

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
April 25, 2016

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

PRESENT: Joseph, Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

ABSENT:

Invocation - Councilman Stephen M. Cicak

Approval of Minutes

a. City Council – Regular Meeting – April 11, 2016

Minutes stand approved.

Approval of Agenda

Addition to the agenda to add Motion 10 b. Motion to reconsider "ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT- (6549 E. Livingston Avenue; Proposed Use-- Childcare Center); Applicant, Mark Jones, Sr.

Community Comments and Requests

Council President Joseph: I have two slips this evening. We will start with Mr. Norm Brusk. Please come up to the microphone and give your name and address for the record, and please keep your comments to three minutes.

Mr. Brusk: Norm Brusk, 1861 Crosswood Ct., Reynoldsburg, Ohio. Thank you Council President, Council, and Mayor for this opportunity. I would like to discuss the painting of the Livingston House, red or white, and why. I was asked to present the consensus of a group of people that I have been talking to about this. First of all, I am thrilled that the building is finally getting taken care of. It needs to be painted, obviously, and we are glad it is going to be done. Whether the house is painted white or red, it is not an earth shaking decision, but there are several reasons to choose one over the other. The rationale for white I believe is one where the Livingston House Society was asked to vote on it, and they did, and they came up with white. Secondly, historically, this house was white with green shutters. Third, the white is esthetically more pleasing to a lot of people. So, that is the rationale on that. The rationale for the red is a., most people in Reynoldsburg probably do not know that the house was ever white, and most people remember it as red. Secondly, the red color is on all the publicity. It is on the brochures. It is on pictures. It is on our Historical Society when you look at things. Also, the iconic float you see on the 4th of July Parade. The simulation of that is red. You see that also at the tomato festival. Thirdly, red is much easier to maintain and does not look as bad as white when the house is dirty or stained from leaves or mowing. As many of you may know, I had a building over on Livingston that was white and every year it looked terrible at the beginning of the Spring season and I had to scrub it down. So, even though the Society was asked to vote their choice, that vote was fairly close. It was ten to eight, so there was not necessarily a huge consensus on their point. Also, it is the tax payers that are paying for it, not the Society. We bare the cost of it, so I think the residents have a right to put their two cents in. Basically that is it. I am keeping it short today which is unusual.

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Council President Joseph: Any questions?

Councilman Cotner: I am curious, who is this group you are representing?

Mr. Brusk: There may be some people in this room who I talked with.

Councilman Cotner: Are we talking ten people? Are we talking a hundred people?

Mr. Brusk: Ten to fifteen people.

Councilman Cotner: Ok

Mr. Brusk: It is not a huge group.

Councilman Cotner: That is alright. I was just curious.

Council President Joseph: Next we have Gary Knapp. Please give your name and address for the record and keep your comments to three minutes.

Mr. Knapp: It will be short. My name is Gary Knapp. I live at 1741 Graham Rd. I am speaking in opposition to legislation 12, A. I don't think that you should continue any ordinance passing, or anything, until a color is resolved. That is all I am going to say about the Livingston House tonight. I do not know if you guys are aware, I got a ballot in the mail the other day to vote on a color. So, there is another vote going on. Maybe somebody here can explain that to you better than I can. On the ballot I have, it had on there that the Livingston House was painted red in 1988. And, that is not actually correct because my mother-in-law, Shirley Vingles, talking to Dr. Seese today, and he remembers his dad putting red cedar shake shingles in the Livingston House, which was the house they lived in, in the 40's. I can't imagine there are many people around that remember seeing it white, excluding my mother-in-law, because she is eighty. Anyway, I live there, and I have talked to several of the neighbors around, and everybody in the neighborhood wants it red. It will be interesting to see how the vote comes out. The only other thing I would say, I was going to go to Krogers and buy a tomato and hold it here, and I was going to have you close your eyes, and if I told you after to think about Reynoldsburg, the home of the tomato, what color would you think of. That is all I have to say.

Council President Joseph: Are there any questions?

Communications

CLERK OF COURT REPORT

Clerk read the report into the minutes.

AUDITOR REPORTS, MARCH, 2016

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Clerk read the report into the minutes.

Reports

Council President Joseph: Dan, could you give us an update on West Licking?

Councilman Skinner: Absolutely. We proceeded with the lease on Taylor Rd. So there is movement on opening a station in the Licking County portion of the City. We are dealing with some matters involving a health insurance collective, but I can not speak more to that right now. Other than that, it is business as usual.

Council President Joseph: Any questions?

Unknown Speaker: Where is the location?

Councilman Skinner: I will get you the address. It is on Taylor Rd.

Council President Joseph: Is it north or south of Broad.

Councilman Skinner: I do not remember. We looked at copies of both.

Council President Joseph: Is it near Limited.

Councilman Skinner: Yes, it is not far from Limited.

Council President Joseph: Other questions? Thank you.

Motions

THAT THE REYNOLDSBURG DIVISION OF POLICE BE AND IS HEREBY
AUTHORIZED AND DIRECTED TO ADVERTISE FOR BIDS FOR THE PHONE
RECORDING SYSTEM. --- Long. Safety Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

MOTION TO RECONSIDER "ORDINANCE APPROVING SPECIAL EXCEPTION USE
PERMIT- (6549 E. LIVINGSTON AVENUE; PROPOSED USE- CHILDCARE CENTER);
APPLICANT, MARK JONES, SR."

Councilman Long: I will speak initially President Joseph. The applicant for the Special Use Permit originally came to Council at a Committee Meeting on April 4th, and there was very little information provided to Council to consider, based on what had been told to the City, the community, the children at the schools who had worked through different plans and things of

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that sort, for Blacklick Plaza. Council can, and normally does, only work with the information that is presented to us. The following week, based upon what little information we had, there was a motion that was made to deny the individual the application. The subsequent couple of weeks after that, I have had a number of conversations with David Bishoff, who is the developer and owner of the plaza, and I asked him the same question that I asked the gentleman that was before us that night, "What Changed?" And needless to say, very little, if anything at all. Mr. Bishoff, would you please approach the podium and give your name and address? He has provided some information in print form, top the members of council, and he is prepared to answer any immediate questions that anybody has here tonight, on what his vision is for the Blacklick Plaza, any concerns that you might have, prior to voting on the motion to reconsider. If the motion to reconsider passes, it will immediately revert back for committee referral. So, starting next Monday night, we will start to continue the process that was going on when it was sent on to Council for an up and down vote. With that, I will shut up.

Council President Joseph: Yes, Councilman Clemens.

Councilman Clemens: I have a question. We are here to reconsider a motion on the daycare center, and not the shopping center. Don't get me wrong, I would like to see the whole plans for the shopping center. But, I am interested in the daycare center, and not the shopping center.

Mr. Bishoff: I would be happy to address because I think it is important for this body to understand. My name is David Bishoff. I am the president of the David Bishoff Company. Councilman Long is right. First of all I feel an apology is required. Of all the things I think we did well in going through committee, and going through the city, the one thing I do not think we did very well is keeping this body up to date keeping this body aware of where we are, where we are going, and why we are going there. So, as it relates to any surprise you had at the last meeting, I apologize for that. Blacklick Plaza, as you all know, sits on the corner of Livingston and Baldwin, right across for the school. Blacklick Plaza needs a considerable amount of time and money spent on it. As a portfolio company that buys properties to hold for generations, as opposed to the average in this company, which is three to five years, we don't have any problem spending the time of the money, to bring Blacklick Plaza back into the community where it belongs. We have identified what Blacklick Plaza needs, are several use groups. We have targeted four in particular that I have outlined in the piece that I have given to you. Those include food and beverage, convenience, health and wellness, which include beauty, and daycare. It is important that I communicate to you that what makes a community shopping center work, one that is not anchored, and by not anchored I mean I do not have Target. I do not have WalMart, that generates all the traffic. Every single use group, needs to be brought in to bring head count. The head count not only feeds all the other retailers, but it does exactly what some of these Council Members have indicated, it also deters crime. More people, more lights, more activity, the better we all are. In speaking to many of you, you have said, what's different. Have you shifted from food and beverage to daycare? Have you shifted from health and wellness to daycare? The answer is no. The daycare is a piece of my puzzle. Fifteen percent of the overall heart of Blacklick Plaza. Setting aside the fact that it has been a part of Blacklick Plaza for fifteen years. It is not thought on my part to be a major part of Blacklick Plaza, but it is

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a very important part because it brings the moms and dads of Reynoldsburg into the shopping center twice a day. That is the traffic that a community center needs to have in order for all the other retailers to profit. We want the moms and dads to stop in at our vegan restaurant, drop off some laundry, go to the convenience store. That is what makes it all work. If I gave you the impression that restaurant row was going to be the single use, then I apologize for that. It's still an incredibly important part. We have the vegan restaurant. We have the Chinese restaurant. We have the Mexican restaurant. We just signed a new ice cream store. We purchased the out lot, and we are bringing it into the shopping center. It will absolutely be food and beverage. I would like to have one or two more. But, it is important to remember that in order to bring the heartbeat back to that shopping center, that shopping center needs to be weaved into the community, in a way that it never has been. I am willing to do that. I can do that. The daycare is part of my doing that. Now, I would like to point out one other thing, many of you were nice enough to take my calls over the last week, and I appreciate and am very thankful for that. The one thing I would like to point out is that Blacklick Plaza would never be built today, the way it is. It sits on about three times as much land as it needs. Which has pluses and minuses. It allows us to do the things that the City has asked us to do, eliminating traffic in the back, and enlarging the play area in the back, more green space in the back, moving the dumpsters away from where the children would be. All of these were recommendations by the City, and every single one was the right thing to do. Now, that is not a quality that exists in most strip shopping centers. It is not a precedent that this body needs to worry about because we are not putting our play area in the middle of a parking lot where there is a lot of traffic. It is back in the back. There is a yard bigger than most of our yards at home. And, it is because Mr. Reinschild, who long preceded me, built it on a piece of property that is way too big. So, here I have the benefit of being able to use that land for a good use. So, it is important that I at least satisfy myself that I communicate with that the shopping center is not being converted into a daycare center. That wouldn't work. No one use would work. It is a piece of the puzzle that we need. And frankly, it is a piece that I think Reynoldsburg needs. There is a need. I would like to point out just one other thing if I might please. When we started advertising for a daycare center, we interviewed fifteen to seventeen applicants. We chose this man right here, Mr. Jones. I have taken the opportunity to give you his business plan, and to give you his resume. He was hands down the best applicant. If you read his background, you will see he had lead a purposed life. You will see that he has served our country. I am betting on him to address every problem that you folks have told me about, that daycares could bring to an area. So, I am asking for reconsideration. I am asking that we allow it to be a part of this community. If you would like to place expectations on me, I would be happy to have them because our goal is much bigger than simply bringing in a daycare center. Are there any questions?

Councilman Luzader: Mr. Bishoff, one of the biggest concerns I had was, out back, where the play area is now, and I know the applicant said that he would probably make the play area bigger, and I do not know if it is where the dumpsters use to be, the area back there where it is right beside the playground, looks like a war zone. The mud is pushed up through. The blacktop has not been maintained. Is that on your list?

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Mr. Bishoff: Before we came to committee, they went out to look at it and saw exactly what you saw, and that area is to be turned into green space. Blacktop is being pulled up and bollards north and sought to keep traffic out. If I had my way, I would get rid of every dumpster, because every dumpster and refuse truck tears up my parking lot. If I had my way, I would get rid of as much blacktop as I could, and replace it with grass and gardens. The area that you are talking about will be no more. It is slated, and as part of the Committee action, they asked for our approval, we agreed immediately, on just that, for that reason.

Councilman Luzader: I know it was suppose to be blocked off with bollards. I want that area to be something that any mother and father in Reynoldsburg would be proud to have their children play. And, if we are going to compete with all the other daycares, we need to be better, cleaner, nicer than all of them, and that is what we are going to do.

Councilman Clemens: Just a couple of questions, and I want to clear things in my mind. Does this daycare include the other day care, or do we have two daycares?

Mr. Bishoff: That is correct.

Councilman Clemens: Which is correct?

Mr. Bishoff: There have been, and would be with your permission, two daycare centers at Blacklick. Combined they will total under 15%, closer to 12%.

Councilman Clemens: When this all takes place, you have one daycare open and as Councilman Luzader said, it is a mess back there. I have been back there since we talked and nothing seems to be getting done. And, the play area is a mess. They say it is a jewel, but it is not. I expect that will be taken care of and enlarged. But, I am curious as to whether this is one of two daycares because it does take up a bit area of your place. It worries me about the playground situation. As I look at the two, probably one hundred and some children, and I know it was there before, but I do not know how they ever operated, don't get me wrong, but I would naturally like to see the bigger playground and the green area that you are talking about. But, I want to be clear that we are talking about two daycares, one that is already open and one that was closed and will be reopened.

Mr. Bishoff: If I may elaborate one bit. The daycare center has been closed and I'm not happy with how the back of the shopping center looks as it relates to where the play area is right now. All of that is scheduled to be completed.

Councilman Clemens: I realize it is a job.

Mr. Bishoff: When you say it is a lot of area, when you look at the entire shopping center, 52,000 SF, the two daycare centers would be less than 15% of the entire shopping center.

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Councilman Clemens: That was why I was curious. I knew there was another daycare there and I didn't know if they were being combined.

Mr. Bishoff: For about fifteen years, there has been two.

Councilman Cotner: Mr. Bishoff, thank you for coming. I appreciate you being here tonight and talking to us. You made a comment and said you do not have any problem spending the money and time to bring Blacklick Plaza back, and one of the comments you made earlier was to hold you accountable and that hopefully we would be able to work together. So, why now? Why now to bring it back? How did it get to where we are and what can we count on now for that investment assurance that it is going to be brought back.

Mr. Bishoff: That is a fair question. For a long period of time, Blacklick Plaza operated perfectly well. It had some occupancy, vacancy, but, by in large it worked fine. Blacklick Plaza has settled in to an area that is below where we want it. And, try as we may, to release this space without doing the things that I am talking about, the market has been telling us they are not interested. You can only beat your head against that wall so many times. Why now, now it has got my attention. Now is time to move forward. Main Street is finished. Livingston Ave., everything is coming together for us to be spending the time and the money now. The easiest thing is to do nothing. The easiest thing would be to try to put some use in that would really ruffle the feathers of the folks here. But, the future of that shopping center being next to the school, and on Livingston Ave., there is a higher and better use for it. The short answer is, because it has gotten bad now, it has got my attention and we need to get going, and because we are getting people interested in moving forward. We never had the out lot. It is hard to describe, but when the out lot under separate ownership, it caused a certain amount of disconnect between the shopping center and visibility and what not. You may have noticed, we tore out the dumpster area and the dumpster pad. We put green spaces in there and tried to combine the two. There is some talk of recreational space behind for volleyball or some other form of recreation that would go with the out lot. These are all things that you can do when you control the whole court. Before we couldn't, now we can. Now is the time to do all the things we have talked about. I couldn't and wouldn't make the investment that I am if my time verizon was two or three years because I would never get it back. This is going to be a whole series of singles and doubles and I am going to need your help every step of the way to put those building blocks back in place and to make this infinitely better than it was. Weaved into the community. Weaved into the schools. They indicated they wanted to have an amphitheatre area there for school events and what not. That to me is what Blacklick Plaza needs to be. Where moms and dads, brothers and sisters, are all coming there for something. Whether laundry, or a vegan restaurant, they need to come to Blacklick Plaza for something. And to do it, I need to have different user groups. It is not all of them, it is just one.

Council President Joseph: Any questions or comments from Council? Ok, Council has the option again of either terminating the application, or it could be sent back to the Service Committee for additional review. If Council wants to do that, they would at least have a change to review the new information. I will entertain a motion regarding this application.

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Councilman Luzader: Based on new information from Mr. Bishoff this evening, I am willing to take another look at the application, so I will make a motion that we reconsider the application for the Special use Permit.

Council President Joseph: yes, Mr. Clemens.

Councilman Clemens: I have a question on reconsidering, what is the vote on that? Is it 3/4's to pass?

Council President Joseph: Simple majority.

Attorney Hood: A motion to reconsider needs a movement, a second, and a simple majority, not a higher amount of votes to adopt. Because, all you simply did was reconsider the past action. You can do that at the same meeting, or the next meeting, and the movement has to be a member of the prevailing party for the original vote because the movement was, and the motion was well taken. What happens now, it is returned to the Committee Agenda and can be read and discussed until which time council votes to either adopt or deny. Does that answer your question?

RESULT:	ADOPTED [4 TO 2]
MOVER:	Brett Luzader, Ward II
SECONDER:	Marshall Spalding, Ward III
AYES:	Cotner, Long, Luzader, Spalding
NAYS:	Clemens, Cicak
ABSTAIN:	Skinner

LEGISLATION REQUIRING ONE READING

39-16

ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 15-16 PASSED MARCH 14, 2016 WHICH READ "ORDINANCE AUTHORIZING CONTRACT FOR GIS UPGRADE AND MIGRATION, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY." AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

40-16

ORDINANCE TO AUTHORIZE THE MAYOR TO PURCHASE A 2016 F-250 PICK-UP TRUCK WITH SNOW PLOW AND LIFTGATE FOR THE PARKS AND RECREATION DEPARTMENT AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

41-16

ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE 2016 FORD TRANSIT VAN FOR THE MAINTENANCE DEPARTMENT AND DECLARE AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Brett Luzader, Ward II
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

LEGISLATION FOR FIRST READING

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING, PLANS, ADVERTISING, AND TO PREPARE BID DOCUMENTS FOR THE PAINTING OF THE LIVINGSTON HOUSE. (FIRST READING 4/25/2016). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/2/2016 7:30 PM
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ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2016 FIREWORKS DISPLAY. (FIRST READING 4/25/2016.) --- Long. Safety Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/2/2016 7:30 PM
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LEGISLATION FOR SECOND READING

47-16

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 - 1636 GRAHAM ROAD, REYNOLDSBURG, OHIO, FROM R-2/R-3 SINGLE FAMILY RESIDENCE DISTRICT TO S-1 SPECIAL DISTRICT, APPLICANT, REYNOLDSBURG UNITED METHODIST CHURCH. (SECOND READING 4/25/2016). --- Clemens. Service Committee.

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RESULT: **REFERRED TO COMMITTEE**

Next: 5/2/2016 7:30 PM

48-16

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. (SECOND READING 4/25/2016). --- Cotner. Finance Committee.

RESULT: **REFERRED TO COMMITTEE**

Next: 5/2/2016 7:30 PM

LEGISLATION FOR THIRD READING

42-16

ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1731 BRICE ROAD; PROPOSED USE – CHURCH); APPLICANT, PAUL POWELL. (SECOND READING 4/11/2016). --- Clemens. Service Committee.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mel Clemens, Ward IV

SECONDER: Marshall Spalding, Ward III

AYES: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

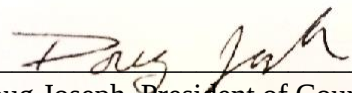
EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING MATTERS

Council President Joseph: Next is a request for Executive Session to discuss collective bargaining matters. Is there a motion to move to Executive Session. Councilman Long makes that motion, seconded by Councilman Cicak. Questions or comments? Clerk, please call the roll.

Ms. Beggerow: Mr. Luzader, "Aye." Mr. Spalding, "Aye." Mr. Clemens, "Aye." Mr. Cotner, "Aye." Mr. Long, "Aye." Mr. Skinner, "Aye." Mr. Cicak, "Aye."

Council President Joseph: Included will be Elected Officials, Mark Fishel, and Sandra Boller. We will reconvene for purposes of adjournment only.

Adjournment


Doug Joseph, President of Council


April L. Beggerow, Clerk of Council