: None for Mr. Brusk, but possibly for you, you can't choose..

Mr. Joseph: I was keeping time, it went slightly over by 15 seconds, I was about to make a notation when he concluded his remarks.

Mr. Brusk: It was 4 minutes, that's not seconds.

Communications:

Mrs. Beggerow: Receipt of the Auditor Reports YTD Fund Report, Budget by Classification Report and Departmental Budget ending April 2014. Also the Clerk of Court report showing total amount submitted of \$46,795.00 and monies collected pursuant to Ord. 146-94 and 104-02 Computerization needs fund \$3,445 and Enforcement and Education fund \$25.00.

Mr. Joseph: Any questions on that? Thank you.

Reports:

Report of the Ad Hoc Committee to Study Chapter 505 ~ Stephen Smith, Jr., Chairman

Steven Smith, 10 W. Broad Street, Suite 2300, Columbus, Ohio: First I wanted to thank you for the opportunity to serve on the Ad Hoc committee and to be here to present to you our recommendations. I would like to recognize, in the audience, several of our committee members are also present tonight. We worked hard and spend a lot of time going over this and hopefully we've put together what we would consider a comprehensive recommendation for you to consider. One thing I do want to note and I want to apologize, I know that many of you just go the recommendations tonight. I'll be honest with you, that was all my fault, I was on vacation and when I got back on Friday morning I didn't get them done until Saturday and didn't get them out so I apologize for you not having the time to review them that you wished. As I said, our committee spent a lot of time reviewing Chapter 505 and we ended up going through provision by provision actually twice. The first time to throw out ideas and the second to finalize them. We had 5 separate meetings, none of them lasted less than 2 hours, April confirmed to me, in fact she said we were pushing 3 hours a couple of times, she was very quick to remind me of that. We gathered a lot of information and we did a lot of work even outside of our committee meetings, I know there were a bunch of emails that were exchanged, you know, exchanging ideas, gathering information, so it was, I thought very productive and we had public comment, we had members of the public who gave us their thoughts and suggestions. The recommendations you have before you, you should have 2 different sheets, the first should be a red line version to show our recommended changes, the second should be a clean version of that, just frankly a lot easier to read. I think when you look at our recommended changes, I think the theme that you will see was that we really looked at how to address the problem. We really looked at frankly what I think was the problem from our eyes was publishing the animals and the folks that cause the problems within the city and I think that when you look at how we put together our recommendations, I think you'll see that theme. I think we focused on both the bad behavior of the animals and the owners and we tried to really make this easier. I know one of the first comments we had at our committee meeting was hey this is really hard to read and our

thoughts were we could do better. Now as you know, you enact legislation every week, sometimes legislation isn't drafted in a way that the everyday person would understand and we tried to at least simplify the things that we thought could be simplified without stripping away their meaning. I will tell you, I talked with Mr. Hood this morning and obviously this is just our recommendations, I know he probably hasn't had time to review these to see whether they'll meet any type of legal standard and I'm sure he will do so for you. One of the things in doing this, like I said, our recommendations will focus on is the bad behavior of both people and animals. I think a lot of what we heard was that a lot of the incidents that were discussed and brought up as examples were, in my mind, and this is just me and I'd hate to speak for the committee members here, because that's probably not fair, but my impression was a lot of it was bad ownership that caused a lot of the problems. I'm not going to say it caused all of the problems because I'm sure there are animals that are just bad also because that's just how it works, so we tried to focus on that. A lot of our recommendations are for increased penalties for certain offenses and like I said really focusing on the offender. What I would like to do is briefly highlight some of the recommendations we have for you and then I'd be happy to answer any questions that you have.

Just going through it in order in the definitions section, I know one of the, I hate to say hot topics because I think all of these merited discussion in our committee meetings, but one of the big focuses was how the city defines vicious and or dangerous. The recommendation for the committee and it was not unanimous, and frankly a lot of the recommendations for you, what you have is a compilation of what a majority of the committee members thought. It wasn't unanimous, we had a lot of discussion and there was a lot of very differing opinions on this. The ultimate recommendation which we have set in front of you is to go to a breed neutral legislation, where the focus is going to be on the behavior of the dog and the behavior of the owner and not based on any type of breed. I know such a recommendation may or may not be popular, I'm not really sure, but you know, in looking at it, the committee, as I said, a majority said that they thought it was the way to go based on the information that we heard and the information that we gathered through our committee. The fact that it's consistent with state law, frankly makes it easier to enforce also. A couple of the other changes, not much else in 505.01, some of the other clean up definitions are just as a result of recommending breed neutral legislation, for example the change in the definition of serious injury from serious physical harm, just to be consistent with state law. 505.02, is really just change from another section just to make it more clear. 99% of what is listed in 505.02 is already in your code where it lists the permitted animals, the only addition we made there was chickens. Once again, probably not 100% popular decision, but a majority of the committee members did vote in favor of that. 505.03, the animals running at large, there was, if I'm not mistaken last January, I think this body did tweak the leash law just slightly. The committee is actually recommending going a little bit further with that, beyond the prior legislation to really go to a leash law. The reasonable control/direct control I think gave us pause in terms of ambiguity and enforcement a leash law does not. Minor things like we want the person holding the leash to be able to control the dog, just simple things like that we wanted to try to work into the code. We recognized the invisible fences/underground fences that people have so that was codified in terms of that some type of control, and I think the big change in the section is increasing the penalties as the violations progress so that if you have one individual who has multiple violations, the penalties are going to get more severe. Again that goes back to our theme of punishing the bad owners and or the bad animals. Section 505.04 is a new section

regarding tethering of animals. We heard a lot during our public comment of issues of unattended animals who are tied up outside and we used actually a draft from, maybe the city of Cleveland, I can't remember specifically if that was where it was from, as a guide here to put restrictions because we felt that animals who were left unattended outside for long periods of time a. can be a nuisance to neighbors and b. could pose a hazard, so we thought that having these tethering type restrictions would help those types of issues. 505.05 Impounding, we are recommending a provision that a dog should, if they are impounded they could be checked for microchips, that previously is not done. Right now I don't know that the city has the technology to do so which is why we phrased it as if feasible. We also heard a lot of testimony regarding Trap, Neuter, Return and right now, how the code is written, that really wasn't an option, however, we put it in here at least as an option, is permitted or just frankly the city's decision if you were to adopt this recommendation if you wish to do this, however, this at least allows that option. 505.08 is a new section. We felt that having a provision against keeping or training animals for fighting would be a good thing to have. 505.09 frankly we just cleaned up and made it a lot simpler in terms of abandoning animals. We thought that you could say in one sentence what the previous ordinance did in about 15 and still hit the main issue. The killing or injuring of animals, like I said just kind of clean that one up and increase the penalties. 505.13 chickens, this was one we debated for a very long time and ultimately we are recommending you to allow chickens in residential neighborhoods with restrictions. Most of the restrictions settle on the number, where the coops and/or habitat for the chickens may be located, obviously no roosters, pretty sure neighbors would really dislike that. And then we also have a registration requirement so the city would know the residential units that have chickens. 505.13 poisoning of animals, we are recommending eliminating that. We could not come up with a scenario by where you couldn't cite someone for either killing or injuring an animal so we thought that that kind of covers poisoning. Cruelty to animals, we just cleaned it up and made it a lot shorter. We thought that the first several provisions kind of really addressed all of the cruelty that we could come up with and then the penalty we would recommend increasing that. A couple of other issues, barking or howling dogs, we tried to clarify what constitutes a violation there. It's always a tough one. The health risk animals and the exotic animal stuff in here, we spent time reviewing recent changes to state law for exotic animals and felt that the state law provisions frankly are very comprehensive and would be very hard to replicate in this and still keep it short and readable. So what we have done in those provisions is recommend that you just adopt a single provision that says, follow state law and any violation can still be prosecuted locally so you don't lose the ability to bring those folks to Mayor's Court if you have that issue. Animal bites, the only thing is we're recommending a change to make sure that the animal is vaccinated before it is returned. Riding and animal on sidewalk prohibited, we were hard pressed even with the Chief's assistance to come up with a scenario where we're going to have that problem, other than parades, which we figure on parade day, things are kind of different anyway because streets are closed and you may have horses on the street. Exotic animals, like I said 505.33 recommended change which we think would still allow you to cite these types of violations locally, while not incorporating all of the provisions in state code because that recent change because of the Zanesville incident really was comprehensive. 505.35 I think the one point that I'd really like to make there is we'd really like to recommend that you keep the ban on vicious dogs and vicious animals. We just recommend the change in the definition of vicious. As it's written right now, if I'm not mistaken, that the vicious is the old state standard which is cause injury to human being. We've had, my understanding is we've had several bites where a dog would be declared

as vicious and they're still located in the city and I think a lot of it is going to come down to enforcement, but we still recommend that you continue to ban, just with a different definition of what constitutes a vicious animal. I think that's really the highlights that I have, some of it, the fees, we just recommend relating to a fee schedule as opposed to having a number right here. But I think that's pretty much the highlights of the recommendations of the committee and I would be happy to answer any questions you all may have.

Mr. Joseph: thank you very much for your report. I have just one general question and it kind of covers all of the areas where you dealt with penalties, where you increased in penalties, did the committee talk about enforcement? Because a lot of these are no brainers, you know, if someone knows they have a dog that bit someone, they know they'll be in violation of the law, but other things like when you made changes to, like, the running at large, the tethering animals and the penalties imposed there, most people are never going to know about those kinds of details in the city law. Was there any discussion on whether there was any practical way to get out information to the public with regard to these changes, particularly things that most people might be violating on a daily basis and not even realize it.

Mr. Smith: And that's a great question, and we really dealt with enforcement on the other side and that is we had the Chief who was unbelievably helpful in kind of talking through these issues with us and could tell us hey this is practical, this isn't practical. In terms of a communications strategy to convey this information to the public, we didn't really go into detail sir to be honest with you.

Mr. Joseph: Ok, I'll open it up to questions.

Mrs. Kelly: I just have a quick question. When you're looking at animals running at large, looking at 505.03 (d) regarding the underground fences. It says it should be in the rear yard, you can use it in the rear yard, so I'm assuming not in the front yard, and then at the front of the 505.03 (a), it says no person being the owner as defined in section 505.01, of an animal or animals shall permit them to run or traverse at large upon any public space, upon any unenclosed lands, or upon the premises of another without the consent of the owner of such property of the municipality. So just again, that whole idea of kind of communication for everybody and understanding, is the intent there, when you guys discussed it, that people couldn't have their dogs in their front yard unless there was an actual fence around there or they were tethered.

Mr. Smith: Or a person controlling the dog via leash. Our concern with animals at large in front and side yards and even when you look at the underground fence and tethering, we were concerned about dogs who would bother and/or come close to pedestrians who may be walking on the sidewalk which is why we have limitations in terms of keeping them further from the sidewalk and property lines so that people could walk the sidewalks without being accosted, but yes, our intent was if the dog is going to be tethered or outside unattended via electric fence, it would be in the back yard and would not be in the front yard. That was our recommendation.

Mr. Joseph: other questions.

Mr. Long: this item will be referred back to the Safety committee for discussion. I've had an

opportunity to review this and discuss this with the City Attorney's office, they are projecting with their current work-loads and the incredible work that you guys have done and I'd like to say thank you to you and all of the Committee members, I understand the value of community service and I greatly appreciate everybody putting the time in there. This item will be on the Safety Committee meeting for its first discussion on June 16<sup>th</sup>.

Mr. Joseph: Any other questions? Ok. Thank you very much, we do have several slips, I'll just go in the order they were submitted and we are going to adhere to 3 minutes each.

Lori Schwartzkopf – 6450 Red Coach LN, Reynoldsburg, Ohio 43068: As a representative for Citizens for a Breed Neutral Reynoldsburg, I wanted to thank City Council Members for agreeing to evaluate Chapter 505 via an Ad Hoc Committee. The members of this committee have expended considerable time and effort to review this Chapter for its value in promoting safety to Reynoldsburg citizens as well as offering best practice guidance for animal owners. We hope that you will take their efforts and recommendations seriously. I wanted to let you all know that Citizens for a Breed Neutral Reynoldsburg will be sponsoring a website for dog owners. The domain will be ReynoldsburgDogs.com and it will state current city legislation plainly so that everyone can understand it. It will also provide a focus for responsible dog ownership—stressing the importance of vaccination and licensing and spaying and neutering. We intend to list current dog amenities such as dog friendly parks, events and business in the city as well as in contiguous cities. While we hope that we will not need to provide information regarding the city's current breed ban, we do currently have plans to include a detailed section with scientific evidence regarding the ineffectiveness of breed specific legislation and a dog owner's constitutional rights. We will make those that visit the site aware of Citizens for a Breed Neutral Reynoldsburg and our goals of having a breed neutral city. Our hope is that this website will be a go-to place for current and especially new residents as well as businesses. We may have a blog to keep people current on hot topics like low-cost spay neuter, rabies shots and more. We think this site will be of great value to a city that has not exactly shown a lot of love for its dog-owning community.

Tammy Nortman, 5428 Autumn Place, Dayton, Ohio: I have 2 issues that concern the current law as it will stand until this committee makes its decision on how it will proceed at this point. One is the disparate impact or enforcement and I'm glad President Joseph brought that up because there is a disparate enforcement of the vicious dog law in Reynoldsburg. I went through every single police report regarding animal complaints, pit bull complaints or harboring of a vicious dog from 2010 and I mapped them on a very nice map of Reynoldsburg that was provided to us from the city and if you look at the map, you're going to see that there are a significant portion of pit bull citations and that is simply harboring a pit bull, no bites, no running loose, simply harboring a pit bull in certain sections of this town specifically off of Brice road. However, in 2012 there were 7 dog bites to people in the City of Reynoldsburg. None of them were pit bull type dogs, none of them were cited. In 2013, there were 6 dog bites to people, also not pit bulls, also none of them were cited. In 2014, as of right now, there have been 2 dog attacks to other dogs and they were not pit bulls and there has also been an attack on a human, none of which were cited, however, there have been over 40 citations for harboring simply a pit bull in the neighborhood of Brice Road, up to Main, down to Livingston over to Lancaster, in the same time period. There was actually one call where it was a domestic violence call out this year, and there was no citation for domestic violence, even though there was a visible injury,

however the woman, who was the victim, was cited for harboring a pit bull. The second issue I have is the continuing lack of due process that is available to the citizens of Reynoldsburg who own dogs. There are people in the audience tonight who have been cited for owning a pit bull and have been told they have 7 days to get rid of this dog or they will be cited. That is in violation of their constitutional rights. You cannot take away their property without giving them the right to a hearing. I know that everyone on City Council knows this, I know the Police Chief knows this and the Ad hoc Committee was great in listening to our issues and addressing it in their recommendations to you. You give them notice of the fact you're going to take their property, but they're not allowed to have a hearing on whether or not their dog is even a pit bull. In the future, at least in the near future while the City Council takes this recommendation under advisement, and the Safety Committee takes the advisement, I would ask that City Council address the issue specifically with the disparate enforcement of this particular section of your ordinance as well as the due process violations that are continuing to go on in the city. Thank you.

Mr. Joseph: any questions?

Mr. McGrady: Young lady, the map that you made reference to, would you happen to have that on computer?

Ms. Nortman: No I do not, but I can figure out a way to scan it it.

Mr. McGrady: Please do because I would like to have a copy of that.

Ms. Nortman: Absolutely.

Mr. Joseph: if you would just submit that to the clerk and she can distribute that to Council. Any other questions?

Mr. Skinner: Chief, do you have some thoughts on the increase from last year to this year and also some of the things that their mentioning whether or not you have knowledge or....?

Chief O'Neill: without delving into the scientific analysis of each one of these, I can tell you that probably better than 90% of our animal complaints or animal reports that are taken are complaint driven which means that someone in the neighborhood, if it's a pit bull complaint, someone in the neighborhood calls up and says, my neighbor has a pit bull it's in the back yard, someone has to come and look at it. That's how we respond to these things. With regard to the bites, now we don't have a dog warden or animal control officer and haven't for several years, when we go to an animal bite, generally, the bites are not really serious, we haven't rushed anyone to the hospital or made the news with regards to that this year, and we allow the victims family, if it's a child or adult, we ask that person specifically, do you want to file charges on this one. If they say no, I just want to make sure my medical bills are taken care of, I want to make sure that, you know, they pay for this, and this is on the record that this dog came into my yard and bit me, that's what we do. So with regards for that, if they're not asking for us to cite them out of a dog bite, they just want it on the record, that's what we do. As far as the number of actual harboring vicious dogs, that's almost universally complaint driven.

Ms. Nortman: However, these complaints are anonymous, which is another issue that I will be addressing because I will be with every case that I have, I will be filing a motion for the police department to deliver that information about who the anonymous complainant is so that we can proceed with trial or motions and that particular case which we do have the right to do because that's the whole reason the police showed up at my clients' front door in the first place. And the second thing is simply, when he's talking about complainants, every single one of the pit bull complaints that come in and are cited for harboring a pit bull are listed as society as the complainant, and I believe society would complain about...

Chief O'Neill: Actually society is listed as the victim, not the complainant.

Ms. Nortman: Thank you.

Mr. Joseph: Other questions? Thank you.

Doreen Buchler, 1685 Pickering Court: I've been coming to these meetings probably since around January, every other week and a lot of what I've heard from residents is they don't appreciate people coming into our city telling us how to run things. I for one greatly appreciate what Lori and everybody behind me has done. I especially appreciate the Ad Hoc committee. I appreciate you guys for forming it. They did their best and they did a very sincere job at researching the information on both sides for the majority and tried to get information to give you guys so that you could make an informed decision as how to better proceed with this because in my opinion, as a dog trainer, as a dog owner, if you only look at one issue, being the pit bulls, you're not seeing all of the other issues that are causing problems. So I greatly appreciate the work that they did and I hope that you take the sincerity that they did in looking up these issues and looking at both sides of the issues, they did a lot of research. You can tell by how much they put into this report that they took a lot of time and energy out of their own lives to look at this, so I hope that you guys can do the same. I love living in Reynoldsburg, I'd like to continue to love living here, but I'd like to be able to own whatever kind of dog that I want, as long as I'm a responsible dog owner that shouldn't be a problem. Thank you.

Mr. Joseph: Any questions.

Bruce Sowell, 6345 Rygate Drive: I was also a member of the Ad Hoc committee. Yes we did a lot of work and I have done a lot of research on my own as well. This thing they still don't get is that they don't speak for the victims. There are a lot of victims that have horrible horrible wounds, bites, disfigurements and stuff that their rights wouldn't cover. As I tried to be an objective member I tried to listen to the committee and listen to the stuff all I have heard is the same story. As I researched information across the country it was the same script. It seems like they go with the same script. Instead of coming to the people and putting this on the ballot which they know would go down in flames. They come in and try to bully council and try to get their way. I am not an advocate of the breed. I have done some research in depth on the breed. After looking at the countless cases across this country-This is not a good fit for Reynoldsburg. I too live here. The majority of the Ad Hoc committee didn't. That is the big difference. I think the vote came down to 3 to 4 with the people that did live in the city and supported this idea. I think

it is a bad idea. It continues to be a bad idea. Especially in all the neighborhoods we have kids and children. If maybe I wanted to sell my house. . The person looking at it moves in next door and sees that there are 4 pit bulls there and I have kids here. They don't want to do that. I just recently read an editorial out of the city of Aurora, Colorado. It dealt with the same situations here. These dogs are not only hazardous to kids which most of the attacks happen with kids. Some adults here recently . . . three weeks ago we had 3 different attacks on 3 different days. This happened in Columbus. Our law works. It has worked. That's why you don't see the bites. They can bring up all the statistics they want and I can bring up all kind of statistics. The real fact that this law was put into place was for safety. These dogs do not have constitutional rights like she says. We have a constitutional right here ourselves. Dogs in the state of Ohio per definition are property. Property can be regulated for the safety of this community. This is something we have to look at. If you want to own that dog-own it someplace else where they permit it. I can't sit back and say I was part of granting this thing when you are not looking at the big picture. They do have due process. If they don't like the ruling here they can take it downtown. Every citizen has that opportunity so it is not about due process. Our officers have a lot and our safety officers have a lot to do on any particular day versus trying to be dog catchers.

Mr. Joseph: Thank you. Are there any questions for Mr. Sowell? Yes Councilman Clemens.

Mr. Clemens: I don't have a question for Bruce but that's fine Bruce. I think it is time to go back to the committee and I do want to make a point. I respect what the committee has turned into us but I think it is time to go back to counsel and time for us to decide what is going to be done. I don't care to listen to something I have listened to for ten months over and over again. We have it in front of us now it's time for council to start making some decision on what should be done. I don't think it is beneficial for either side to repeat and repeat. We have it here. It went through Ad Hoc committee. It is time for us to study it now and decide for the citizens of Reynoldsburg on what we should do and shouldn't do. That's how I feel about it because I don't tend to sit and listen to this over and over again. I can tell you that right now. We've got ten months of it, we've got an Ad Hoc committee now we need to make some choices and decisions and I respect it being in the safety committee and now it is time to move on.

Mr. Joseph: Any other comments? Seeing none this will be referred to the safety committee for consideration on the date that councilman Long indicated. That moves us to legislation requiring one reading. Would the clerk please read item 10 by title?

#### LEGISLATION REQUIRING ONE READING

ORDINANCE AUTHORIZING MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH KIDDIE ACADEMY OF REYNOLDSBURG REGARDING THE OPERATION OF "CAMP ADVENTURE", A SUMMER DAY CAMP, AND DECLARING AN EMERGENCY. ---Kelly. Community Development

Mrs. Kelly: This comes from the Community Development Committee and I would like to move adoption as an emergency. Second by Mr. Barrett.

Clerk called the roll: Mr. Cotner “Aye”, Mr. Long “Aye”, Mr. Skinner “Aye”, Mr. Barrett “Aye”, Mrs. Kelly “Aye”, Mr. McGrady “Aye”, Mr. Clemens “Aye”. 7 affirmative votes, 0 negative votes, Ordinance 35-14.

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#### LEGISLATION FOR FIRST READING

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 759.06 “License” OF CHAPTER 759 SECONDHAND DEALERS.--- Cotner. Finance.

Mr. Cotner: This comes from the Finance Committee and I would like it to stand for its first reading and return to committee.

Mr. Joseph: Item 11a that was added the SEUP Application for 6153 Radekin Road. Mr. Clemens would you like this to stand for its first reading?

Mr. Clemens: Yes let it stand for its first reading and refer to Committee.

Mr. Joseph: Unless there are questions or comments, this will stand for its first reading and be sent to the Service Committee.

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#### LEGISLATION FOR SECOND READING

A RESOLUTION TO WAIVE THE PROVISION OF SECTION 971.16 OF THE CITY’S CODIFIED ORDINANCES FOR THE 2014 TOMATO FESTIVAL. (1<sup>st</sup> reading 5/12/2014) --- Kelly. Community Development.

Mrs. Kelly: This comes from the Community Development Committee and I would like it to stand for its second reading and return to committee.

Mr. Joseph: Unless there are questions or comments, this will stand for its second reading and return to the Community Development Committee.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH COMMERCIAL FITNESS SOLUTIONS, INC., FOR THE PURCHASE OF RECONDITIONED TREADMILLS. (1<sup>st</sup> reading 5/12/2014) --- Long. Safety.

Mr. Long: This item comes from the Safety Committee and I would like it to stand for its second reading and be referred back to committee.

Mr. Joseph: Unless there are questions or comments, this will stand for its first reading and be sent to the Service Committee.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE DURACO DURAPATCHER FOR THE STREET DEPARTMENT. (1<sup>st</sup> reading 5/12/2014)--- Long. Safety

Mr. Long: This item also comes from the Safety Committee and I would like it to stand for its second reading and be referred back to committee.

Mr. Joseph: Unless there are questions or comments, this will stand for its first reading and be sent to the Service Committee.

ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE REAL PROPERTY AND APPROPRIATE \$10,000 TO ACCOUNT 110.448.5601 AND DECLARE AN EMERGENCY. (1<sup>st</sup> reading 5/12/2014)--- Cotner. Finance.

Mr. Cotner: This comes from the Finance Committee and I would like to move adoption as an emergency. Second by Mrs. Kelly.

Clerk called the roll: Mr. Cotner "Aye", Mr. Long "Aye", Mr. Skinner "Aye", Mr. Barrett "Aye", Mrs. Kelly "Aye", Mr. McGrady "Aye", Mr. Clemens "Aye". 7 affirmative votes, 0 negative votes, Ordinance 36-14.

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#### LEGISLATION FOR THIRD READING

ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND TO ACCOUNT 110.111.5362 FOR DONATED MONIES RECEIVED. (2<sup>nd</sup> reading 5/12/2014) --- Cotner. Finance.

Mr. Cotner: This item comes from the Finance Committee with recommendation for adoption I so move. Second by Mr. Clemens.

Clerk called the roll: Mr. Cotner "Aye", Mr. Long "Aye", Mr. Skinner "Aye", Mr. Barrett "Aye", Mrs. Kelly "Aye", Mr. McGrady "Aye", Mr. Clemens "Aye". 7 affirmative votes, 0 negative votes, Ordinance 37-14.

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ADJOURNMENT 8:17 p.m.

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Chris Long, President Pro Tempore

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Melissa Salisbury, Assistant Clerk of Council