

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
April 14, 2008

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

Members of Council present: Antoinette Newman, Donna Shirey, Ron Stake, Fred Deskins, Jr., Doug Joseph, Mel Clemens.

The Invocation was given by Mr. Hills, who also led the Pledge of Allegiance.

Minutes of the regular Council meeting held March 24, 2008 were approved without objection.
Minutes of the special Council meeting held April 7, 2008 were approved without objection.

The agenda was approved.

Community comments and requests:

Shirley Buck, 1474 Hammond Road, said she had a concern about the Huber Investment Corporation and the properties they have. Ms. Buck said on Friday night, April 11th, between 8-9 p.m. there was a drive-by shooting on Hammond, resulting in a bullet hole in the garage door of one house, next door to the one that was aimed at. Ms. Buck said she would like to know how long it took police to arrive; that a statement had been made by the police that they'd never been called to that house before, but she knew better than that. Ms. Buck said there were only fourteen houses on that street and what concerned her a lot was that there were seven single women on that street. Ms. Buck said everything that Huber Investments owns needed to be looked at. Ms. Buck said she also did not appreciate some of the things that were said by the police - one, that they'd never been called to that property before, 'we know that's a lie'; the other was about what one of the neighbors said, "You know - this has always been a great section of Huber. It's always been really, really nice"; the officer said, "Well, you know it's Reynoldsburg". Ms. Buck said while she was sure Council didn't appreciate her saying these things, somebody had to say them. Ms. Buck told of a realtor who had their purse stolen at the Post Office, and it ended up in the dumpster at Eastshire; another realtor was checking on his rental properties and found it; when he talked to the police about this, they said that they don't like to go on calls over in that neighborhood. Ms. Buck said maybe they had better go to Etna or Kirkersville or something where there's no crime. Ms. Buck said it broke her heart to see how this community has changed; that help was needed.

Mr. Hills asked the Mayor if he wanted to comment.

Mayor McCloud said, "...If those comments were made, it is not reflective of the feeling of this Administration and I don't speak for very many people very many times but I'm going to speak for the Chief now and say I'm sure that if those comments were made, they were not reflective of the Chief's philosophy as to how we respond to issues like this. Let me look into this and I'd be happy to update Council if you deem it appropriate."

Mr. Hills: If you could please. Does anybody have any other questions or is everybody okay for what - 2 weeks or the next Council meeting. Mel.....

Mr. Clemens: Yes, I do know where the Huber rentals are; they have twenty-nine or thirty. They have been a problem for probably the last 25 years - 20 years. Once they rent them - then they

pay no more attention to them. Now, they let them sit empty for a year or two, and that's a tax writeoff and they can do that. They don't take care of them really. They do cut the grass, but once they're in it, they kind of just wash their hands of any of it; and I've called them many times because I have some by me, and you get no response really. And I hate to say it because I've lived there 48 years and I was Superintendent when they built all of those houses and so forth and I worked for Huber for eleven or twelve years, and I'm even ashamed to even think of that, but I did. But they do not take care of their rentals as far as who they rent it to and once they rent it or what they do or how many dogs they have or anything like that...that's the end of it. But, and I think we should look into it really. We have good rentals over in Huber and we have some good companies that take care of the homes, but Huber is surely not one of them, and I think that's something I'm sure the Administration will look into; and I certainly will, because like I said, it's something that shouldn't be going on that does go on and we are having problems and I can show you the problems. I have no problem with that, because I keep an eye on them. So I think it's something we should follow up on. I know how the people feel about it that live there and have been there all these years and I'd appreciate the Administration looking into it.

Mrs. Newman asked City Attorney Hood if he was going to write some legislation that would cover rentals, and what the city could do to inspect them, and enforce the codes.

Mr. Hood said he believed that was the Mayor's suggestion; that he had made him aware of a proposed ordinance in other cities. Mr. Hood said he would be working with Chet Hopper to prepare something for consideration by Council.

Mr. Stake said he believed that last year, or the year before, Council passed a Property Maintenance Code that should have plenty of teeth in it to enforce whatever needs to be enforced with the rental properties; that he didn't know about passing another ordinance; that perhaps the one that was passed should be enforced, before another one was passed.

Mr. Clemens: It's not something I'm going to get into right this minute, but I do agree with Ron. The ordinance is there - it's not been enforced and isn't enforced. The thing about Code Enforcement - the way we set it up was to take care of the neighborhoods - not expand in the commercial part. The people want the neighborhoods cleaned up. We passed the ordinance, like Ron says, on the trash cans, on the trash, on the junk cars.....all this and it's there to be enforced. If we're not going to enforce the laws that we passed, then I don't blame people for coming down and criticizing things that's not being done. So I think this is going to come forward before too long; this is something we can discuss in committee, but before you expand in any kind of business you have to take care of what you're supposed to do to start with and then you expand. What we're supposed to be doing to start with is not taking care of what we have an ordinance to protect and I think that's important and I know myself and the people in my community and I know it's important for all the people in all the communities. As we've always said - one junk house on the street ruins the whole damn street. So I'm just saying we've got to get our ordinances enforced within our neighborhoods - to clean them up, get tough. I have no problems getting tough. I think that's been our problem - I'm not saying that we don't talk to people. If they don't do it - let's do something about it. You just can't let things sit and go over and over and over it again and say well, we'll give them this much longer - we'll give them this much longer. Before long it's a year, so I think this is something that'll come up in committee and I think that's the proper place for it and I'm sorry that I'm running my mouth off but I'm like Ron - I'm like Toni - I get so upset with this. This is one of the major things that I'm here for - I know in my district that I want to talk about it and this is not the place to do it, so committee is and I'm sure this will come up.

Ms. Kelly said she was sure that all of Council and Mayor McCloud were very concerned

about maintaining the quality of living, and enhancing that quality here in Reynoldsburg; and that everyone wanted to make sure that families felt safe.

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A member of the audience (Ms. South) said she would like to speak before Council; that she did not have a slip, but that she had given it to Council a week ago and 'you returned it to me and said that I couldn't speak at that meeting'.

Mr. Hills: It wasn't quite like that, but that's close Ms. South. Where's your slip? Did you bring it back with you?

Ms. South: I'll fill it out. No I didn't. I thought that this was the night that.....

Mr. Hills: You are in the Report Section, report by Mayor McCloud - Ms. South in 9-b, so you're actually on the agenda. Would you like to address Council now, or do you want to wait until we get to your subject?

Ms. South: I would like to address it now.

Mr. Hills: All right Ms. South. We'll give you three minutes at most. Your topic is being discussed tonight on the agenda. When you say that I didn't let you speak - if you want to go to the mike Ms. South - you go to the mike. And please do fill out a speaker slip when you finish.

Ms. South: I will....yes. I wanted to speak because of what Shirley Buck said. I've been here at Council - I've lived here in Reynoldsburg over a year. I've had all kinds of issues. Health and safety regulations - code violations by Plaza Properties. I showed photographs to Council on the 24th here. I didn't have the absolute - most incriminating photos. I've since turned in other papers to Council showing how I've contacted both Mayors - Code Enforcement continually through this and I actually had cat urine and feces all underneath a 27 foot floor in my living room that was covered up. When I moved there, they hadn't cleaned the apartment at all and they told me it was new carpet and the place reeked. Absolutely reeked. I got very sick and ill - I'm still sick now. I can barely swallow. I am going to have to go to the Hospital. I have photographs for anyone to see on the Code violations that have not been enforced. I followed all the papers that said that the Mayor was going to enforce them. As I said tonight, the Ordinances are there, the code violations are there - year long photographed. They need enforced - they need fined for all of the instances - each instance. I've called the Police numerous times. I had to walk out at one o'clock in the morning for Code violations where people were at the bar carrying on, yelling - screaming - taking off clothes - barfing outside at the back - right away from my windows and until I got a phone - the Police Department still hadn't done a whole lot. I've also witnessed and had said to me lots of comments like Shirley Buck has said from the Police Department. I have plenty of photos with me tonight. I have another tenant. Other tenants are going to join me in this. Another lady whose's disabled I met a year ago - had throat surgery. She wants to move into our place. I saw her on the bus yesterday and helped her get to her church. She's planning on moving over there because of 50% off rent. These apartments are atrocious. Sonya Clark in Apt#.....

Mr. Hills: Ms. South.....if you could wrap up in about 15 seconds...you've had your three

minutes.

Ms. South: Sonya Clark was going to be here this evening. I have a note from her at home. She moved into apartment #29. The place was filthy. She took videos of it. Went to management. Today Management cleaned the carpet 3 months after she's lived there - almost 4. Today she has no electric. She couldn't come down here this evening...

Mr. Hills: Ms. South. I thank - I appreciate your comments. Now I will take the opportunity to, now that you've had your opportunity to speak and prior to Mr. McCloud - you said much of the same thing three weeks ago that you've said tonight and we said that Mr. McCloud, as Mayor, would respond to that this week. Now you wanted to address it. Most of what you gave us is repetitive other than the new people you found. I do think it's appropriate the public note, because they can have copies if they like, and I think all Council people will agree - we have over - I'm going to say over 40 pages of written comments from you from two weeks ago to tonight that have been discussed. We also have a letter from the owner, the legal representation for Plaza Properties and obviously you have an ongoing debate with management. I will just summarize a little bit to say that you have had both Department of Health- Code Enforcement in this city and the Fire Department in this City out to inspect and some of the allegations you have made - they were unable to substantiate. Now you've made your statements - I've made mine and I'm going to wait til the Mayor responds to your comments previously, but I do think it's appropriate that people understand this isn't the first time you've been here. You've been here before and many of these comments are very repetitive.

Ms. South: Yes...

Mr. Hills: If there's an issue - I think that's what we're going to hear about how these things are going to be addressed so I appreciate the fact that you spoke and if you'll have a seat we'll move on with the agenda.

Ms. South: Okay. As you said though - more things came up as I posted the notice at my apartment.

Mr. Hills: I have no other speaker slips and Ms. South would you please fill out one for the record. And I don't see anyone else coming to the microphone so we'll move on to Item 8 which is Communications.

Clerk read report from Clerk of Court: total monies collected from Courts held during March 2008, \$49,629. Monies collected during that same period pursuant to Ordinances 146-94 and 104-02, \$2,946 for the Computerization Needs Fund and \$160 for the Enforcement and Education Fund.

Reports- - -

Councilwoman Kelly - REACH Community Meetings:

Reynoldsburg City School Superintendent, Steve Dackin and Web Administrator, Trisha Moore discussed the Reynoldsburg Community REACH Meetings that will be held to solicit feedback and to also learn about the possibilities of what educational opportunities could be provided for young people in the new facilities, as well as the existing facilities. There will be

twenty-seven meetings in the next sixty days. (Information on meetings on file in Clerk of Council's office). There will also be eleven meetings held with faculty; and five meetings scheduled with students. Progress will be tracked on the school's web site.

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Mayor McCloud presented a Proclamation to the Reynoldsburg Band Boosters, noting the Band Boosters were reaching out to the Community for assistance with a unique event designed to raise funds in support of the Reynoldsburg Schools Band Program. The High School Marching Band needed to upgrade the drum line and transportation equipment so on Saturday, April 19th, the Boosters would be hosting their first annual community event - in the evening a live big band in full swing will be performing; there will be a raffle of items donated by local merchants and the goal is not only to raise funds for the Band program, but also to bring together friends and supporters in the Community for an evening of fun.

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Mayor McCloud reported on the status of 1349 Suite B Brice Rd as to essentially how they were operating when in fact, there was no permanent permit issued. That is correct. By way of brief history, it was discovered a few months ago, that by - I believe the Truro Township Fire Department - that there was in fact a business being operated in that facility as I understand it - I was not there. Some of the Fire Department folks stopped in - saw the overhead door up - walked around the facility and said "you folks need a permit - do you know that". At that point the Fire Department contacted our Building Department - Building Department followed up with that individual operating the business - did a walkthrough and explained the process as far as what was necessary. Roughly at that time a 30 day temporary permit was issued. The explanation was provided as to what that gentleman needed to get the City - in terms of plans. We have received correspondence from his architect that those plans are imminent - that some of them are complete; the remainder is imminent. Based upon that representation, I authorized an additional thirty day Temporary Permit, which was issued on or about this past Friday. That information is forthcoming. I know the applicant was supposed to be here the last committee meeting. He called after-hours with a statement that he could not be here, but he did leave voicemail. So that is how we are here. That is how he is operating. I know there's also a question about a blue semi-trailer that was on the premises. As it turns out, that blue semi-trailer is not on that property, but an adjacent property. We located that property owner - gave him ten days to remove that semi-trailer, and two weeks to pick up the trash, and I believe that clock started running on Friday for those ten days and those fourteen days respectively. Questions on this issue.

Mr. Clemens said he wanted to thank the Mayor for looking into the situation; that he had called him about it and said he was going to issue another permit and that's fine that they're working under a permit. Mr. Clemens said his only problem with the whole situation was that he had been discussing the issue for over thirty days and if someone had notified him that a permit had been issued, he would have been quiet. Mr. Clemens said he appreciated the work the Mayor had done.

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Mayor McCloud reported in response to a request from Council regarding Jackie South. The Mayor referred to a stack of documentation he had, saying the files represented correspondence that began roughly last July. The Mayor said the Franklin County Board of

Health had been to the facility; the Truro Township Fire Department had been to the facility; the Building Department had been to the facility, on more than one occasion; that none of those entities found any citations. The city has endeavored to do everything it can as a City to acknowledge the complaints and act upon them, but there was simply no legal basis for the city to do anything. The Mayor said he knew that the attorney representing the management company of the complex had offered Ms. South the option to terminate her lease and move; that offer was first tendered September 26th, 2007; it was again tendered just within the last two weeks. The Mayor said to his knowledge, that offer had not been acted upon, but it was a genuine offer to say - let's walk away from this situation and terminate this relationship. The Mayor said there was nothing more, based upon all the information that he had gone through, that the City can do.

Mr. Hills: Does that raise any questions or comments? Mayor - I would like to comment that I think in this specific instance that it is an issue - a private issue and not.....I appreciate the fact that both the Township and Franklin County Board of Health, and the City has followed up on it. I think that we are taking steps towards that direction and as we heard from Ms. Buck there are issues that we need to be concerned with. Many of those are things that we may not be directly able but certainly are addressing those can be of some overall assistance and that's why I think in a couple of weeks you may be able to give us an update on that. The Mrs. South thing - I, the packet that I received in the last two weeks is this big, so certainly I sympathize with Mrs. South's situation. I would suggest she try to work with Plaza Properties to either find another apartment in that or somebody else's complex.

Mr. McCloud: Thank you.

Mr. Hills: Questions, comments, if not, thank you Mayor very much. We'll move forward to.....

Ms. South: I have questions and comments that's why.....

Mr. Hills: I beg your pardon. Ms. South....Ms. South.....just one second. I asked you when you wanted to speak. You wanted to speak earlier. You didn't want to wait til it was your turn because you said I hadn't allowed you to speak. Now let me assure you, if we're going to listen to you now - it will be for an exceptionally brief period of time. What is it you'd like to say?

Ms. South: I spoke up under Community Comments and Requests according to the agenda. Now.....

Mr. Hills: Ms. South, do you listen to what people say to you?

Ms. South: Absolutely.

Mr. Hills: I gave you the option of speaking then, or at your issue that was on the agenda. You chose to speak then. Now if you would like to respond to what you wanted to respond to the Mayor, we will not get into re-debating this issue.

Ms. South: There are legal regulations, rules, regulations, procedures, Code Enforcement, Ordinances, Codes that have not been enforced at my apartment building repeatedly.

Mr. Hills: Ms. South - I'm sorry - that's in the record now. I appreciate your followup comments and would you please have a seat.

Ms. South: I

Mr. Hills used the gavel, and asked the clerk to read Item 10a by title.

Clerk read motion: That the Reynoldsburg City Council does hereby approve the appointment of Sue Murphy to the Reynoldsburg Civil Service Commission to fill an unexpired term that will expire on January 14, 2010. Mr. Stake moved adoption. Mrs. Newman seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby confirm the Mayor's appointment of Lucas Haire, Development Director for the City of Reynoldsburg, and Richard Harris, Reynoldsburg City Auditor to the Brice Road Tax Incentive Review Council; each for a term of three years which will expire on December 31, 2010. Mr. Stake moved adoption; Mr. Clemens seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby confirm the Mayor's appointment of Lucas Haire, Development Director for the City of Reynoldsburg, and Richard Harris, Reynoldsburg City Auditor to the Taylor Road Tax Incentive Review Council; each for a term of three years which will expire on December 31, 2010. Mr. Stake moved adoption; Mrs. Shirey seconded. All voted "Aye". Motion passed.

ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 96-06 PASSED December 18, 2006 THAT WAIVES COMPETITIVE BIDDING FOR VARIOUS EXEMPTED CONTRACTS AND EXPENDITURES OVER \$10,000- -Clerk read ordinance by title for the first reading. Item referred to Finance Committee.

Request by Mayor for Executive Session to review collective bargaining strategy- -Mr. Stake moved to recess for the Executive Session. Mr. Joseph seconded. Mr. Hills said those attending would be all elected officials; Clerk of Council; Attorney Marc Fishel; Human Resources Director; and Safety/Service Director. Mr. Hills said Council would reconvene only to call the roll and adjourn. With the roll called, members voted: Mrs. Newman "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Council recessed at 8:17 p.m.

Council reconvened at 9:10 p.m. With the roll called, members responding were: Mrs. Shirey "Present"; Mr. Stake "Present"; Mr. Deskins "Present"; Mr. Joseph "Present".

Meeting adjourned at 9:10 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council