

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
MAY 23, 2005

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

Members of Council present: Antoinette Newman, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert, Mel Clemens.

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

Minutes of the regular Council meeting held May 9, 2005 were approved without objection.

Mr. Gilbert made a motion to hold item 19 (ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1175 DISTRICT REGULATIONS - SECTION 1175.08 "Side And Rear Yard Requirements For Non-Dwelling Uses Abutting Residential Districts" Subsection (a); and by adding the G D General Development District to Table 1175.01 "Permitted Uses And Special Exception" and by amending Table 1175.05 "Lot, Yard And Height Requirements For Buildings Other Than Dwellings"). Mrs. Newman seconded. The amended agenda was approved with all voting "Aye".

Community Comments and Requests

Ms. Stubbs: Good evening, my name is Sherri Stubbs. I live at 6412 Cherroy Drive in Eastshire. I've lived in Reynoldsburg for over 30 years. And like some of you, I've seen lots of changes in the last 30 years. However, the last 4 or 5 years, the western boundary of Reynoldsburg has deteriorated greatly. My neighborhood has been referred to more than once I might add, as that side of town. I would like to remind everyone here that we residents did not make the decisions to build the number and type of rentals that are now in the Eastshire area. We residents do not make the decisions about zoning changes or special exceptions. We do not have the authority to enforce code compliance. We do not get to prepare the business development plan for our city. Over the years, the city has made these decisions. Chapter 154.03 of the City Ordinance states, "The Development Director assists with marketing commercial sites to secure business for the community. I believe that should include the entire community. Chapter 154.03(b) states that "The Director assists in all land development, land use planning, and implementation of a comprehensive plan for the city." I would like to know what the comprehensive plan shows for the western boundary of the city. Or does it only plan for eastward development? The Development Department web site states, "The department will work to energize and maintain a thriving community". It also states, "They commit to supporting business expansion and retention." On my side of town, they have forgotten about maintaining a thriving community and retaining businesses. I understand that retaining or attracting business in a declining area is challenging, and not as easy as planning an area where businesses are flocking to. However, the Development Department is supposed to serve the city. The whole city. I would like to know what efforts have been made to revitalize the western boundary of Reynoldsburg, and I expect Council members and the city administration to require documentation of those efforts and make the information available for all of us to see. Thank you.

Mr. Hills: Any questions for Ms. Stubbs? (No response). Seeing and hearing none, I would comment that I do feel that our Development Department doesn't segment from one to another. And the general public needs to understand that revitalization of areas is an ongoing effort. Growth can't be in that area of the city unfortunately. Simply because we're surrounded by other cities. We're landlocked in those areas. But certainly, I'm sure that the Mayor will have something put together. Because it is the keeping of occupancy and increasing the value of all property in Reynoldsburg is a concern of administration and Council. So I don't think that in any area as being slighted but, certainly we will prepare something.

Mr. Johnson: Good evening folks. I know all of you and I enjoy the relationship. I own Gene Johnson Real Estate which is in Reynoldsburg at 6899 East Main Street next door to Heartland Bank. I am pleased to be here tonight to speak favorably for the ongoing Streetscape plan and other related things that tie into Streetscape. I've been a resident of Reynoldsburg and proud of it for 51 years. Reynoldsburg has been very, very good for my company and me personally, and I think we've done some good for the city. I think it's very, very important that we proceed full steam ahead with the completion of Phase II, and hopefully we go on to whatever other phases are outlined. It's crucial when you look at the difference between the first phase and where we're going to be doing the second phase. I'm pleased in working with John Brandt, and Sharon Reichard, and the Mayor to, I believe that our approach this time is substantially more sophisticated than it was the first time. We all had to learn from that. I appreciate the fact that we're doing the north side first, and then come back and do the south side, I believe is the plan. I think it's very, very important we continue to work with the electric company, and the phone company, and cables to hopefully plunge into their pocketbooks a little bit and let them spend some of the money that they've been setting back in reserves for replacement, which hasn't occurred for at least 40 years in the power company. That's a sore point with me. In all the times that we've had utility issues within our building, such as the electric or phones, it's because I'm told by their people in the field, it's because of outdated lines that haven't been replaced. So we're looking forward to an improvement of that. When you look at Phase I, and it's hard to be objective about this but, it is so dramatically and significantly better looking corridor than the rest of the city. We've been involved with Westerville, Dublin, Pickerington, Gahanna, Worthington, and a number of, even now Grove City believe it or not, with similar situations. And I can tell you that our personal experience, our business experience has told us that it has always been beneficial. If you go through even little ole' Granview and you look at what they've done with their main drag through town, it has been able to resurrect old buildings. And the speaker just before me, I agree with her, it's very important that we continue to revitalize. And that's one of the things that I personally like to do. I spend most of my time doing commercial development. And I'm very anxious, in fact we're doing a deal tomorrow morning, bringing another dentist office over on Brice Road and rehabbing an existing building and converting it. One of the things that we most like to do, and I believe, is Brice Road Phase III. And that'll maybe be a little bit easier than the first two phases. But people are aware. Business people, professional people who are looking at the demographics as they do. We have professional people come to our office and say, well, I've completed my education and I'm a physician, or I'm an accountant, or I'm an insurance person. Whatever. And we're looking where we should be locating. Well when you analyze our demographics, we're way better than we think we are. And in 51 years, I can tell you, I've seen us do a lot of things wrong and a lot of things right. And I think the last several years, we've been

doing more right than wrong. And I hope we continue to do that. Because this Streetscape thing is just a marvelous step. It isn't the whole answer, but it's a marvelous step. We need to keep on pushing. Anything I can do to help with any of you people, I'd be glad to do.

Mr. Hills: Thank you, Mr. Johnson. Any questions? (No response). The next speaker slip I have is Rich Long. Mr. Long, could you come forward?

Mr. Long: Good evening. My name is Richard Long. R.A. Long Plaza, 6475 East Main Street. We are the office warehouse facility up the road. I'm here in favor of the Streetscape project. I just want to let you know that it's enhanced my property. The whole feel of the corridor as you pull through, combined with what we've done as a _____ point where we're 100% leased. We're full. We're going to build our second phase which should bring 60 jobs or so to the Reynoldsburg area. The inconvenience of the initial corridor of the construction for all of us was a task. But I think the overall consensus of our tenants, it was well worth it. I think to stop the second phase is very short sighted. I've spent millions of dollars, all of my personal money, and invested in this community. In that corridor. In that building. And I think it would be absolutely silly to not finish it. I mean, look at what we've done. I think that in the past few years, Mr. McPherson and John Brandt and some of the others have put something together that's really, really special to help us all. Is it easy? Is it going to be fun? Is it going to be convenient for all of us? No. As a business owner, I can tell you that it has enhanced our community as a whole. It's better looking. Streetscape project is just wonderful. The Car Quest building that I own there up front, they're requesting to add on to the back of the building. Fifteen year lease. What's that do for our community? You know, these things are all a positive impact for us. Me personally. The general consensus is, it's very positive overall for our community. I think that coming up the street, the first phase as Mr. Johnson had suggested, that there were some things to learn there I think in terms of construction. But I think that they've worked the bugs out. And generally, the second few phases should be relatively painless. Not completely. Surely it's going to be construction of a Main Street project. We all know it's going to be difficult. But, come on folks, let's all unite, stay together, and let's do what's right for this community. Okay? And so I am in favor of it and anything that I can do personally, please feel free to let me know. I'd be glad to help out any way I can. Any questions?

Mr. Hills: Questions of Mr. Long? (No response). Thank you very much. The next speaker slip I have is Dick Donley.

Mr. Donley: Hi. I'm Dick Donley. I have 6400 Office Square. There's seven buildings down there just east of Brice Road. I can't tell you how pleased I am with the Streetscape. It was the best things that ever happened to Reynoldsburg amongst other things I'm sure. But for me personally, commercial today is very, very competitive. I mean, we deal directly with competition from Easton, downtown Columbus. There's more tax abatements going on everywhere in this Central Ohio. And you have to have a corridor that looks like Reynoldsburg's does now. It is fabulous. So you've done a wonderful job, and I hope you continue because it's really put Reynoldsburg on the map. It's a wonderful thing and I can't tell you how strongly I'm in favor of it. You should continue it. During construction, the first phase, there was some inconvenience. But I tell you, overall for what they did, I can't imagine the plans, it went pretty darn smooth. And a couple of power outages that some people weren't happy with when the

computers went down. But short of that, it went really well, and minimal inconvenience. So it's wonderful and I am definitely for it. So out of 40 offices, I have one vacant now. And I want to tell you something, that's saying something for commercial space in this city. So I appreciate it. Thank you.

Consent Agenda items:

Assistant Clerk read each of the following items by title. Disposition results listed at end of each title.

for second reading: ORDINANCE AUTHORIZING MAYOR TO EXECUTE A "Relocation of Sanitary Sewer Easement Agreement" (Amending O.R. Vol. 664, Page 870, Fairfield County Recorder's Office) (Wesley Ridge)- -item referred to Service Committee.

for second reading: ORDINANCE ACCEPTING UNRECORDED PERMANENT ACCESS EASEMENT (.055 ac.) FROM RALPH C. HOWLE AND JUDITH HOWLE (Instone Drive)- -item referred to Service Committee.

for second reading: ORDINANCE TO APPROPRIATE FUNDS TO CITY ATTORNEY SPECIAL COUNSEL ACCOUNT 110.554.5332- -item referred to Finance Committee.

Mr. Gilbert moved approval of the action on the consent agenda; Mrs. Newman seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; disposition listed above.

Regular Agenda items:

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2005 FIREWORKS DISPLAY AND DECLARING AN EMERGENCY- -Assistant Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 35-05 adopted.

RESOLUTION CONCERNING SERVICES TO PROPERTY PROPOSED FOR ANNEXATION OF 123+/- ACRES IN ETNA TOWNSHIP TO THE CITY OF REYNOLDSBURG (Summit Place L.P.; Maplewood Farms L.P.) AND DECLARING AN EMERGENCY- -Assistant Clerk read resolution by title for the one required reading. Mr. Gilbert stated that there is one change at the request of the applicant. Mr. Dugger explained that there was a technical issue at the County Commissioners and this item had to be re-filed. He said

they notified them that the north right-of-way of Refugee Road is actually not in Etna Township, but is in Pataskala. He stated that they had to delete that from the map. He said there is a difference by about a half of an acre. He said they learned that that portion of Refugee Road is maintained by Etna Township on a contract with Pataskala. He said there is a provision in the new annexation law which says that in the event of street or highways divided by a municipal boundary line, the municipality and the township so as to create a road maintenance problem, the municipality agrees to the conditions of annexation to assume maintenance of that street or highway. He said they originally included all of that road. He said when they learned it was in Pataskala, they had to back it out. He said now all they're doing is saying that the City of Reynoldsburg will as a consequence of this annexation in the event there is a maintenance problem, will maintain that road. He said what they're worried about isn't the relationship between Reynoldsburg and Pataskala that's not provided for in the statute. He said what they're worried about is that Etna Township by virtue of their contractual relationship with Pataskala would say, 'wait a minute. There's a problem and it's with us and we don't like this annexation and therefore, the County Commissioners should turn it down'. He said to cover this base, they added the additional language that's contained in the amended resolution of services which was distributed previously. He said it indicates that the city would agree to do that which was previously agreed to do. He said it is a highly technical revision. He said all it does is enable us to tell the Licking County Commissioners in the event an objection to this, that they have covered this base.

Mr. Gilbert moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Resolution No. 36-05 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 971.08 "Program and Facility Fees And Charges" OF CHAPTER 971 MUNICIPAL PARKS- -Assistant Clerk read ordinance by title for the first reading. Mr. Beougher moved suspension of the CRC Section 4.04 three reading rule. Mr. Gilbert seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; rule suspended.

Mr. Beougher moved adoption. Mr. Gilbert seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 37-05 adopted.

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - southeast corner of Lancaster Avenue and Slate Ridge Boulevard; from CC to PD and CS; applicant, Preferred Real Estate Investments II, LLC and C&T Slate Ridge LLC c/o Jill Tangeman, Esq. (18.96+/- acres)- -Assistant Clerk read ordinance by title for the first reading. Mr. Hills set a Public Hearing for June 13, 2005 at 7:00 in Council Chambers.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$6,325,000 FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING MAIN STREET BETWEEN CERTAIN TERMINI BY SIDEWALK, CURBING, AND PAVEMENT REMOVAL, CONSTRUCTING CONCRETE AND BRICK SIDEWALKS, WATER AND STORM WATER IMPROVEMENTS, MASONRY SCREENING, TREE PITS, FRAMES AND GRATES, NEW CURBING AND PAVEMENT AND PROVIDING STREET LIGHTING, SIGNAGE, OVERHEAD POWER SERVICE LINE RELOCATION, TREE PLANTING, AND LANDSCAPING, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY- - - Assistant Clerk read Fiscal Officer's Certificate. Assistant Clerk read ordinance by title for the second reading. Mr. Stake moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Nay"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 38-05 adopted.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF ~~\$2,425,000~~ **\$1,800,000** FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING TAYLOR ROAD BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, RECONSTRUCTING, PAVING, CURBING, INSTALLING STORM SEWERS AND ACQUIRING RIGHT-OF-WAY THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY- - - Assistant Clerk read Fiscal Officer's Certificate. Assistant Clerk read ordinance by title for the second reading. Mr. Stake moved to amend the ordinance to the \$1,800,000 figure. Mr. Stearns seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Aye"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 39-05 adopted.

ORDINANCE ACCEPTING A CORRECTIVE DEED REGARDING A DONATION AND DEDICATION OF REAL PROPERTY (RIGHT-OF-WAY FOR TAYLOR ROAD SOUTHEAST AND TAYLOR PARK DRIVE) (ARDMORE OF OHIO, LTD.)- - - Assistant Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Aye"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 40-05 adopted.

ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT (sanitary sewer easement) FROM THE VILLAGE AT SLATE RIDGE, LLC- - - Assistant Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Aye"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 41-05 adopted.

ORDINANCE TO AMEND ORDINANCE NO. 1-05 PASSED JANUARY 10, 2005, WHICH

APPROVED AN ENTERPRISE ZONE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO; AND VICTORIA'S SECRET DIRECT LLC; DISTRIBUTION LAND CORP.; LIMITED LOGISTICS SERVICES, INC.; AND LIMITED TECHNOLOGY SERVICES, INC. BY ADDING VERBIAGE TO PARAGRAPH 4. OF THE AGREEMENT- -Assistant Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Beougher seconded. With the roll called, members voted: Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Aye"; Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 42-05 adopted.

Meeting adjourned at 8:08 p.m.

William L. Hills, President of Council

Susie Smith, Assistant Clerk of Council