

MINUTES REGULAR COUNCIL
REYNOLDSBURG CITY COUNCIL
May 10, 2004

President Pro Tempore of Council Lane J. Beougher called the meeting to order at 7:33 p.m.

Members of Council present: Mel Clemens, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert. Councilwoman Antoinette Newman was absent. President of Council William L. Hills was present as Acting Mayor.

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

Minutes of the regular Council meeting held April 26, 2004 were approved without objection.

Mr. Gilbert moved to amend the agenda by adding Special Exception Use Permit, 8460 East Main Street, Reynoldsburg, Ohio. The amended agenda was approved with all voting "Aye". Mr. Beougher said the item would become 16a.

Community Comments and Requests- -Norbert Smithberger, 619 Gilmore Drive, Reynoldsburg was present, and stated that his concern regarded skate boards and roller blades. He said he had seen a lady almost be hit as she was coming out of the Cancer Thrift Shop. He said such an incident had also happened in the shopping center parking lot. Mr. Smithberger said something should be done about the skate boards and roller blades. Mr. Beougher said they will take this under advisement.

Communications- -Clerk read report from Clerk of Courts: total monies collected from courts held during April 2004, \$21,496. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- - \$325 for the Enforcement and Education Fund; and \$1,185 for the Computerization Needs Fund.

Reports- -Mr. Clemens stated that now spring is here, the city has the same problem of cars parking across the sidewalks that make it difficult for people walking on the sidewalks. He said he would appreciate it if the word got out regarding what the law is. He said the city also has a terrible time with people putting their trash cans in front of their house. He said it is starting to go down hill; that once you start letting the community go down hill, it's hard to come back. Mr. Clemens said Chief Miller had helped him a lot on this and he appreciated it, but there is just so much you can do. He said there are things that should be enforced; that it should be looked into; and that he intends to meet with the administration regarding this. Mr. Clemens said it is important that we take care of our neighborhoods.

Consent Agenda items:

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

for first reading: ORDINANCE AUTHORIZING MAYOR TO ENTER INTO

CONTRACT FOR AUDIT OF CITY'S TELECOMMUNICATION SERVICES- -item referred to Finance Committee.

for second reading: ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE CASE LOADER/EXTENDAHOE FOR WATER DEPARTMENT- -item referred to Service Committee.

for second reading: ORDINANCE TO AMEND THE "CITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL" Section 6.06 "Workplace Violence" Section A.1.e. and Section 7.05 "Smoking/Tobacco Use"- -item referred to Finance Committee.

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

Regular Agenda items:

Motion(s)

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Councilman Mel Clemens and Councilman Ron Stake to the Design Professional Committee. Mr. Stake moved adoption. Mr. Baxter seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint the following members to the Ad Hoc Council Rules Committee: Lane Beougher (Temporary Chairman), Eric Gilbert, Antoinette Newman, Brett Baxter. Committee report to be due by the Council recess in August. Mr. Stake moved adoption. Mr. Clemens seconded. As the voice vote was not clear, Clerk asked Mr. Beougher if he would call the roll. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Gilbert "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Nay"; Mr. Baxter "Yea". Motion passed.

Clerk read motion: That Tax Administrator Brenda Browning is hereby appointed to serve on the County Land Bank Advisory Committee (Franklin County). Mr. Stake moved adoption. Mr. Stearns seconded. All voted "Aye". Motion passed.

Clerk read motion: That Reynoldsburg resident, Mary Shea, is hereby appointed to serve on the County Land Bank Neighborhood Advisory Committee (Franklin County). Mr. Stake moved adoption. Mr. Stearns seconded. All voted "Aye". Motion passed.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2004 FIREWORKS DISPLAY AND DECLARING AN EMERGENCY- -Clerk read ordinance by

title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 45-04 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2004 STREET PROGRAM, (CONTRACT A - ASPHALT), APPROPRIATING FUNDS THEREFORE AND DECLARING AN EMERGENCY (CIP #92)- - Clerk read ordinance by title for the one required reading. Mr. Clemens stated that the ordinance had been amended as far as the money was concerned, and asked City Auditor Whitney if he was satisfied with the changes. Mr. Whitney said yes. Mr. Clemens moved to amend the ordinance as redrafted 5-10-04. Mr. Stake seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 46-04 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2004 STREET PROGRAM, (CONTRACT C - CONCRETE), APPROPRIATING FUNDS THEREFORE AND DECLARING AN EMERGENCY (CIP #92)- - Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 47-04 adopted.

ORDINANCE AUTHORIZING INSPECTION SERVICES CONTRACT FOR THE 2004 STREET PROGRAM; APPROPRIATING FUNDS THEREFOR; AND DECLARING AN EMERGENCY (CIP #92)- - Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 48-04 adopted.

RESOLUTION OF INTENT TO APPROPRIATE A VACANT PARCEL OF LAND AND PERMANENT RIGHT-OF-WAY AND TEMPORARY EASEMENT FOR CONSTRUCTION OF MAIN STREET AND GRAHAM ROAD INTERSECTION IMPROVEMENTS, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY- - Clerk read resolution by title for the one required reading. Mr. Gilbert moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Resolution No. 49-04 adopted.

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - 8460 East Main Street; proposed use of land/structure, grocery store with pharmacy- - Clerk read ordinance by title for the first reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 971 - MUNICIPAL PARKS - addition of Subsections (f)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) and (q) to SECTION 971.07 "SCHEDULED EVENTS AND

ACTIVITIES” - -Clerk read ordinance by title for the third reading. Mr. Beougher moved to amend the ordinance by adding to Section (1)(4) after the words “Reynoldsburg City School District” the words “and have 501(c) (3) status”. Mr. Clemens seconded. All voted “Aye”. Ordinance amended.

Mr. Beougher moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mr. Stearns “Yea”; Mr. Baxter “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 50-04 adopted.

ORDINANCE MAKING APPROPRIATION FOR THE WIDENING OF STATE ROUTE 256 AT INTERSTATE 70 EXIT RAMPS- -Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend the ordinance by adding emergency language. Mr. Stake seconded. All voted “Aye”. Ordinance amended.

Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mr. Stearns “Yea”; Mr. Baxter “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 51-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 960 - STORM WATER REGULATIONS - ADDITION OF SECTION 960.03 “ILLICIT DISCHARGE AND OBSTRUCTION OF THE SEPARATE STORM SEWER SYSTEM” and SECTION 960.99 “PENALTY”- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mr. Stearns “Yea”; Mr. Baxter “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 52-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 960.01 “Definitions” OF CHAPTER 960 STORM WATER REGULATIONS- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mr. Stearns “Yea”; Mr. Baxter “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 53-04 adopted.

ORDINANCE APPROVING FINAL PLAT OF WOODS AT SLATE RIDGE, SECTION 5 PART 2- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mr. Stearns “Yea”; Mr. Baxter “Yea”; Mr. Gilbert “Yea”. Motion passed; Ordinance No. 54-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 971 - MUNICIPAL PARKS - ADDITION OF SECTION 971.08 “PROGRAM AND FACILITY FEES AND CHARGES”- -Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance with the

document received May 6, 2004. Mr. Stearns seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 55-04 adopted.

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE DIRECTLY BENEFITTING THOSE PARCELS, REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; APPROVING AND AUTHORIZING A FORM OF TAX INCREMENT FINANCING AGREEMENT; AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance as redrafted 4-23-04. Mr. Clemens seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Nay"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 56-04 adopted.

Request for Executive Session by Mayor to review collective bargaining strategy; and by City Attorney to discuss imminent litigation.- -Mr. Baxter moved to recess for Executive Session. Mr. Stake seconded. Mr. Beougher said those attending would be elected officials, the Clerk, Chief of Police, and Service Director. With the roll called, members voted: Mr. Clemens "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed. Mr. Beougher said following the Executive Session, Council would reconvene only to call the roll and adjourn. Council recessed at 7:57 p.m.

Council reconvened at 8:22 p.m. With the roll called, members responding were: Mr. Clemens "Present"; Mr. Beougher "Present"; Mr. Stake "Present"; Mr. Stearns "Present"; Mr. Baxter "Present"; Mr. Gilbert "Present".

Meeting adjourned at 8:23 p.m.

Lane J. Beougher, President Pro Tempore
of Council

Nancy C. Frazier, Clerk of Council