

SAFETY COMMITTEE MEETING MINUTES

May 17, 2010

Members of Safety Committee present: Mel Clemens, Chris Long, Nathan Burd, Fred Deskins, Jr.

Other members of Council present: Leslie Kelly, Doug Joseph, Barth R. Cotner, Council President William L. Hills.

Mr. Clemens: I'll call the Safety Committee Meeting to order at 7:30 p.m. First item on the agenda, is the approval of agenda. Are there any additions or deletions to tonight's agenda? If not, it'll stand approved.

Next item is approval of the minutes of the Safety Committee Meeting held May 3, 2010. Are there any corrections, deletions to those minutes? If not, they'll stand approved.

Item No. 4 - Discussion: Authorize application for 2010 Edward Byrne Memorial Justice Assistance Grant (JAG). Chief Suci, please.

Chief Suci: Yes, Chairman Clemens, this legislation will give the Mayor authorization to enter into an inter-local agreement which will allow us to apply for this grant for 14,000 and some odd dollars which we will use for overtime to pay for officers to work special projects in the coming year.

Mr. Clemens: Is this as an emergency?

Chief Suci: Yes, Sir, the turnaround on that is very short, as it is every year seems like, and we need to have that to them within the next week or so, so I do need an emergency on that.

Mr. Clemens: Are there any questions for the Chief? Members of Committee, members of Council? Yes, President Hills.

President Hills: Is voting next Monday night on this okay? Does that work? Is that, will that fit in the time frame that you have?

Chief Suci: I believe I have to have it to them the following Friday, so yes.

Mr. Hills: Not this Friday?

Chief Suci: Not this, well one of the, the MOU has to be there this Friday and the Inter-Local Agreement, I believe, has to be there the next Friday.

Mr. Hills: Okay, but you're comfortable with a vote at the regular Council meeting next week as an emergency will....

Chief Suci: Yes, Sir.

Mr. Clemens: That'll do it. Okay, thank you, President Hills.

Mr. Hills: Thank you.

Mr. Clemens: With that I would like to send this to Council as an emergency for adoption.
Seconded by Mr. Long. All in favor vote "Aye". (All voted "Aye") Opposed. (No response).
Thank you and that ends the Safety Committee Meeting at 7:32 p.m.

Safety Committee

--Nancy C. Frazier, Clerk of Council

May 17, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)

FINANCE COMMITTEE MEETING MINUTES

May 17, 2010

Members of Finance Committee present: Fred Deskins, Jr., Doug Joseph, Leslie Kelly, Mel Clemens.

Other members of Council present: Barth R. Cotner, Chris Long, Nathan Burd, Council President William L. Hills.

Mr. Deskins: I will open the Finance Committee at 7:32 p.m. First thing on the agenda this evening is the approval of the agenda and I have three things, items I need to change. I've been requested by the Mayor to hold Items 5 and 6....

Mr. Clemens: And possibly eight, nine and ten?

(Laughter)

Mr. Deskins: The possibility of 8, 9 and 10? What do you think Mayor?

Mr. Hills: I think we could use more discussion on it!

Mr. Deskins: Let's get back to being serious and....

Mr. Hills: I thought I was!

Mr. Deskins:I would also like to add 3b as the Resolution from the Mayor. I need a second for the changes. Mr. Clemens seconded. All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Motion carries.

Next is Item No. 3, Approval of the minutes from the Finance Committee Meeting held May 3, 2010. Are there any changes to the minutes from anyone? Hearing none, they'll stand as written.

Next is No. 3a, request a Resolution from the Mayor. Community Development Council Lady Kelly. Mrs. Kelly.

Mrs. Kelly: Yes, I want to take this time to announce, I guess that we're going to, I would like to hold a special Community Development Committee Meeting next Monday, May 24th, at 7:00 p.m. to discuss a Resolution for the Mayor to make application with the Ohio Environmental Protection Agency for a grant in cooperation with the Reynoldsburg City Schools to develop a wetland. So we'll do that next Monday at 7:00 p.m.

Mr. Deskins: Thank you, Leslie.

Item No. 4 - Discussion: Transfer of funds - forfeiture funds/Franklin County Prosecutor. Chief Suci.

Chief Suci: Yes, Chairman Deskins. This legislation would authorize the Auditor to move money that was originally designated to the Federal Forfeiture Fund, over to the Special Law Enforcement Fund, due to the fact that this case was not taken by DEA and as a result will be moved over to the Common Pleas Court and we will owe the Common Pleas Prosecutor 25% of the amount. So we need to do that so we can pay the Prosecutor.

Mr. Deskins: Is there any questions from the Committee for Chief Suci? Any questions from Council? If not, I would like to move this legislation to Council requesting that \$29,372 be unappropriated from Fund 294 and \$29,372 be appropriated to Fund 290, as the case involving a forfeiture of this amount has been moved from Federal Court to Common Pleas. These funds are needed to be put in the proper account to pay the 25% that will be needed according to the Memorandum of Understanding regarding the forfeiture of funds. Seconded by Mrs. Kelly. All in favor vote "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you Chief.

Item Nos. 5 and 6 we're going to hold at the request of the Mayor. They need some more details worked out and it, we'll probably be getting this back in a week or so I would imagine.

Item No. 7 - Discussion: Authorize trade in of utility trailer - Parks and Recreation. Jason, tell us what's going on.

Parks and Recreation Director Shamblin: Yes, Sir. Thank you, Mr. Chairman. This evening, we ask authorization to trade in a 1991 Wells Cargo Utility Trailer. We're trading it in on a new trailer that was budgeted for in the 2010 Budget and so that's basically it.

Mr. Deskins: Is there any questions from the Committee for Mr. Shamblin? Any questions from Council? With that, I would like to make a motion to send this request for authorization to trade a 1991 Wells Cargo Utility Trailer for a new utility trailer, trade-in amount to be \$500, to Council with recommendation for adoption as an emergency.

(All voted "Aye").

Mr. Shamblin: Yes Sir, thank you.

Mr. Deskins: Is it safe to bring up the next three items, Mr. Clemens?

Mr. Clemens: Yes.

Mr. Deskins: Item No. 8 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 154.01 "Establishment of a Department of Development; Appointment of Director." of Chapter 154 Department of Development- -second reading May 10, 2010. Okay, we will do them all at once. I will read also Item No. 9 and No. 10 and then we'll talk about them. Item No. 9 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 155.01 "Establishment of a Department of Engineering; Appointment of Director." of Chapter 155 Department of Engineering- -second reading May 10, 2010. Item No. 10 - ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Subsection (b) of Section 152.01 "Establishment of

Department; Director Appointed.” of Chapter 152 Department of Human Resources- -second reading May 10, 2010. Any questions from Committee? Do we have any questions from Council? Councilman Clemens.

Mr. Clemens: Ah, in my usual soft, gentle voice - I have been, and am, and will be, opposed to these three.

Mr. Deskins: Thank you, Councilman Clemens. Is there anyone else that has any comments, questions or concerns? President Hills.

Mr. Hills: I'd like to thank Mr. Hood, the City Attorney, for putting together his opinion, and also attaching to that the opinion of prior City Attorney Underwood. If you haven't had a chance to read that, you probably should. That one does address 6.09 of the Code, Charter, which is the one that says, the Charter is what says in 6.09 that Council will establish departments that aren't already specified in the Charter. Again, I'm opposed to this. I look at this and I wonder where we're trying to go, and I did see some press on it, and I've been through the hiring part and the firing part on this and nobody from the press talked to me about it, but it absolutely isn't barbaric. I want to be sure that people understand what it is. The Mayor brings to Council and it's a personnel issue and it's talked about in Executive Session as to why someone should be appointed or dismissed and no votes are taken in there, but there's generally, I don't know where Council has said 'no' to a qualified person coming in, or 'no' to one he wanted to dismiss; and we have, and we come out and as Council, all you do is a motion affirming the Mayor's appointment of the person which is voted on, no discussion, and it goes or, and/or which also had been done, a motion that can affirm the dismissal of the employee. I read in that same article that Brad says that I had to already dismiss a Director when I was here. Well I know we haven't approved any of that, because what happens folks, this is an employee/employer relationship. If you and the Mayor aren't getting along in one of these positions, the chances of you staying in that position with somebody you have trouble working with is not good to start with and if you think you're about to get fired, you usually quit and that's what's happened in a number of these things, so it's not barbaric. No one comes in and says 'Janie didn't come to work and was 20 minutes late three days this week'. That's not what this is all about. These are major issues, these are professional-type positions and if the blend isn't working, if they're not performing the service that needs performed, Council has never said 'no, you must keep that person here', or 'you must hire this person'. So, I think that there's a lot of mixed information, I guess.

I can assure you, I'm not sure what the difference in the managerial feelings, styles, abilities, whatever little twists and turns we want to put on it, what difference they were in the mid-ninety's to the mid-two thousands to what they are now. I think one thing that, I think Mr. Hood's opinion definitely makes it clear that Council has historically and is currently today set these the way they should be set under the 6.09. I will fully agree that if there's a desire to change, I guess one of the questions I would have, why would you just change the firing and not change the hiring? Because you look at that, I guess is the Mayor going to say, he appoints somebody, we approve it, but he's not working out very well, he can say 'oh hell, look, Council was the one that did that, I didn't do it as Mayor'. I don't know what the purpose would be to have it one way and not the other, but I would say that I think the smart way to do it in that these positions we're talking about, Human Resources, Development, and IT by the way, which is not up here at the table to be discussed, and the new Department of Engineering, are not established by Charter. They Mayor

by Charter appoints a great number of people but he doesn't appoint these people. These are set by 6.09 and the way the Council has structured it and it says we approve the hiring and the firing. The City of Gahanna, if I understand what I read correctly, they had the same thing going on. The Mayor wants that right and I think they handled it in the appropriate way. They handled it at their regularly scheduled Charter Review Commission to come in and say 'let's add sections of our Charter that says the Mayor also has the ability to appoint on his own, the Human Resources Director, the Development Director' and that passed but you know who voted on it? The public. The public voted on that and that's the people who should vote on the Charter and the Charter now says the Mayor can do certain things. It says Council does others so we're not doing anything but complying with what the Charter says and have established these and there's been no problem with them and so the misnomer going around, in '99 all this happened, '97 is when the actual departments were established by Council, '99 is when Council removed the residency requirement for the Human Resources Director and the Development Director. That's the one that created the big, not a big blowup, it's just the Mayor said he wanted them all to live here. Well, we found right now the State Law's changed. You can't have them all live here but I think there is, and the reason in '97 and '99 to do that and change the residency requirement - how many Development Directors you know that live in Reynoldsburg, Ohio? How many Human Resources experts live in Reynoldsburg, Ohio? How many Engineers live in Reynoldsburg, Ohio? When you're looking for somebody that has the professional qualifications to go along with it, maybe I could say Chief of Police, maybe that falls in the mix too, they all don't live here in Reynoldsburg and they're all not going to move here for a job. So in order to have the best mix, this is why this was set up. Again, I think the proper way to do this rather than change what's been in place since '97, is 2012 at the regular Charter Review Commission, you take to the voters, you take it through the Charter and as long as, and Nathan's an expert on that, you take it through the Charter, you discuss it, Norm's been on them too, you bring it to Council, it votes, it goes to ballot and let the citizens make their decision. They're the ones decided Council would do departments under 6.09 and the Mayor would appoint specific people under the Charter. Both coming out of the Charter's action. So, I don't know. I don't know what else to say. The thing that bothers me I think, I'm starting to hear people ask me questions about what happened here and what happened there. I'm not sure everyone is as fully-informed as they could or should be about this situation and if there's anyone of these that already know, I'm going to vote with it because I vote with the Mayor on everything, if you have some questions and I would hope that Mel or myself or somebody has raised some, at least some thoughts, the smart thing to do is hold this for a couple weeks and try to get those answered and then just take the vote. However the vote comes out, the vote comes out. It's not going to make me agree or disagree. Let me assure you of one thing, if it ties 3-3, you know where I'm going, but I always make that clear anyway, but other than that, I don't have a vote, but I'm just thinking, if you really haven't had a lot of time to look at the information given to you by Nancy Frazier on what Gahanna and how they handled the situation, if you haven't fully evaluated our City Attorney's analysis and also our prior Attorney's, if you haven't looked at some of the newspaper articles that seem to get in and make this look like a terrible process, the process is not terrible at all. It's a matter of passing a simple motion. With that Mr. Chairman, I think I'll wait and maybe I'll wind up on something else in a few minutes.

Mr. Deskins: Thank you Mr. Hills, President Hills. Do we have any more comments from anyone, Committee, Council? Mayor, you want to say anything?

Mayor McCloud: No.

Mr. Deskins: Okay, with that, I'd like to make a motion to send these back to Council with recommendation for adoption. Seconded by Mr. Joseph. All voted "Aye", except for Mr. Clemens, who voted "Nay".

Mr. Deskins: I didn't hear everybody vote.

Mr. Hills: It's just Finance who voted.

Mr. Long: It's just Finance.

Mr. Deskins: Okay, did everybody? Okay.

Mr. Clemens: Did you hear mine?

Mr. Deskins: I heard yours, Councilman Clemens.

Mr. Clemens: Okay.

Mr. Hills: It was 2 and 2 and I get to break it?

Mr. Deskins: Motion passes.

Mr. Hills: Oh.

Mr. Deskins: Thank you very much. That was for Nos. 8, 9 and 10. With that, I'll close the meeting at ten minutes 'til eight.

Finance Committee

-- Nancy C. Frazier, Clerk of Council

May 17, 2010

(Transcribed - S. Cochran, Ass't. Clk. of Council)