

MINUTES REGULAR COUNCIL
REYNOLDSBURG CITY COUNCIL
APRIL 10, 2006

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

Members of Council present: Donna Shirey, Ron Stake, Preston Stearns, Brett Baxter, Doug Joseph, Mel Clemens, Antoinette Newman.

The Invocation was given by Mr. Stearns. Mr. Hills led the Pledge of Allegiance.

Minutes of the special Council meeting held March 27, 2006 were approved without objection.
Minutes of the regular Council meeting held March 27, 2006 were approved without objection.

The agenda was approved.

Community Comments and Requests - - -

Mr. Hills: I would like to note that, on Community Comments, it is up to the President to exercise control. Our own rules do call for 3 minutes. Also, if the subject does not concern the legislative responsibilities of the Council, the Presiding Officer may refer the person to the proper administrative officer, another public forum, or deny the request. No member or person shall use language or subject matter containing obscenity, or partisan political propaganda. The goal is to preserve the order in decorum of the public meeting. And also the Presiding Officer, subject to challenge by the majority of Council, may refuse the floor to any member or person where the tactics are obviously dilatory and not in the best interest of Council. I, in my public service in excess of 20 years, I've never been known to not allow people to address the body they're before. In fact, Mr. Clemens used to get real upset with me on Planning Commission because I always liked to let people talk. So my goal is certainly, to allow people to talk. But I do want everybody to understand what our rules and guidelines are. I would also like to note, as I mentioned earlier, that a person is guaranteed the right to attend a public meeting, but not the right to be heard at that meeting. A disruptive person waives the right to remain and observe the meeting, and may be removed. So with that said, I do have a couple of speaker slips, or actually 3 indications from committee last week that wanted to speak. And I do understand that Reverend David Akers is not going to be present tonight. He has met with the appropriate administrative body and his concerns and answers have been addressed, is what was related to me. So I do not see Mr. Akers. I also then had a slip from Gary Burkholder, Etna Township Trustee. Mr. Burkholder, did you want to address Council?

Mr. Burkholder: Yes, Mr. President. I came to Council before, and I came to the last committee meeting, but it was decided it would be better to come to the full Council meeting to ask for support both from the Administration, and also from City Council. Support for the Etna Twp. Road and Bridge Levy, which is a 1.5 mill levy for 5 years which is on the May 2 ballot. I passed out a sheet, and I passed out one at the previous meeting. I have one correction. That would actually commence in 2006, the levy would. And the first collection would take place in 2007. This is, in my opinion, the only funding solution that we have to fix Taylor Road. As I said

previously, it is a comprehensive road improvement. We have a transportation improvement plan, a 5 year plan, for all of Etna Township roads. The section of the road on Taylor Road that is not repaired, and not scheduled to be repaired other than repaving this year, is the Etna Township portion of Taylor Road. I commend the city that you've done the funding, and the engineering, and apparently are moving toward bid for your section of Taylor Road. We're working with the schools to try to get their support for this. Also, try to generate support in the unincorporated area. This would generate 500,000, \$510,000 per year. And as I had said previously, and I will keep this under 3 minutes, we discovered last year when we applied for Issue 2 monies, that on a total reconstruction of the road, you have to have at least 50% match. Which in this case would be \$750,000. This is a 1.5 million dollar road according to the engineering estimates. The engineering's not been done for Etna Township's portion yet because I agree with the Licking County Engineer that to do so without guaranteed funding would be an expenditure of taxpayers' money with no guarantee that the road would ever be built. The Etna Twp. Board of Trustees, we did pass a resolution to correspond, which I did with the Licking County Engineer, requesting a written commitment from the engineer for Taylor, engineering services for Taylor Road, contingent upon passage of the Road and Bridge Levy in May. I'll be happy to answer any questions. Many of these things I talked about the last time I was here.

Mr. Hills: Any questions of Mr. Burkholder? Yes, sir. Go right ahead. Mr. Joseph.

Mr. Joseph: Mr. Burkholder, the City Auditor tells me that presently, the township collects about \$156,000 from Reynoldsburg citizens who live in Etna Township. Where are those dollars now being spent?

Mr. Burkholder: Those dollars are being, they go into the General Fund. They're being used on a variety of things. As you know, we cannot expend any monies on city roads. So those are being used on township roads, and also in the General Fund. For the last several years, we have transferred monies from the General Fund into the Road and Bridge so that we could keep up with our road repairs. One example would be, and again, this is Etna Township's portion of Taylor Road because we can't expend funds outside of the unincorporated area. We did get a grant for \$100,000 for resurfacing for Taylor Road. And we will match that with, our match was 33,000. But that's resurfacing only. This question has been asked numerous and numerous times. I don't make the laws. I can't change them. The state legislature can. Cities can spend money outside of their jurisdiction. The City of Reynoldsburg could fix Etna Township's portion of Taylor Road. I don't think that will happen politically. We've researched that. That's a possibility. But Etna Twp. is willing to step up to the plate now if we get the Road and Bridge Levy passed and get our portion of Taylor Road.

Mr. Hills: Are there any other questions for Mr. Burkholder?

Mrs. Newman: No. I would just like to comment. I believe we were advised that the City of Reynoldsburg could not spend money outside the bounds of our city on Taylor Road. That we could not fix the whole road.

Mr. Burkholder: We went to a law firm and had that specifically researched. I know there is a conflicting opinion with the city law director here in Reynoldsburg. But he had a detailed opinion

that you can spend that. If that were to happen, Etna Twp. however, would have to stipulate that we would maintain that portion of the road once it was repaired. I don't see that happening.

Mr. Hills: Mr. Burkholder, rather than debate that because there is conflicting legal opinions, you have indicated and told us what we can do as a bureaucratic group as a city. And we have certainly been informed that we can't. Now, a wise old judge once told me, do you know what the difference is between a plaintiff's expert and a defendant's expert? About \$300 an hour. We can all sit here and say about what things could be or cannot be done. We have certainly been informed, we cannot. And we follow what our legal people, now I have asked people, I've asked people to check. I'll be very candid with you. I've asked people to look at it. And I've asked people because I understand with the money you get, you've got a 2 million dollar bond that would be payable over those monies. I've asked, can we indicate to you, why don't you take our taxpayers', our corporate citizens' taxes going to you, and fix Taylor Road. Which would be a benefit to everybody. Your community, our community, and anyone else driving out there.

Mr. Burkholder: We would anticipate to get a bond if the Road and Bridge Levy passes. However, we would not be eligible, we would not be able to leverage our matching funds if we did that at 100, \$150,000 a year. It would take us 7 or 8 years to have enough to go for Issue 2 and low interest loans.

Mr. Hills: As I said, if you dedicate the percentage of your budget that comes in from Reynoldsburg, you've got 2 million dollars that is borrowable to work with. See this is where, and Gary we could go on, and we have, ad infinitum on some of these things and that doesn't do any good. You've asked certainly for your support, and you explained why it is, what you're doing. You've asked what 27% of the voters of the residents in Reynoldsburg taxes should increase to be able to do this for you. Mr. Stake, did you have a question?

Mr. Stake: President Hills, I did not have a question. I did have some comments. One, I'm trying to look at the big picture. I do see road improvements in Etna Twp. to be a regional improvement to the area. I mean, I think it's a step in the right direction. And I'll say it, I personally support what you're trying to do. I would hope that the Etna voters vote for that. I do have to agree with some of the comments made by my colleagues about the money being spent. How come money is not being spent that's being paid by Etna Twp., Reynoldsburg taxpayers? And you answered that question, I guess. I'm not an expert on that so I'm not sure. I'll take your word on that Gary.

Mr. Burkholder: Well, we cannot, let me just clarify two things. My point was not to ask the City of Reynoldsburg to spend and repair that section. That question came in the context of Mr. Joseph's question. We cannot spend money outside of the unincorporated area. We can't spend it inside of the city.

Mr. Hills: And if you can't, we can't.

Mr. Stake: How can we?

Mr. Hills: So that's where the opinion _____.

Mr. Burkholder: Let me get back to, the only focus I have tonight, is to ask for your support. And at the end of the day, the only thing I really have to say is, all this really comes down to is we either want to repair Taylor Road all the way, curb and gutter, sidewalk, three lanes, or we don't. And I would like to have the support of Council. But ultimately, we'll all ask for the support of the residents both in the city portion and in the unincorporated area of Etna.

Mr. Hills: Just so you understand, and I agree, I mean, I see what you're saying that you say we want. We are doing ours. You haven't done yours. And you're saying you can't do it on a fiscal basis. We have chosen that we needed to be sure that ours was repaired. So Mr. Clemens, did you have another question?

Mr. Clemens: Yeah, Gary. I understand what you're asking because we've been discussing this for I don't know how many years. Taylor Road and so forth. And the reason I was thinking about it, and my thoughts are, and as you know, our residents have been paying \$156,000 a year that you can't use in Reynoldsburg and you use elsewhere in Etna Twp. And I have a hard time of asking, we'd be supporting something to ask the residents to vote for more money to go to Etna Twp. Really, they're double taxing themselves to build a road, and also bridges. There's no bridges they drive over. I mean, it would be in the City of Reynoldsburg. I think it's an issue that you have to leave up to the voters. You have to, you as Township Trustee in that township have to get the voters to support you from Reynoldsburg. I think for us to go out, we have our own problems that we'll probably be going to the ballot with, and the school has too and so forth, to turn around and ask them to re-tax themselves on something that they haven't got any benefit from in the past, and they're not really sure they're going to get any benefit in the future, I feel uncertain as Councilman to do that. And I want you to understand what my position is on it. And I just don't believe in asking the people to double tax themselves for something that they may not, they may not even drive Taylor Road. You're assuming that, we're assuming that everybody is going to drive Taylor Road from Reynoldsburg just because they can get to the freeway and get down and shop. Half the people probably go the other direction or they come down Main Street. They may not ever use Main Street or drive through your township. So I think that's really up to you as a Township Trustee and the other members, that go out and get their support by working on it. Not by the City of Reynoldsburg working on it. We're doing our share, and we expect you to do your share, however you do it. That's your problem. I'm not going to sit here and tell you how to do it because that's not my, but I have an uneasy feeling to ask the people to re-tax themselves on something they've got no benefit out of forever since they've been in the City of Reynoldsburg and Etna Twp. and been paying taxes out there. And that's the way I feel about it.

Mr. Hills: Mr. Stake, did you have a comment?

Mr. Stake: Yes. Thank you, President Hills. I just had a couple of other things to say. I hope Etna Twp., you have a lot more people located in Etna Twp. outside of Reynoldsburg than you do. And I hope those folks do vote for that so Taylor Road gets done. My goal here is to get Taylor Road done. That's what I'd like to see. And I'm not asking, I just want to make it clear, I'm not asking for Council's support, I'm personally supporting this issue. I'm not asking for Council's support. So I don't want Council members to be misled there. Thank you.

Mr. Hills: Any other questions? Yes, Mr. Baxter.

Mr. Baxter: President Hills, I'd like to get down to this as well. Gary, you came to me last week to talk about this and I appreciate you doing that. I look at what you have, the document here, and I see it's going to raise about \$2,900,000. And you state, in your own words, it was 1.5 million to repair Taylor Road.

Mr. Burkholder: About 2.55 million.

Mr. Baxter: 2.5. I'm just saying, I'm looking at \$2,900,000 would be generated over the 5 years. That's \$510,000 a year.

Mr. Burkholder: Right. For 5 years.

Mr. Baxter: For 5 years. With that said, when would you plan on starting Taylor Road?

Mr. Burkholder: Well, what our intention was, and I checked with the county is, that if this passed on May 2, we would like to get with the County Engineer immediately and get that commitment for the engineering. And then this October, apply for both state funds and for low interest loans. Whatever combination that we would feel would best give us, give us the best chance to get an award. And issue bonds backed by the Road and Bridge revenues so that we could begin as quickly as possible. Construction obviously, would not begin in 2006. I think it would be an aggressive schedule to begin in 2007. But possibly in 2008. One of the reasons that I pushed at the Board of Trustee level to move this forward as quickly as possible so that we would not miss another opportunity to apply for state grants this fall. If we went on the November ballot, then we would be looking at waiting another whole year to apply. There's no guarantee that we'll receive funding, but we could possibly at least get some low interest loans. So I'm thinking 2007, maybe 2008 for actual construction. We are significantly behind where Reynoldsburg is on this project. I'm worried that when your project gets complete, what's going to happen when ours is still just a 2 lane resurfaced road? What kind of situation?

Mr. Baxter: Right. That's going to look terrible. And your voters are going to recognize that. And I think the point I want to get to President Hills, if you'll just give me one more minute here, is that, I want a commitment from you Gary, that your intent is, even if it's 5 years from now, you're planning on building Taylor Road and fixing it. Even if you have to wait until all the dollars come in, that Taylor Road is your commitment. And you give me that commitment tonight that that's what the goal of this is, then I do support this.

Mr. Burkholder: Well, I've said that repeatedly and I'll go on national TV or whatever it takes. Because Taylor Road, I ran on the issue of Taylor Road. And the fact of the matter is, over 10,000 people drive that road daily.

Mr. Hills: Let's don't get on what people ran on because Mr. Burkholder, I don't want to become argumentative but the JEDZ, the JEDZ, you stood right here in this same position and said those monies were going to Taylor Road.

Mr. Burkholder: That's right. That's right. And I stand by that statement. And those monies

can go toward Taylor Road. They can be part of that funding solution. But those monies won't have any significant income for possibly 10 years because that's based on a 30% of a 1.75 income tax on jobs that aren't even created there yet.

Mr. Hills: That's a different side of the story than you stood before us and told us before.

Mr. Baxter: Thank you, President Hills. That's the point I was trying to get to and I appreciate you bringing me right to that. And these are funds that are going to come in as a 2007, \$510,000 a year, and what I would like to hear, and I think you're saying, regardless of any situation, it's going to go to Taylor Road at least to fund that project.

Mr. Burkholder: The JEDZ Funds?

Mr. Baxter: No. The levy that you're asking this Council to support.

Mr. Burkholder: Absolutely. And let me say...

Mr. Hills: What he has just said is, the 510,000 total dollars taxes are all going to Taylor Road. And you're standing here and saying that's what is going to happen. It's not a Bridge Fund, is it? It's a Taylor Road Fund.

Mr. Burkholder: What do you mean? First of all...

Mr. Hills: I think what Mr. Baxter just said, the \$510,000 that you anticipate receiving from this increased taxes for Road and Bridge Levy, you have indicated you will dedicate that 100% for the completion of Taylor Road.

Mr. Burkholder: The 2 ½ million?

Mr. Hills: The 510,000 a year. You can multiply it by 5 or you can divide it by 5. The \$510,000 for every tax dollar you get off of this new levy, I think what Mr. Baxter is saying, are you standing there saying as an Etna Township Trustee that says those dollars are going to be dedicated to Taylor Road...

Mr. Burkholder: 100% of those?

Mr. Hills: Yes.

Mr. Burkholder: No.

Mr. Hills: That's what he just said.

Mr. Burkholder: Let me explain the funding mechanism. The road costs 1.5 million. The levy will raise 2.5 million. It's not for bridges. That's the County Engineer. But the language to have it on the ballot has to say Road and Bridge. That's the legal requirement. That's why it says Road and Bridge. The reason we went with the 1.5 mill instead of a 1 mill, which would

have raised approximately \$340,000 a year, is first of all, a 1 mill, we weren't certain that would raise enough to cover Taylor Road given the escalation and construction cost. Secondly, we felt that in order to get the support of the unincorporated, I have to fight the opposite argument. People who live out on York Road, why do we want to fix Taylor Road? So we decided to go 1.5 mill so we have enough to repave our other roads in the township. Do Taylor Road which is a 1.5 million and Columbia Road which is a \$500,000. And those are current estimates. So they may even go higher. But are we dedicated to, and I feel I can speak for the board as Mr. George and Mr. Knapp dedicated to fixing Taylor Road? Absolutely. Or else we wouldn't be here.

Mr. Baxter: Very good. With that said, then I would support it.

Mr. Hills: Mr. Joseph, did you have something?

Mr. Joseph: Yes. Thank you, Mr. President. I want to just clarify, that if your issue goes through, it passes, that you're in fact going to spend those monies that you won't say well, we have other needs in the township and we'll just push that back another few years and maybe we'll do a different levy another time. Are these dollars absolutely going to go to Taylor Road?

Mr. Burkholder: Yes. A portion of them will. Like I said, it's going to raise more than what's needed. But absolutely. It's a very good question. Those monies first of all, go into the Road and Bridge Fund and cannot be spent in the General Fund without a court order. You can transfer money from the General Fund to the Road and Bridge which we've done in the last 2 years. We're going to have to do it again this year to do our repaving. But once it goes into the Road and Bridge, it can only be spent on Road and Bridge. Probably the two top projects as far as total reconstruction though, are going to be Taylor Road and Columbia Road. The additional revenues will be used to fund our resurfacing projects, our culvert work, and our subdivision work that is going to increase because we have subdivisions now in the 5 and 6 year range. So we're going to have curb and gutter repair also. It's a fair question. Yes. That's why I'm here tonight, to move this thing forward so we can hopefully look at construction within 24 months. Can't guarantee that, but we hope so.

Mr. Hills: Mr. Clemens, do you have a question?

Mr. Clemens: I just want to say, and I understand what you're saying. And the easiest thing in the world for me to do would be sit here tonight and say, I support you 100% on Taylor Road. Because everybody would like to have Taylor Road. But I am not going to be paying the taxes. So it would be easy for me to do that. You get the people who are going to pay the taxes to support you. That's what I'm saying. I mean, I can sit here, that's glorious to sit here and say, certainly I want Taylor Road fixed. But I'm not paying the taxes. The people out there are paying the taxes. Those are the ones you've got to sell. Not me.

Mr. Burkholder: Well, that's why I'm here. Because I hope it gets reported. Because we are asking the taxpayers that for \$46 a year on a house valued at \$100,000, we can get Taylor Road fixed.

Mr. Clemens: Not when they've been paying the tax that it's never been used for.

Mr. Hills: Gary, if you ever go to court you'll be more of a plaintiff's expert than you will a defendant's expert. Any other questions of Mr. Burkholder? (No response).

Mr. Burkholder: Does that mean I get 300 an hour divided by how long I've been up here?

Mr. Hills: From everything you've said, you've charged somebody 750. So you'll be alright. Thank you, Mr. Burkholder.

The last speaker slip I have is Mr. Gregory Popper. Mr. Popper.

Mr. Popper: Mayor McPherson, President Hills, members of Council, citizens of Reynoldsburg, thank you for letting me speak here this evening. Two weeks ago in this room, a valued member of this community, Ken Wright, rose from his seat to address City Council and the citizens of Reynoldsburg in an exercise of his First Amendment rights. Mr. Wright spoke his mind and his heart with respect to an issue which is of great concern to the majority of our citizens. This Special Use Permit granted to the Calvary International Church. The presentation, while passionate and opinionated, was void of any profanity and stayed within the parameters of good taste. And whether the individual members of Council voted for or against the issuance of the permit, they sat attentively so Mr. Wright could have his say. And that President Hills, brings us to you. On March 13 of this year, you afforded a Mr. David Howard all of a good 20 minutes to present to you a problem that as he described, concerned drainage on his property, a sign that was never installed, and promises that were made to his mother by a previous administration that they had no intentions of honoring. At that time, you assured Mr. Howard that the matter would be investigated and results of that investigation were reported on March 27. In this instance, you did your job and did it well. And then you turned right around and trampled on a man's right to what is probably the most cherished of all the freedoms that we enjoy in the United State of America. The freedom of speech. Why wasn't Mr. Wright given the same amount of time to speak as Mr. Howard? Could it be because you didn't share his views on the matter? Or perhaps you had simply grown weary of hearing about this issue. Regardless as to the reason President Hills, a man in your position should have the integrity to allow a fellow citizen all of the rights to which he is entitled. In closing, I would like to say that it is my opinion that whether or not you choose to do so, you owe Ken Wright not only an opportunity to finish the presentation he prepared two weeks ago, but also a heartfelt apology. Mrs. Newman, I feel that I would be remiss if I didn't take the opportunity to recognize you for your remarks once Mr. Wright returned to his seat. I believe I speak for a lot of people in our community. But I personally would like to thank you. Mr. Hills: Does anyone have any questions of Mr. Popper? Mr. Stake.

Mr. Stake: I don't have any questions, President Hills. I just have a comment. I've been sitting next to you here for the last couple, three years, and I know that that was an oversight on your, I believe when you didn't recognize Mr. Wright.

Mr. Hills: At an earlier meeting?

Mr. Stake: At an earlier meeting. I believe that was a sincere oversight, Mr. Popper.

Mr. Hills: And I did apologize to Mr. Wright for that. And said I did miss it. Will I apologize for this, Mr. Stake? And we're not going to get into a debate here. I won't. Because let me assure you why I felt it was appropriate. And I believe we could check the minutes, Mr. Wright finished his statements. Over our discussions, he still finished his statements. When bureaucratic agencies are equated to terrorists, and the City of Reynoldsburg, and the Board of Elections of Franklin County referred to as a terrorist group, and then when you start speaking of people personally, it's time that it's out of line. And that's when I asked Mr. Wright, after the terrorists, and then after his reference to George Dawson, I said it's time to close it down. I would do it again if it happened the same way. Mr. Wright has never, it's not a personality thing. It's not a personal thing. I'm asked to try to keep the decorum in this room. You saw leniency given to Mr. Burkholder tonight. He is an elected official. There is some respect to those, and it does affect a great number of our citizens. But I don't feel I owe Mr. Wright an apology. When I did, I did apologize. For those statements, and your request for me to apologize, no, I don't think it's appropriate. Because I felt, and again, I would do the same thing again. Now, unless anybody's got any other questions, we're going to move on. Thank you very much, Mr. Popper.

I have no other speaker slips. Is there anyone else who wants to address Council? (No response).

Communications - - Assistant Clerk read report from Clerk of Courts: total monies collected from courts held during March 2006, \$44,653.85. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- -\$2,769 for the Computerization Needs Fund and \$300 for the Enforcement and Education Fund.

Assistant Clerk read motion: That the Council of the City of Reynoldsburg does hereby adopt the Resolution of Support signed and dated April 10, 2006, for the 5 year, 2 mill permanent improvement levy renewal issue for the Reynoldsburg Schools to be on the May 2, 2006 ballot. Mr. Stake moved adoption. Mr. Stearns seconded. All voted "Aye". Motion passed.

Assistant Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Tom Eller to serve on the Design Review Board; appointment to fill the unexpired term ending December 31, 2006. Mr. Stake moved adoption. Mr. Clemens seconded. All voted "Aye". Motion passed.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,000,000 FOR THE PURPOSE OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSES OF PAYING THE COSTS OF (I) CONSTRUCTING, RECONSTRUCTING, EXTENDING, OPENING, IMPROVING, WIDENING, GRADING, DRAINING AND CHANGING THE LINES OF MUNICIPAL ROADS, STREETS AND HIGHWAYS, INSTALLING CURBS, SIDEWALKS AND LANDSCAPING, INSTALLING, IMPROVING AND RELOCATING STREET LIGHTING, TRAFFIC SIGNALIZATION AND ELECTRICAL LINES, AND CONSTRUCTING, RECONSTRUCTING, EXTENDING AND IMPROVING STORM SEWERS AND CULVERTS, WATER AND SANITARY SEWER LINES IN CONNECTION THEREWITH, AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE

THEREFOR, TOGETHER WITH ALL NECESSARY APPURTENANCES AND (II) CONSTRUCTING A PUBLIC SAFETY BUILDING, TOGETHER WITH ALL NECESSARY APPURTENANCES, REPEALING AND REPLACING ORDINANCE NO. 26-06 PASSED MARCH 27, 2006 AND DECLARING AN EMERGENCY- - -Assistant Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 28-06 adopted.

ORDINANCE MAKING APPROPRIATION FROM STORM WATER UTILITY FUND TO REIMBURSE CRV-XII MAIN STREET LTD. FOR RELOCATION OF OLD CITY STORM SEWER AND DECLARING AN EMERGENCY- - -Assistant Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 29-06 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "Authorized Positions, Personnel, Classification and Pay Grade" Subsections (c) "Department of Development" and (g) "Service Department" (2) "Building Division"; and SECTION 160.05 "Overtime Eligibility" Subsection (A) "Policy" (1)- - -Assistant Clerk read ordinance by title for the first reading. Item referred to Community Development Committee.

ORDINANCE TO AMEND THE "CITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL" ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED, SECTION 4.03 "Payroll Deductions", Subsection A. "Policy" 1- - -Assistant Clerk read ordinance by title for the first reading. Item referred to Community Development Committee.

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF REYNOLDSBURG FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO TO EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS- - -Assistant Clerk read ordinance by title for the first reading. Item referred to Safety Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING AND REPLACING CHAPTER 1325 1999 OHIO RESIDENTIAL CODE FOR 1, 2, AND 3 FAMILY DWELLINGS - - -Assistant Clerk read ordinance by title for the first reading. Item referred to Safety Committee.

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 - 8015 East Broad Street; southeast corner of Broad Street and Waggoner Road; from CC to CS; applicant, Giltz & Associates, Inc. (51.225+/- ac.)- - Assistant Clerk read ordinance by title for the first reading. Mr. Hills set a Public Hearing for May 1, 2006 at 7:00 p.m. in Council Chambers.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF 79.1+/- ACRES IN ETNA TOWNSHIP, COUNTY OF LICKING, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (Harrison W. Smith, Jr., agent for petitioners (Harvey))- - Assistant Clerk read ordinance by title for the first reading. Item referred to Service Committee.

AN ORDINANCE OF THE CITY OF REYNOLDSBURG ADOPTING THE 2003 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF REYNOLDSBURG; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING CHAPTER(S) NO. 1387, 1389, 1391, 1393 OF THE CITY OF REYNOLDSBURG.- - Assistant Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "Authorized Positions, Personnel, Classification and Pay Grade" Subsection (f), AND APPROPRIATING FUNDS THEREFORE- - Assistant Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT (sanitary sewer easement) (.478 ac.) FROM THE TRADITIONS AT SLATE RIDGE, LLC, an Ohio limited liability company (Preferred Real Estate Investments, LLC)- - Assistant Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF REYNOLDSBURG AND THE FRANKLIN COUNTY BOARD OF COMMISSIONERS REGARDING A SUB-GRANT AWARD FROM THE FRANKLIN COUNTY EMERGENCY MANAGEMENT AND HOMELAND SECURITY, AND ADVERTISEMENT FOR BIDS- - Assistant Clerk read ordinance by title for the third reading.

Mr. Baxter: Thank you, President Hills. First, I need to ask that we can amend this legislation to add the language to, let me see, to make this an emergency, and declaring an emergency. And I so

move. The reason for this, the reason for doing this is the fact that the sub-grant end date is coming effective soon, and we have an opportunity of losing this grant.

Mr. Hills: Okay. Did the administration bring that to you?

Mr. Baxter: Yes they did. Just recently this evening.

Mr. Hills: No problem. I hadn't heard about it. It helps if I hear.

Mr. Baxter: Unfortunately, it happened right as we were starting Council so I didn't get a chance to bring it to your attention. I apologize.

Mr. Hills: No. I think administration could have done that too. So therefore, you are moving to amend?

Mr. Baxter: So moving to add the...

Mr. Hills: To add the emergency language for the necessity of meeting the grant date.

Mr. Baxter: Correct.

Mr. Baxter moved to amend the ordinance to reflect emergency language. Mr. Joseph seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; ordinance amended.

Mr. Baxter moved adoption. Mr. Stake seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 30-06 adopted.

ORDINANCE AUTHORIZING MAYOR TO APPLY FOR GRANT FROM DEPARTMENT OF HOMELAND SECURITY, FRANKLIN COUNTY TERRORISM ADVISORY TEAM FOR THE FUNDING OF AN EMERGENCY ELECTRICAL GENERATOR FOR THE STREET DEPARTMENT- -Assistant Clerk read ordinance by title for the third reading. Mr. Baxter moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 31-06 adopted.

ORDINANCE MAKING APPROPRIATION FOR SPECIAL COUNSEL (Reynoldsburg City Council) AND DECLARING AN EMERGENCY- -Assistant Clerk read ordinance by title for the third reading. Mr. Clemens moved to amend the ordinance as redrafted 4-3-06. Mr. Baxter seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Nay"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 32-06 adopted.

ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT (sanitary sewer easement) (1.002 ac.) FROM MURPHY DEVELOPMENT COMPANY/TAYLOR CHASE LLC- -Assistant Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 33-06 adopted.

ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT (storm sewer easement) (.630 ac.) FROM MURPHY DEVELOPMENT COMPANY/TAYLOR CHASE LLC- -Assistant Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea". Motion passed; Ordinance No. 34-06 adopted.

Meeting adjourned at 8:15 p.m.

William L. Hills, President of Council

Susie Smith, Assistant Clerk of Council