

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
March 24, 2008

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

Members of Council present: Doug Joseph, Mel Clemens, Ron Stake, Fred Deskins, Jr., Leslie Kelly. Councilwomen Antoinette Newman and Donna Shirey were absent.

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

Minutes of the special Council meeting held March 10, 2008 were approved without objection.
Minutes of the regular Council meeting held March 10, 2008 were approved without objection.
Minutes of the special Council meeting held March 17, 2008 were approved without objection.

At the request of the Mayor, Mr. Stake moved to amend the agenda by adding two motions - one to confirm appointment of Development Director; and one to confirm appointment of City Engineer. Mr. Clemens seconded. The amended agenda was approved with all voting "Aye". Mr. Hills said the motion for Development Director would be Item 10b; the motion for City Engineer would be Item 13a.

Community Comments and Requests- -Mr. Hills said he had a Speaker's Slip, and asked Jacqueline South to go to the microphone and give her name and address for the record.

Ms. South: My name is Jacqueline D. South, I live at 1365 Briarcliff Rd., Apt # 34 in Briarcliff Plaza Apts., Reynoldsburg, Ohio.

Mr. Hills: Yes Ma'am. If you'd like to.....

Ms. South: I have resided here in Reynoldsburg just about a year and I would like to bring to the attention of Council what I believe is corruption and discrimination as regards to housing health hazards and non-enforcement of the codes by the Building Department here, the Building Codes and the Health and Safety Hazard Codes, along with Franklin County Health Department. To cite this I have photographs here where I moved into an apartment subsidized and paid by Section 8 and it had cat urine and feces all over the hardwood floors, underneath the carpet that they told me was new and had been covered up. The floor had sunk, the pictures I have here show the health hazards. At that time, when I found it happened for 3-4 months, I tried to get the Code Enforcement Officials here to do something about it - Section 8, anyone, Plaza Properties and after 3 or 4 months of suffering through that health hazard stuff affecting my health I.....they did Plaza came in and painted the floor with Benz - a 27 foot floor with toxic Benz Kills and the floor had already sunk. They did not seal it properly. The black stuff still comes up through it. At the time, I fought them for 3 or 4 months trying to get things done that County Health Department Franklin did cite Plaza and they did this to the living room. They didn't touch the bedroom or the hallway which is in the same kind of condition. I do believe my photographs show here that the floors have sunk around...mine was absolutely blackened - at this point I took photographs of 2 months

ago there. Pulled back the coverings on the floor and had the Code Enforcement Officials here, Chet Hopper there, the Firemen there, because there were holes in the Furnace Room down to other apartments and let all kinds of bad fumes come up and there's holes in the ceiling that lets them go out. I also have a laundry facility diagonal below my apartment that lets all kinds of fumes come in all year long, every month. Since the Winter - I've been able to take photographs of that that show the mist came out and where it is into my windows and to where it's made me sick. I've had one call to the Fire Department where they came over and I was suffering from Tachycardia, breathing problems from it. Plaza still does nothing and at this point Chet Hopper - my photographs also show the outside of the building where the drainage - the big sewer's been plugged up and covered over a 4 foot section almost ever since I've lived there and there's green all over the side of the buildings. There's green all over the ground, moss. I have pictures of holes all through the roof of this building and there are photographs where the water runs down between my bedroom and my living room in my apartment and I can hear it running in the walls when I'm inside and it has created in the bedroom, the floors are still gapped also. They're stuffed with newspaper now to some extent to keep the odors out and the smells out and I have the photographs where it shows that has been soaking wet in a 4 or 5 foot area. I also have photographs of another apartment down below.....#17 where it was so blackened, the person in there had for years been collecting water that had been running down from the apartment #35 next to mine and it was all blackened in tubs and they had thrown all this stuff out the back window right beside my apartment and I got sick smelling the stuff when I opened my windows and also they've done nothing on that. The apartments have stayed vacant there for quite some time. There was water running out of the ceiling of this and code enforcement still would not come and look. As I say, January 30th, an attorney for Plaza was in my house threatening me that I should leave and move. Chet Hopper was there - so was Charlie Brochard from Franklin County Department of Health. They would not pull back any of the carpet and even look at the floors then. I now have photographs of that too where it shows the date - I believe it was February 6th with the newspaper about Obama and Clinton and the win taken to show that's when these photographs was taken. At this point, I can't get Metropolitan Housing to do anything about withholding rent or to have management move me to another place. They say because I'm Section 8, they can't move me to another one. They let me suffer through that Benz all summer long or at the time they did it - it still kept the fumes in there. It's still not dried. It's wet and the pictures that I have also show that the stains had been there for a long time in October. They all came out to finally replace the bedroom carpet and the hallway carpet. They took it up - took it out - put the same other carpet right back over the top of the same stuff and now at this time, you pull the carpet back - the wet rot stains that are on the floor and the material has collected on to the back of the pad and you can see that clearly in my photographs and I would like to show Council the photographs.

Mr. Hills: If you want to show them we can pass them back. You want them back - is that correct?

Ms. South: Yes. I can have copies made. At this time I have other residents that live there too that have had problems.

Mr Hills: I think probably your money could be better spent than making copies of those pictures, in another way, I would think, but because I think there may be a couple of questions and I'm certainly going to ask the Mayor in a minute but just to clarify a few things; you tell me you've had the Franklin County Department of Health out so you must have had some issues because they

don't show up unless there are issues. The property you're renting from Plaza Properties - I'm certainly not going to say anything good or bad about them but you're paying your rent money to someone through them for them to maintain the property of which I'm a little concerned and I hear what you're saying about our Code Enforcement Officers and if somebody says well they don't come out - I - to the best of my knowledge, they'll come out when there's a complaint and if they're not going out when there's a complaint, I'm going to look to the Mayor and say 'how come they're not going out' so certainly we're going to give him the opportunity to respond or even look at this for a couple of weeks. But I appreciate the fact that you're here telling us about it and what it tells me is not just unit #34 but if what you're saying is within those units, it would appear that there may be some problems with that complex of apartments and certainly as I look over to Mr. Hood I'm sure that he'll look in - Mr. Hood has a reputation for working with rental units that haven't performed up to a health and safety code that meets - that will meet an acceptable standard. As we're looking at some of the rental units in west Reynoldsburg, they are older than they once were and as they get older, they are harder to maintain but if you want us to quickly pass those around we can look at those while there are any questions. Mayor - do you have anything that you want to respond to or would you like a couple of weeks to respond or something.

Mr. McCloud: Thank you President Hills. This has been an ongoing issue. I know Mr. Hopper has been out on at least a number of occasions. It was his conclusion the last time he and I talked about this which was about two weeks ago - no more than that - that the issues were almost exclusively between management and Ms. South. That there may have been issues - not to minimize her situation but they weren't things the city could address, these were management issues, so that's where we are. I'd be happy to revisit this and see if there's anything new that we can address and I'd be happy to give an update at the next Council meeting.

Mr. Hills: If you could I'd appreciate it because it does sound to me like it's more of a complex issue - not complex as simple vs complex, but it would seem like the apartment units - maybe we need to take a better look but I can assure you that if you've got the Department of Health out - I often have people come in here and say that they can't get them out. So if you got the Department of Health out, showing up, there is a concern and certainly I think between the Mayor and our Attorney, Mr. Hood, they're going to follow through and check up on some of the things and the Mayor will give us a report back in a couple weeks and I appreciate your bringing it to our attention. I'm not sure, I just want you to know Ms. South - I'm not sure what we can do as a city to make sure that all your problems get corrected but I can assure you that if there are apartment complexes within this City that have those conditions and try to rent them out to people, I'm sure that we're going to do the best we can to look at it and ask why from a city level - how do you do that.

Ms. South: Yes, sir, I understand that. At this point, I'd like to raise that I have asked the Code Enforcer here for their list of rules and regulations stating what needs to be done to make a place hazard-free or what's not considered it as I know most regulations do say that it has to be safe and sanitary and that photos I show - absolutely show that it isn't.

Mr. Hills: What appears to have let it become unsafe or unsanitary is the operators of the apartment complex.

Ms. South: Yes sir.

Mr. Hills: And that's a problem. Again Mr. Hood's reputation has been that usually he can get the apartment owners in line. I won't say he can do that here but certainly I think you've given him enough to work with and that possible we can try to assist the whole area in addition to your apartment.

Mr. Clemens: Yes. We've had situations like this and these kinds of situations bother me because we do expend quite a few dollars with the Franklin County Board of Health and if this is a health issue - which it may be - I expect them to do something about it. Now it seems to be that we have things slide like this and there's been issues where the Franklin County Board of Health has come out - they talk to people and that's the last you see of them. The City does pay them to be our Health Department and I think that's something the Mayor should look into because I do know of issues in the past where they do come out, look at it, and all that, and then you never hear from them again. So I think that when we're talking about our apartments and we do have a slew of them - then I think that it's time that we do tighten down on them - put all the pressure we can on them for the people that live there and clean their act up and I think that this is something I've been going to bring up and I've discussed last year and I'm going to bring up this year that we do pass some laws and we do get a little tougher on them. They're making the money. They're Section 8's - the Government's in on it and people pay good money to be there and I think that this is something that - and I'm sure the Mayor feels the same way about this - that we can look into it if it happens to be that way - if it happens to be health on the ____ sides after they look into the issue. Thank you Bill.

Mr. Hills: Thank you Mr. Clemens. Raise any other questions from Council? If not - Ms. South - what I'd like to do is to thank you for coming in and pointing this out. Now the Mayor will come back to Council in a couple of weeks and give us an update and I'm sure Mr. Hood will have looked at the situation to see - have we done all we can do and where do we need to try to help you improve the actions of the apartment owner and as Mr. Clemens said - if necessary - then we'll see if we need to be of more assistance. Often times, you may see better response from when the press comes out on Wednesday and Thursday of this week than what you've seen in the last year. I don't know that, but that would certainly be a starting point because you've certainly made it known that there's some issues at 1365 Briarcliff Road in a number of apartments so if you'd like to just have a seat and you can feel free to be here in a couple weeks and when those pictures get to the end to Mr. Clemens at the end I'm sure he'll kind of get your attention so you'll get those back. Okay..

Ms. South: Okay. I would like to add one thing. I have health issues. I have Tachycardia, I have diabetes, kidney failure, muscle and nerve damage, I have, October this past year I got breathing bronchitis problems too. I got X-rays back that showed that I have damage to my spinal cord all the way from my neck all the way down with bone spurs and nerve damage so that's why I shake and can't stand; it's hard for me to find another apartment too and that's why I've tried to stay here and have them be responsible to clean up what they had and not force people that don't have a lot of alternatives you know to try to do something else.

Mr. Hills: Okay. While I appreciate your comments.

Ms. South: I appreciate your help also. Thank you Sir.

Mr. Hills: We will try to see what we can do to assist the whole area that there's a problem with there okay. Thank you.

Reports- -Certificate of Recognition by Mayor for Ashley Everts:

Mayor McCloud: We have with us an honored guest. She is a local celebrity with a burgeoning national reputation. Ashley Everts is a Junior at Reynoldsburg High School. She's also won a number of pageant titles. She is also an accomplished vocalist and has won a number of awards in that category as well so Ashley I'd like to present to you the Certificate of Recognition that says "Whereas it is one of the privileges of the Mayor of the City of Reynoldsburg to recognize the accomplishments of it's Citizens. Whereas Ashley Everts, an active student at Reynoldsburg High School and her church youth group, has become renowned far beyond the confines of this community for her leadership, beauty and vocal talent; and whereas she has kept here many pageant titles such as 2007 Ohio Cinderella Teen and the International Teen Cover Miss as well as the non-finalist Best Vocal of Talent Award; and whereas Ashley has competed with young women from all over the world to win two Gold medals and one Silver medal in the vocal categories of the America's Amateur Modeling and Talent Competition; and whereas Ashley, an aspiring Country Music vocalist - having the honor of opening for Country Music stars Neil McCoy and Taylor Swift has been chosen as a semi-finalist of the 2008 Nashville Star Television Competition. Now therefore - I Brad McCloud, Mayor of the City of Reynoldsburg, Ohio do hereby deem it an honor and pleasure to extend this Certificate of Recognition to Ashley Everts with my sincere congratulations."

Ms. Everts: Thank you.

Mr. Hills: Thank you very much Mayor. Thank you Ashley and congratulations! Continue the good work! I also have a request that's not on the Agenda. Item 9-b - - this would be a report from Councilman Ron Stake.

Mr. Stake: Thank you President Hills. I'd briefly just like to report that there will be a veterans and dependents day at the VFW Post #9473 at 1420 Waggoner Road on April 12th, 2008 from 10AM - 2PM and VA Claims educational and survivor benefits will be discussed at that time and if anybody knows any Veterans who might be interested in this program, please ask them to attend. There'll also be a lunch. Thank you.

Mr. Hills: Good. Thank you Councilman Stake.

Clerk read motion: That Sally L. Cochran is hereby appointed to serve as the full-time Assistant Clerk of Council effective March 25, 2008.- -Mr. Stake moved adoption; Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby approve the Mayor's appointment of Lucas Haire as Development Director for the City of Reynoldsburg effective March 25, 2008.- -Mr. Stake moved adoption; Mr. Deskins seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Ms. Kelly "Yea". Motion passed.

ORDINANCE AUTHORIZING CITY AUDITOR TO ESTABLISH "LAW ENFORCEMENT ASSISTANCE FUND" AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 11-08 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 (a) "Administrative" and (d) "Human Resources Department" AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption; Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 12-08 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO BY (1) REPEALING AND REPLACING CHAPTER 155 "ENGINEER"; and by (2) ADDING Subsection (h) "Department of Engineering" to SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" of CHAPTER 160 EMPLOYEE COMPENSATION; AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption; Mr. Clemens seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 13-08 adopted.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby approve the Mayor's appointment of James C. Miller, P.E. as Director of Engineering for the City of Reynoldsburg effective March 25, 2008.- -Mr. Stake moved adoption; Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed.

ORDINANCE TO ACCEPT AN APPLICATION FOR ANNEXATION OF .65+/- ACRES (WHICH INCLUDES .20 ACRES OF R/W OF EAST MAIN STREET), IN TRURO TOWNSHIP, COUNTY OF FRANKLIN, STATE OF OHIO, TO THE CITY OF REYNOLDSBURG, OHIO (David and Sharon Black)- -Clerk read ordinance by title for the first reading. Item referred to Service Committee.

ORDINANCE AUTHORIZING EMH&T TO PROVIDE ENGINEERING SERVICES FOR ROSEHILL ROAD RECONSTRUCTION PROJECT PHASES 1 & 2 **AND APPROPRIATING FUNDS THEREFOR AND DECLARING AN EMERGENCY**- -Clerk read ordinance by title for

the third reading. Mr. Joseph moved to amend the ordinance as redrafted 3-20-08; Mr. Stake seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; ordinance amended. Mr. Joseph moved adoption; Mr. Clemens seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 14-08 adopted.

ORDINANCE TO MAKE A FINAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2008 AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the third time. Mr. Stake moved to amend the ordinance as redrafted 3-14-08; Mr. Joseph seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; ordinance amended. Mr. Stake moved adoption; Mrs. Kelly seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 15-08 adopted.

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,415,000 AGGREGATE PRINCIPAL AMOUNT OF HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2008 (GNMA COLLATERALIZED - WESLEY RIDGE) FOR THE PURPOSE OF FINANCING AND REFINANCING COSTS OF HOSPITAL FACILITIES (AS DEFINED IN SECTION 140.01, OHIO REVISED CODE); PROVIDING FOR THE ASSIGNMENT OF REVENUES FOR THE PAYMENT OF THE BONDS TO BE ISSUED AND THE LEASE OF CERTAIN PROPERTY TO AND FROM WESLEY RIDGE; AUTHORIZING THE EXECUTION AND DELIVERY OF A BASE LEASE, A LEASE AND A TRUST INDENTURE TO PROVIDE FOR THE PAYMENT OF BOND SERVICE CHARGES ON THE BONDS, AND OF OTHER INSTRUMENTS AND DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT IN CONNECTION WITH THE CURRENT REFUNDING AND DEFEASANCE OF CERTAIN OUTSTANDING HEALTH CARE FACILITIES REVENUE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT FOR THE SALE OF THE BONDS; AUTHORIZING THE USE AND DISTRIBUTION OF AN OFFICIAL STATEMENT APPROPRIATE FOR THE SALE OF THE BONDS; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Joseph "Yea"; Mr. Clemens "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mrs. Kelly "Yea". Motion passed; Ordinance No. 16-08 adopted.

Meeting adjourned at 8:00 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council