

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
MARCH 14, 2005

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

Members of Council present: Mel Clemens, Antoinette Newman, Lane J. Beougher, Ron Stake, Preston Stearns, Brett Baxter, Eric Gilbert.

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

Minutes of the regular Council meeting held February 28, 2005 were approved without objection. Mr. Hills suggested members closely read the attachment to the minutes, a report from Service Director Reichard.

The agenda was approved.

Community Comments and Requests- -

Truro Township Fire Chief Jim Sharps, 2066 Wayfaring Drive: Thank you Mr. President and members of Council. I'm here tonight, just to briefly go over a couple of things that you've heard in the past, and I think we need to answer some of them for the township. Yes, we are going to build a new fire station on Livingston Avenue at Merchants Drive. This wasn't just picked out of the clear blue sky and flip a coin or anything like that. There was a lot of discussions with the trustees. The Assistant Chief and myself did go out and look around. We're also looking at the safety of the equipment traveling on the roads also. We do make quite a few runs down in that area. That southwest area, actually as far as our dispatching the city broke it into quadrants. That southwest quadrant runs from Blacklick Creek to the west boundaries of the city, but also encompasses Brice and the Qualstan area, which is another area we call Qualstan because that's who developed the area over around Refugee Road and Noe Bixby area. We have about 325 homes over there with apartments and a shopping center. That area down in there, actually we had 1500 runs down in that area last year, in 2004. So I think it does call for, the station will not be out of place.

Also, one of the questions we asked was about, talking about in the northeast area was, the roads. And I talked to a couple of people here at the city, and as far as I was told, there was no plans to improve or widen Waggoner Road at this time. Waggoner Road is a two lane road and I felt that, my own personal opinion now, that we have a safety issue there coming down towards Main Street at 7:30 in the morning. If anybody travels that, you know there is a backup there waiting to get to the freeway. So that means equipment would have to go left of center. At 7:30, 8:00, 8:30, there's school buses also going up towards St. Pius. So that was another reason that we, I didn't like that area at this time. And that's why we decided, we need a new fire station. I cannot put any more people in the station I've got now. We're tapped out. So we need to put them some place. I need more people. And that's the area that we chose. As I said, this wasn't just sitting around flipping a coin either. We did do some homework on it. Did we have a study? Pay for a study? No. I didn't feel we needed one. And that's why we decided on that area. I think it'll be a good area. I think, I don't need to go into, the people in Qualstan, the people in

Brice pay their taxes to Truro Township, and this will get us to them a little bit quicker. But it will not effect anything else.

Also, I want to make this a flat, blunt statement, the fire house on Main Street is not going to close, period. No ifs, ands, or buts about it. That station is not going to, if that station on Livingston Avenue is built, that Main Street station is still going to be there. The only thing we've talked about moving is maybe taking fire prevention guys, putting them down there to give them a little more room. But other than that, that station will remain there. That's all I have. Thank you.

Communications- - Clerk read report from Clerk of Courts: total monies collected from courts held during February 2005, \$33,277. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- - \$1,999 for the Computerization Needs Fund and \$375 for the Enforcement and Education Fund.

Reports- - Mr. Hills stated that next Monday, March 21, 2005, there would be a Special Council meeting following committee meetings for the Resolution of services available for the 29.558 acres. He stated also, that meeting would be subject to whatever other legislative matters need to be addressed from committees.

Parks and Recreation Director Paul Walsh stated that on February 4, a contractor was working on the property just east of the Livingston House Park property clearing trees for development; that they crossed the east property line of the park and cut down a number of trees in the park. He said when he met with them, they agreed that they had crossed the line, and they had cut the trees down. He said he told them at that time that we would be reviewing the loss and getting them some information. He said he has completed the review and obtained the services of Andrew Boost, arborist for the Columbus and Franklin County Metro Parks. Mr. Walsh said they have a process that they use in determining the value of trees that are lost due to contractors cutting them down when they shouldn't. He said they agreed to help us out as a government agency and not charge us for the services. He said they went to the site and counted the stumps that were there; that Mr. Boost identified them by the bark because the trees were completely gone. A list of trees was generated that were lost, which Council has in their hands.

He said in coming up with the value, there were two things taken into consideration; one was the cost of a replacement tree. He said Mr. Boost's recommendation was that when you replace a tree, you should use something of an estimated 2 inch caliper; that even though some trees that were lost were significantly larger than 2 inches, the replacement tree would be a 2 inch caliper tree. He said the other piece of the puzzle was the value of what was lost. He said an 8 inch tree has more value than a 2 inch tree; that in the chart some of the trees had a higher value because of the size. He said they don't want to replace an 8 inch tree with an 8 inch tree; that the cost was high and they don't survive as well as something with a smaller root ball on a smaller caliper. He said they tend to grow a little bit better when they are a little bit smaller. He said they found 42 tree stumps on the site and that did not include a small section of the site where they had to cut down some things to access the sewer, to tap the sewer. He said the information had now been sent to the company, and they did respond. He said they were concerned about the amount. He said the Mayor would be meeting with them tomorrow to discuss the issue further.

Mrs. Newman said that Paul had done a great job on this, and the city should pursue this strongly.

Mr. Stake asked if these numbers were on the whole site, or was that the Livingston House property? Mr. Walsh said that was the Livingston House property. He said they didn't do any assessment on any land that was not owned by the city.

Mr. Hills said that he would hope the City Attorney would be involved and participate in the discussions.

Mr. Baxter asked if the site was still under construction, or had there been a hold placed on the site? Mayor McPherson said the hold was just until they identified where their property was. He said they were allowed to proceed.

Consent Agenda items:

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

for first reading: ORDINANCE AUTHORIZING MAYOR TO EXECUTE LICENSE AGREEMENT WITH REYNOLDSBURG CITY SCHOOL DISTRICT REGARDING ACCESS ACROSS CITY PARK LAND- -item referred to Community Development Committee.

for second reading: ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT (utility easement, strip 7, 0.459 acres)(NOCA RETAIL DEVELOPMENT, LTD.)- -item referred to Service Committee.

Mr. Clemens moved approval of the actions on the consent agenda; Mr. Beougher seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; disposition listed above.

Regular Agenda items:

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 - 7955 Oak Valley Road; from R-3 to CC; applicant, Hans Gucker, Advanced Civil Design- -Clerk read ordinance by title for the first reading. Mr. Hills set a Public Hearing for April 4, 2005 at 7:00 p.m. in Council Chambers.

RESOLUTION REQUESTING THE OHIO GENERAL ASSEMBLY CONTINUE ITS HISTORY OF PARTNERSHIP WITH OHIO'S LOCAL GOVERNMENTS AND RETURN FUNDING FOR THE LOCAL GOVERNMENT FUNDS TO THE PERMANENT LAW FORMULA- -Clerk read resolution by title for the first reading. Mr. Stake moved to amend the resolution by removing Section 3. Mr. Beougher seconded. All voted "Aye". Motion passed; resolution amended.

Mr. Stake moved suspension of the CRC Section 4.04 three reading rule. Mr. Beougher seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; rule suspended.

Mr. Stake moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Resolution No. 13-05 adopted.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE 2005 GMC SIERRA HALF TON PICKUP TRUCK FOR THE STORM WATER UTILITY DEPARTMENT- -Clerk read ordinance by title for the second reading. Mr. Gilbert moved suspension of the CRC Section 4.04 three reading rule. Mr. Clemens seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; rule suspended.

Mr. Gilbert moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 14-05 adopted.

AN ORDINANCE TO AMEND CHAPTER 339 COMMERCIAL AND HEAVY VEHICLES BY ADDING SECTION 339.15 "ENGINE AND EXHAUST BRAKES" WHICH WILL PROHIBIT THE USE OF ENGINE OR EXHAUST BRAKES WITHIN THE REYNOLDSBURG CITY LIMITS; MAKING REFERENCE TO THE PENALTY FOR VIOLATION OF THE SECTION; AND AUTHORIZING THE POSTING OF THE ORDINANCE AT EACH ROADWAY ENTRANCE INTO THE CITY OF REYNOLDSBURG- -Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 15-05 adopted.

ORDINANCE ACCEPTING TEN RECORDED DEEDS OF EASEMENT (storm sewer, water main, and sanitary sewer easements) (NOCA, Ltd.) (Taylor Square Development)- -Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea"; Mr. Baxter "Yea"; Mr. Gilbert "Yea". Motion passed; Ordinance No. 16-05 adopted.

Meeting adjourned at 7:50 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council