

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
April 14, 2003

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

Members of Council present: Jim Wade, Eric Gilbert, Mel Clemens, William Hills, Lane Beougher, Ron Stake, Sarah Cannella.

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

Minutes of the regular Council meeting held March 24, 2003 were approved without objection.

The agenda was approved.

Mr. Gilbert stated that he had two Special Exception Use Permits from the Board of Zoning and Building Appeals, and if there were no objections, they would stand approved. There were no objections.

Community Comments and Requests- -Bruce Sowell, 6402 Birchview Drive North, addressed Council: As you know, a lot of you know me. I've been in and out of the city since about '78 and a lot of people in town do know. When I, you often know me as the Code Compliance Officer. One person's responsible for about 33,000 or so odd residents. When I first took the job, I went in with the understanding that everything would be forced equally across the board. I would do the job the best of my ability and whenever I could and so far I think I've lived up to that. There's a lot of areas in town still yet that I have to deal with but there's a lot of things that's gotten done. There's been things that's been torn down, cars removed, all kind of different things. But my concern is lately, I've been the target of some type of program. I don't know what it is. My boss, Stephen Moore, has taken kind of a lot of enforcement on me here lately and I haven't been able to figure out why this is going on. It's bothered me so much that I came in today. I've also asked for some of the local community leaders to also be here and they're sitting in the audience right now. I'm very concerned. I've got a pretty good reputation. I try to do the job the best I possibly can. I can't describe what's been happening to me over the last 8 months and it's unbelievable. What I've come to ask today, for today, is help, form of some type of investigation seeing what's going on. I do not take this request very, very lightly. But it's gotten to the point now where it's both physically and mentally demeaning. There are some things that have been going on to me lately, changing schedule, deny of opportunity to worship, just various different things, and it saddens me because I've been such a long time resident and truly concerned with my over 17 years of service with the city. I ask for your help. Like I said, I've asked some of the community leaders to step forward, to come with me here today and they're solidly behind me to get to the bottom of this. It's gotten to the point right now where I had to think of myself. I have a big responsibility and I don't take that lightly and a lot of you know that have brought problems to me know that I'm pretty good when it comes to dealing with this type of thing and I think my expertise and experience has given me that objectivity. But it's such a concern right now that I come to ask for help.

Mr. McCloud: Bruce, I guess I'm a little unsure about what you need help on. Are these

disciplinary issues that you...

Mr. Sowell: Well, it's a lot of issues and it's not because I'm not doing my job. It's me, I've been targeted personally and that's the whole thing. It's a personal thing. It's not because I'm not doing my job. I do my job. Whenever I've been called, and I've answered a phone call, done anything, you've got to understand that my job is complaint driven. Which means I don't have a set routine. People call in, they leave a message, or they might call me direct, or I might get in my truck and ride around and to look for those problems in the city. And as I look for those problems in the city, I try to resolve those problems. Like I said, 99% of it is officer initiated. If I see a junk car or gutters hanging off of a house or something along that nature, but what's been happening to me, I mean, I still hear, say a year ago, two years ago, or three years ago, I never would believe it. So, I just wanted to make everybody aware that I'm aware, and like I said, I do have some community leaders who are also here listening too. The town's listening.

Mr. McCloud: Thank you, Bruce. Mr. Clemens.

Mr. Clemens: Yes, Bruce. You fall under the Safety Committee and if you feel there's a need for an investigation, certainly we have to know the reason why. If you have reasons that you feel that should be looked into, or should be investigated, the proper thing to do I would think would be to itemize them, give them to me, and I'll give them to the committee, members of Council, then we'll see if we should investigate them or if they're worthy of being investigated. It's hard to stand up and say that things are happening or not happening and things such as that and we don't know what you're talking about. And we have to know what we're looking at. Do you know what I'm saying?

Mr. Sowell: I intend to itemize them. Yes, I do.

Mr. Clemens: I mean, that would be the proper way to do it then members of Council would have something to look at and you know, know what we were discussing. What we were talking about. That would be my thought.

Mr. McCloud: And I agree, Mr. Clemens. Mr. Wade.

Mr. Wade: Mr. Sowell, have you taken this to your superiors?

Mr. Sowell: Yes, I have.

Mr. Wade: Have you taken it to the Mayor?

Mr. Sowell: I haven't taken it to the Mayor as yet.

Mr. Wade: As far as I'm concerned this is not something we should be discussing in Council Chambers without you having gone through the Administration in its entirety to rectify your problem. We're not the Administration. That's, and I don't think it's our place to intervene with the employee grievances without the Administration having an opportunity to address those. And I think this is totally inappropriate. Totally. And I'd also like to know which city leaders you're

referring to that are supporting you.

Mr. Sowell: I didn't say city leaders, sir. I said community leaders.

Mr. Wade; Who are you referring to?

Mr. Sowell: I have community leaders here.

Mr. Wade: Who?

Mr. Stearns: I'm one of them.

Mr. Sowell: Preston Stearns right here. There's Reverend Griffin who's sitting in the back at this time also.

Mr. Wade: Okay. And what influence do they have on this?

Mr. Sowell: I'm just saying that they're aware of what's going on also. Like I said, you know, the thing about it, this thing has gotten to a point right now where, you know, I have to make a decision. But as I come to you today, I was just going to let you know what is actually going on. And I'm highly discouraged about what's happening. Like I said, if I had stood here a year ago, and, I would never believe that, if I had an experience with my own self, but I do intend to put those things in writing.

Mr. McCloud: That would help a lot.

Mr. Wade: I just want to emphasize. I think this is totally ridiculous that they haven't gone through the Administration and frankly, I'll have no part of it until that process is done. I think it's totally inappropriate, Bruce.

Mr. Sowell: Well, like I said, you know, I realize that.

Mr. Wade: You can imagine that this Council does not have time to intervene in every dispute or difference of opinion that every employee of the city has. That is not what this body does.

Mr. Sowell: It's not a difference of opinion, sir. I'm just telling you there's things happening.

Mr. McCloud: Okay. Thank you. Mayor, you wanted to respond to that?

Mayor McPherson: A little clarification. Mr. Sowell is scheduled for a pre-disciplinary conference. It will be at 3 p.m. April 16 of this month. This is the procedure that was adopted by City Council in the Personnel Policy and Procedures Manual just recently. As of right now we have 48 allegations. Insubordination, neglect of duty, discourteous treatment of the public...

Mr. Gilbert: President McCloud. Mayor, I'm sorry to interrupt but, Bruce as in general terms, our practice is when we discuss disciplinary matters it's in the Executive Session. I don't want to get into the detail here.

Mayor McPherson: Well this is just an overview.

Mr. McCloud: Maybe to summarize (inaudible)

Mayor McPherson: And what I'm giving you is just an overview. The reason for the disciplinary hearing is a result of the 48 different summary of charges and exhibits that we have in front of us. We are going through the proper procedures as the Administration. We are working through those. Mr. Sowell has seen this. This is nothing new. So, you know, I would like to point out, he knows exactly what the pre-disciplinary hearing is all about. And whatever the results are of that, the HR handles that pre-disciplinary hearing and then makes a recommendation, or doesn't make a recommendation, but makes a report. That report then comes to me. So at this point, the only thing I am aware of is that there is a pre-disciplinary hearing and that that, those are the alleged offenses and then it goes from there. But we do have a procedure and coming to City Council or calling your minister is not a part of that procedure and I regret that Mr. Sowell's chosen to bring this to City Council. We will certainly advise City Council of what the disposition is after the pre-disciplinary hearing, and after he comes to me, and after I make a decision. Thank you.

Mr. McCloud: That's fine. Thank you, Mayor. Is there anyone else here who wishes to address Council on an issue not on the Agenda?

Communications- - Clerk read report from Clerk of Courts: total monies collected from courts held during March 2003, \$25,881. Monies also collected during that period pursuant to Ordinance No. 146-94 and Ordinance No. 104-02 - - \$1,340 for the Computerization Needs Fund and \$150 for the Enforcement and Education Fund.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby adopt the Resolution of Support for the United States Armed Forces; resolution signed and dated April 14, 2003. Mr. Hills moved adoption. Mrs. Cannella seconded. All voted "Aye". Motion passed.

Consent Agenda items

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

For second reading: ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 1181 SIGNS - Section 1181.03 "Signs Authorized With Permits" Subsection (c)(4)B- - Item referred to Service Committee.

Mr. Gilbert moved approval of the item on the Consent Agenda. Mr. Stake seconded. With the roll called, members voted; Mr. Wade "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mr. Hills "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mrs. Cannella "Yea". Motion passed; disposition listed above.

Regular Agenda items:

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 757.03 "Daily Reports To Police" OF CHAPTER

757 PAWNBROKERS- -Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mrs. Cannella seconded. With the roll called, members voted: Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”. Motion passed; Ordinance No. 23-03 adopted.

ORDINANCE AUTHORIZING E.M.H.&T. TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR PAINTING OF EAST BROAD STREET AND TAYLOR ROAD WATER TOWER AND APPROPRIATING FUNDS THEREFORE- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Hills seconded. With the roll called, members voted: Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”. Motion passed; Ordinance No. 24-03 adopted.

ORDINANCE ACCEPTING UNRECORDED DONATION AND DEDICATION OF REAL PROPERTY (public right-of-way); UNRECORDED DEED OF EASEMENT (sanitary sewer easement); and UNRECORDED DEED OF EASEMENT (general utility easement) FROM ARDMORE OF OHIO, LTD., an Ohio Limited Liability Company- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Wade seconded. With the roll called, members voted: Mr. Wade “Yea”; Mr. Gilbert “Yea”; Mr. Clemens “Yea”; Mr. Hills “Yea”; Mr. Beougher “Yea”; Mr. Stake “Yea”; Mrs. Cannella “Yea”. Motion passed; Ordinance No. 25-03 adopted.

Meeting adjourned at 7:47 p.m.

Bradley L. McCloud, President of Council

Nancy C. Frazier, Clerk of Council