

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
April 27, 2015

President Doug Joseph called the meeting to order at 7:30 PM

PRESENT: Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner, Joseph

ABSENT:

Invocation - Councilman Scott Barrett

Approval of Minutes

CITY COUNCIL - REGULAR MEETING - APR 13, 2015 7:30 PM – .

Minutes Stand Approved

Approval of Agenda

Mr. Joseph: There are a number of changes to make to this, this evening. I would like to add under reports, one from the Auditor and from Councilman Skinner. On item 12.a. that should be listed, "Including emergency." The legislation does have it, it was just not on the agenda. And lastly, would like to add an Executive Session, to Discuss the Employment of a Public Employee. All in favor of those changes, "Aye". (All voted Aye by voice vote.) All opposed, "(silence)". The Executive Session will be item 6.a. That brings us to item 6.a., The Executive Session to Discuss the Employment of a Public Employee. Is there a motion to go to Executive Session?

Mr. Long: So moved.

Mr. Joseph: Councilman Long makes the motion. Seconded by Councilman Kelly. Would the Clerk please call the roll?

EXECUTIVE SESSION

The Clerk Called the Roll to adjourn to Executive Session:

Mr. Long, "Aye", Mr. Skinner, "Aye", Mr. Barrett, "Aye", Mrs. Kelly, "Aye", Mr. McGrady "Aye", Mr. Clemens, "Aye", Mr. Cotner, "Aye".

Council adjourned to Executive Session 7:32 PM.

Mr. Joseph: Ok. In the Executive Session will be the Mayor, the Development Director, Members of Council, and the Clerk of Council.

Mr. Joseph: I'll reconvene Council at 7:42 PM.

The Clerk Called the Roll to reconvene from Executive Session:

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Mr. Long, "Here", Mr. Skinner, "Here", Mr. Barrett, "Here", Mrs. Kelly, "Here", Mr. McGrady, "Here", Mr. Clemens, "Here", Mr. Cotner, "Here".

Community Comments and Requests

Mr. Joseph: Moving on with the agenda. Item 7., Community Comments or Requests, I have one slip this evening. Would Katie Barrett and her party come up to the microphone and give your names and addresses for the record please?

Ms. Barrett: Members of City Council, my name is Katie Barrett, and with me are a few leaders from the Butterfly Project, good evening and thank you for your time. We are here to show out appreciation to Councilman McGrady for his participation in the Butterfly Project at the Livingston Campus High School. The Butterfly Project is to show young girls, they are beautiful, valuable, capable, and lovable. When girls have low self esteem, they often run to boys or men seeking value and acceptance. This leads to many girls becoming victims of human trafficking. On March 25th, we invited both the freshman and sophomore classes of Livingston Campus to participate in the project. With the help of our counselors, social workers, teachers, and over forty upper classman leaders, it was a success. A big part of the project is the speaker, which is typically a human trafficking survivor. At the last minute, our original speaker cancelled, putting us in a predicament. A week before the project was scheduled, Councilman McGrady provided us with Barbara Freeman, as a speaker. She not only educated the girls, but really put the importance of the project, into their minds.

Ms. Shalash: We would like to show our appreciation for Councilman McGrady, who recognizes contribution of both time and money to support or project. As well as his focus on bringing awareness of human trafficking to our school and community.

Mr. McGrady: Thank you.

(Applause)

Communications

Mr. Joseph: Ok, that brings us to Communications. We have two this evening.

Mrs. Beggerow: We do, we have Auditor's Reports, Fund Balance Report, Budget by Classification, and Departmental Budget, all ending March 31st, 2015. And we have our Clerk of Courts Report. Pursuant to City Ordinance numbers 146.94 and 104.02. The total amount submitted is \$35,818.60. The Computerization Needs Fund, \$2,200; and the Enforcement Education Fund, \$75.00.

Mr. Joseph: Ok. Any questions on those reports, those communications? Ok.

AUDITOR REPORTS ENDING MARCH 31, 2015 – . City Auditors Office

CLERK OF COURT REPORT ENDING MARCH 31, 2015 – . Clerk of Court

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Reports

Mr. Joseph: Thank you. All right, our second report is by Councilman Skinner from the West-Licking Joint Fire District.

Mr. Skinner: Two things to report that effect the city, but not much of an update. First, is the fire/emt station at the Taylor Road area. We've been working with a realty company to identify some property, and apparently that relationship with the realty company, no longer exists. I don't know the details behind it. We are going to look for somebody else to help us locate property. But, that is the identified location. Kinda in-between Main and Broad, and Taylor area. And then, the second is on the union contract. We did just receive the unions proposal back. We're gonna take a closer look at that next meeting. We should have more information down the road.

Mr. Joseph: Ok, any questions. Yes Councilman Clemens.

Mr. Clemens: It's my understanding, some years back, Glen Duggar, you should talk to him. There is ground set aside out close to where the new school is, high school is, out there.

Mr. Joseph: That's where most of the available land is right now.

Mr. Clemens: There was a discussion on, on that far station at that time. That it would be donated to the city. So that's something that we could check with.

Mr. Joseph: Any other questions, comments. All right, that brings us to legislation requiring one reading. Would the Clerk please read item 10.a. by the title?

REPORT ON HB BY THE CITY AUDITOR

Mr. Harris: Thank you President Joseph, Members of Council. I just wanted to take a few minutes and talk to you about something that you will be looking at pretty substantially this fall. And that is, House Bill 5 that passed in December of last year and changed the Income Tax Laws. First on a lighter note, we finished the April 15th deadline, and this year here in the city, in City Hall, we completed three-hundred and fifty tax forms for local citizens at no charge to them. That was up from about thirty forms from last year. First thing in House Bill 5, we're going, another of things are being required by the State to change, and we'll be changing our Ordinances this Fall in order to comply with the State regulations. I just wanted to go over a couple of them here briefly. We'll obviously this Fall be talking about them in more depth. The first thing, and the big contemptive thing, with this Bill is net operating loss is carried forward. This is something we have never recognized. House Bill 5 will require us to recognize it. It will begin in your tax year 2017. Anybody who has a net operating loss between 2017 and 2022, will be able to take half of it off. It will become 50%, rather than 100% the next year. Now there is some confusion where it says 50%. Let's say you have a \$1000 loss in year 2017, you could take half of that in 2018, which would be \$500.00. Now after that, it's very unclear whether the next year you could take the other \$500.00, or just half of that. Now I think that that will be cleared up in the budget document that they are preparing now. I think they are going to put this in as a

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fix for it, but as of this point, it does seem to be unclear. After 2023, they can take 100% of it. The other thing, it will not be permitted to be used in a pass through, if you have a pass through company, let's say you're at a subchapter S at your business, you are taking your business losses, you would take it in that. You can't take it in that and then turn around and take it on your individual income tax form. The big concern is how much this was going to cost a lot of cities. They say in 2017 they're gonna create a committee made up of members of the House and Senate, and some people from the municipalities, and they will send a report to the government. If there is some adjustment needed. They said they will put more money into the local government fund. If you look at the history of the legislature doing this, it's not good. And I will suspect this time, as in other times, it will probably never happen. The next item is what we call an occasional entrant. This is someone who would come into the city and work, to do something like the Brice Road project where they were here for a length of time, but not permanently scheduled here. Under current law, you're considered occasional, you don't have to pay any taxes for twelve days, of work here. When you get to day thirteen, they can go back to day one, and you have to pay city tax here for the entire time you are here. The change to that will be they will go to twenty days, you can work here with no tax liability to the city, and starting at day twenty-one, you have to pay from there forward, you don't go back. Small employee rule they created that you don't have to follow this at all if your annual revenue is under \$500,000. The next one is something we will occasionally, we may get into, we may not get into. Where you have a situation where you have companies here that have a number of subsidiary companies under one umbrella. They have the option whether to file those returns as an individual company, or in a consolidated return. The law up to this point is, if you file as a consolidated, and this just came in about 2005, prior to that you did not have to take a consolidated turn. So, this was on the last fix for this in 2005. And now, once you go to a consolidated return, you can't go back. With this, after five years, you can opt out and go back to the individual returns. With only letting the tax administrator know, with your tax return, that you are doing so. They've also set up several uniform thresholds. The first is on individual returns and net profit returns, where either the tax owed, or the tax return, is \$10.00 or less, you will not be doing either one of them. So, if someone owes us less than \$10.00 they don't have to pay it. If there is a refund less than \$10.00, we don't send it. Now here again, it's unclear from the language as it's currently written, whether it's a forgiven situation, or just gets put on next year's taxes. Is it carried forward? This is one of the things that I think will be clarified in the budget document. But, as of right now, they don't know quite how they are going to do it. Estimated payments, if you have estimated payments or quarterly payments, those need not be done if your tax liability will be under \$200.00 a year. You will just pay them with your April 15th deadline. Speaking of the April 15th deadline, everybody in the state will be required to go to the April 15th deadline. A lot of cities had March 31st for whatever reason. But, ours was always April 15th. And the quarterly returns will all be the 15th of the month after the ninety days from the April 15th day, for the next quarterly return. The um, right now, in order for you to get an extension on filing your return, if you file for federal extension, you automatically get a city extension. They are changing that to even if you don't get a federal extension, you can get a city extension. And you don't have to let them now. You can just file it as late as October 15th and send the extension in with your tax return if you want. The mailbox rule, which changed is, we have never allowed on city income tax that if it was in the mail by April 15th, it had to be here by April 15th, or be to

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RITA, or whoever is collecting taxes, by April 15th. They will now be, everybody will be changing to the mailbox rule. So, if it's postmarked by midnight April 15th, you're in compliance. They've also standardizing penalties and interest. Penalty is 15% of the amount owed, is penalty. Interest on that is the short-term interest rate from the fed plus 5%. And that will be statewide. And the last thing they're changing, they're out with about eight different rules, all that you have to comply with to get residency. And, so we'll be following that too. So that's everything on the income tax. Is there any questions immediately? We'll be getting involved with this in the Fall. As we have to have this thing in place by December 31st of this year.

Mr. Joseph: Questions? Thank you very much.

Mr. Harris: One other thing, while I'm up here. Also they will be doing, changing Worker's Comp. Right now Worker's Comp, we pay in 2016 for 2015 for 2014. They're going to change that to go, you'll be paying the same year, respectively, rather than retroactively. So, when you see the 2016 Budget, there will be two payments to Worker's Comp, in that. So, there is something else to look forward to. Thank you very much.

WLFD REPORT BY COUNCILMAN SKINNER

Mr. Skinner: Two things to report that affect the City, but not much of an update. First is the Fire EMT station in the Taylor Road area. We'd been working with a realty company to identify some property and apparently that relationship with the realty company no longer exists, so I don't know the details so, we're going to look for somebody else to help us locate property. But that is the identified location between there and Broad and Taylor area. And then the second is on the union contract, we did just receive the unions proposal back, we're going to take a closer look at that next. We should have more information back.

Mr. Joseph: Any questions?

Mr. Clemens: Yes, it's my understanding that some years back Glen Duggard, you should talk to him, he had some ground set aside out close to where the new high school is.

Mr. Joseph: That's where most of the available land is right now.

Mr. Clemens: There was a discussion on that fire station at that time, land that would be donated to the city, so that's something..

Mr. Joseph: Any other questions/comments?

LEGISLATION REQUIRING ONE READING

32-15

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ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE UNDERCOVER VEHICLE FOR REYNOLDSBURG POLICE DEPARTMENT AND DECLARING AN EMERGENCY. ---Cotner. Police DepartmentXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

33-15

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR INSPECTION SERVICES FOR THE 2015 BRICE/RIDER & CREST/NIMES AREA SANITARY SEWER PROJECT, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY. ---. Water and Wastewater DepartmentXX

Mr. Joseph: On items 10., b., c., d., and e., these did not need to go through Committee under our Charter, it was not required. If you would like to make some comments Mr.Root?

Mr. Root: Thank you President Joseph. This is our 2015 sewer line and water line projects. The first one is our sewer line will be realigning about 3,936 feet of 8 inch to 18 inch sewer pipe and we are going to rehabilitate about 300 vertical feet of manhole. This will be paid for out of our sewer CIP fee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long
SECONDER:	Cornelius McGrady III, Ward III
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

34-15

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR THE 2015 BRICE/RIDER & CREST/NIMES SANITARY SEWER PROJECT, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY. ---. Water and Wastewater DepartmentXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Skinner, At Large
SECONDER:	Leslie Kelly, Ward II
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

35-15

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR THE 2015 FURTH ROAD WATERMAIN REPLACEMENT PROJECT, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY. ---. Water and Wastewater DepartmentXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mel Clemens, Ward IV
SECONDER:	Cornelius McGrady III, Ward III
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

36-15

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR INSPECTION SERVICES FOR THE 2015 FURTH ROAD WATERMAIN REPLACEMENT PROJECT, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY ---. Water and Wastewater DepartmentXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long
SECONDER:	Scott A. Barrett, Ward I
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

LEGISLATION FOR FIRST READING

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 – 2277 & 2225 TAYLOR PARK DRIVE AND 0 REYNOLDSBURG BALTIMORE ROAD FROM THE CS- COMMUNITY SERVICES TO AR-3- MULTIPLE FAMILY RESIDENCE DISTRICT, APPLICANT, WESLEY RIDGE RESIDENCE CORPORATION. ---Clemens. Development DepartmentXX

RESULT:	REFERRED TO COMMITTEE	Next: 5/18/2015 7:15 PM
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41-15

ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND TO ACCOUNT 110.111.5362 FOR DONATED MONIES RECEIVED. (FIRST READING 4/27/2015). ---Cotner. Police DepartmentXX

RESULT:	REFERRED TO COMMITTEE	Next: 5/4/2015 7:30 PM
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42-15

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ORDINANCE AUTHORIZING MAYOR TO PURCHASE 15 OEM MICRO MDTs FOR REYNOLDSBURG POLICE DEPARTMENT. (FIRST READING 4/27/2015). ---Cotner. Police DepartmentXX

RESULT:	REFERRED TO COMMITTEE	Next: 5/4/2015 7:30 PM
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LEGISLATION FOR SECOND READING

37-15

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6543 E. MAIN STREET; PROPOSED USE - SEMIPUBLIC USE); APPLICANT, ROBERT ANTHONY CHANDLER. ---Clemens. Clerk of CouncilXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mel Clemens, Ward IV
SECONDER:	Dan Skinner, At Large
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

40-15

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. (POLICE CRUISERS ~ SECOND READING 4/27/2015). ---Cotner. Police DepartmentXX

RESULT:	REFERRED TO COMMITTEE	Next: 5/4/2015 7:30 PM
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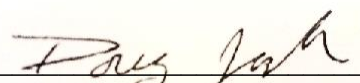
LEGISLATION FOR THIRD READING

38-15

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. (COMPUTER DEPT ~ SECOND READING 4/13/2015). ---Cotner. Computer ServicesXX

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Mel Clemens, Ward IV
AYES:	Barrett, Kelly, McGrady III, Clemens, Cotner, Long, Skinner

Adjournment


Doug Joseph, President of Council


City of Reynoldsburg

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April L. Beggerow, Clerk of Council