MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
MARCH 12, 2007

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, Preston Stearns, Brett Baxter, Doug Joseph, Mel Clemens.

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

Minutes of the regular Council meeting held February 26, 2007 were approved without objection.

The agenda was approved.

Community Comments and Requests- - -

Ms. Guard: I come here tonight, to discuss the issues that plague our community within Quarry Park. I understand the procedure is to come to Council, after exhausting our options with the Administration. A few weeks back, my family and several members of the community, Quarry Park, came to this body to address our concerns again, after several years of working with an ineffective Administration. Last week, at the Safety Committee meeting, we heard from the Administration, the same we have heard time and time again. We have all heard that Priestley does not have a problem, and it=s that way all over the city and we need to just live with it or move. Both answers are measure of this Administration=s method of dealing with their problems; this is, deny problems that exist, or accept them as is. Neither answer is acceptable or rational. These options and others were discussed three years ago, and the outcome was to shut down the discussions and to return back to more important city issues. Well what this Administration and Safety Committee do not realize is that this discussion is not complete. Ask yourself this question - why do the residents of Quarry Park keep coming back telling the city there is a real dangerous safety problem in their community? But this Administration returns with the answer of, no problem found. It is not hard to see what is happening; that it does take many discussions to get to an acceptable solution. Mr. Baxter was attempting to gather necessary information when the Safety Committee decided that no more was going to be heard. I want to think about some facts: One, the numbers that the Administration gave to this committee has the volume within Quarry Park, an average of 4,000 vehicles. Two, eight accidents had occurred with property damage in the fourth quarter of 2006. Three, it was a very mild winter through January. Four, a high number of citizens living in the surrounding areas of Quarry Park were cited with DUI=s, but a low number residing in these three connecting neighborhoods. Five, speeding was at a high point. Six, Kroger=s opened at Taylor and Main. These facts are all true, the day prior to one, the story breaking into the news. Two, the city began their heavy police presence.

After the story broke, one, the volume began to drop; and two, speeds lowered. Three, winter came with ice and snow. And four, two additional accidents with property damage. I remind the Council that the same thing happened three years ago when the city ____ the problem and Priestley, except the winter was over. We expect Spring to bring us to higher danger levels.

Also, this Administration has not been able to provide me with a street the same size of ours - twenty-three foot of blacktop with the high volume. Please refer to the attached that I have provided. Moving, moving is not an answer. As our property values have dropped and selling in

a neighborhood where traffic concerns exist, becomes a poor option. However, moving the people who continue to deny the problem exists, or expect their citizens to accept the problems, is a viable option. In the past, Mr. Baxter was not very high on my list of favorite people. And some of you may have heard that I attempted to have him removed or replaced. But what I have come to see is that he cannot fight this battle by himself and he will not have to. We the citizens of Reynoldsburg are standing up for the right to be heard, the right to have our issues addressed, and the right to have our safety placed ahead of the politics that some of this body in this Administration demonstrated last week. Mr. Baxter told me that an issue needs four votes to enact change in this city. It is time for this issue to be sent to full Council for votes so that we the people of Reynoldsburg will know how to cast our votes in May. We the citizens need to vote people, caring individuals, into this Administration and Council, that will hear and give credence to our concerns and act upon them. This issue has always been a safety issue, but now it has become political. Regardless, if you are running for an office this year or two years from now, we will not forget. All of you are accountable to your citizens. Yes, Priestley has an issue. Moreover, Quarry Park has a safety issue. This city has safety issues which include Kingsley, Rosehill, Graham Road, Slate Ridge, and many other neighborhoods. Each of these residents is watching you to see how you deal with Quarry Park. They know that more of the same will be used on them. Now stand up and be the leaders that you were elected to be, get to the bottom of the real problem, and then act. Thank you for allowing me to speak.

Mr. Baxter: Thank you, President Hills. I thank you Mrs. Guard for coming in tonight. And I see that you=ve taken some time to think about this. I believe that the only thing left in our purview is to try to continue discussions on this. And I=m not sure where that needs to happen. So I=m a little bit concerned - from the President, where do we go next? Where do these citizens have to go to continue addressing these issues?

Mr. Hills: Well, if the discussion=s added as a committee item, it would be discussed. I will tell you before we go there, because it won=t be tonight. It will not be tonight. It=s not on the agenda for tonight, but I will have to say, and I don=t want to get into a debate with Mrs. Guard, because we=ve done that, and there=s no purpose served from that, but there=s some statements made in this, and I think all of us would like to take a little time to read what was said, that are indicating that the issues have been ignored of those residents on Priestley Drive, and Administration has totally ignored them. And that is not the case. They have not said that there isn=t a lot of traffic on the street. What they have said, is the issues there are not noticeably greater than anywhere else within the city. And you do kind of close your letter with references to that. I certainly would like _____ have been issued. We=ll have time to look at it. If it goes to a committee, it goes to a committee. If the Administration would like to respond to this, they certainly have the opportunity to do that. This matter of Priestley Drive has been discussed quite a bit. Is there a resolution? I didn=t hear a resolution being suggested from Council. Other than they did want to monitor it. And they did want to monitor it as Spring got here and more traffic was out. I=m not sure what else they can do. They can=t predict what it=s going to be. The numbers were lower than they thought they may be from the issues that were discussed, but they haven=t shown to be that. So I think it does help if we get into Spring and Summer to find out what are those numbers. Are they back to what you think they were before? But again, this is not the place to get into where it=s going to go, what committee is going to have it, is it going to

be added? I=m not sure the Administration wouldn=t want the opportunity to respond to some of these reports that we=ve just seen.

Mr. Baxter: And President Hills, I think what Ms. Guard said here in her letter, is that she had gone to the Administration, and that=s why she=s here at Council, because that=s the process. If you aren=t getting anywhere with the Administration, you come to Council. And you ask for their help and I think it would be prudent of us....

Mr. Hills: Mr. Baxter, are you saying that she was at Administration last week and got no assistance? Or just didn=t get any information? Which was it?

Mr. Baxter: What I=m saying is that, they=re hearing the same thing that they heard the last time, that there is no problem.

Mr. Hills: I think they heard that last week is what she=s referring to.

Mr. Baxter: Correct. And without an opportunity to discuss it and address each of the things that were brought up, the discussion was closed. So rather than have an opportunity for these residents to say, I hear what the city says now, that we=d like to be able to discuss those issues; we understand where you got your numbers and we would like to find out why is it that we keep seeing a problem, but yet the city doesn=t? I think that=s a good question. I think it should be looked at. I=m just questioning what committee should it belong on.

Mr. Hills: Well, let=s wait until the committees meet and see if somebody wants to bring it up.

Mr. Baxter: So then you=re recommending that citizens come back during committee meetings?

Mr. Hills: I=d recommend, and I would ask for Administration to review this letter. You haven=t had the opportunity to see it.

Mayor McPherson: I don=t believe we even have a copy of it. So you need to send this one...

Mr. Hills: Ms. Frazier, could you be sure the Safety Director and the Mayor get a copy of this information?

Mrs. Frazier: Sure.

Mr. Hills: Yes, Mrs. Newman.

Mrs. Newman: Yes. I=d just like to comment. Mr. Baxter said the Administration had not responded. Well, the Administration did through Mr. DeBolt. The Administration is not the Mayor only. It=s all the people who work here trying to take care of this city. And Mr. DeBolt has done a thorough investigation and honestly delivered the results of that. And I don=t know what more we can do if it would appear that the problem is not that severe.

Ms. Guard: The problem is that severe. It really is that severe. Not only that, if you guys look at the information I gave you, of all the streets that Mr. DeBolt provided me that are 23 feet wide and blacktop, the maximum volume you have is 1200 cars. We=re dealing with over 3,000. We=re comparable to Lancaster Avenue.

Mr. Hills: Ms. Guard, I do appreciate you trying to keep your response within the 3 to 5 minutes. I truly appreciate that. Any other questions up here?

Mr. Baxter: Just one question, sir. Where should we have Ms. Guard go to next? Does that come to the Safety Committee? Or come to another committee?

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

Mr. Clemens: Yes. I=ve been through all this too, listening to it. Mr. DeBolt made his statements last week. I think it=s an Administrative matter. And I think they=ve stated they want to work on this in the Spring. When the weather changes, they can take more counts. He stated he was going to do that. It=s not a forgotten issue. There=s other things that could be done - possibly having things in the streets and so forth. Whether we want to do that or not. But there=s things that could be done that they=re looking into. It=s an Administrative matter. It=s not a legislative function. Now, let=s give them time to do their job. That=s what they=re getting paid for and that=s what they=re hired for. I have faith in the Mayor and Mr. DeBolt as far as what they plan on doing. I think they can work up some kind of a plan and bring it to us if they feel that=s the thing to do. But let them have a chance when the weather breaks to do their job. We can sit and argue this. We=re going to hear the same thing we heard over the last six weeks. I say let the Administration do their job. And if it isn=t corrected, or if you don=t see a correction in what is happening in the next six months, then let=s.. maybe Council can reconsider and hear it again. But I think it=s only fair to let the Mayor and the Administration do their job that they=re supposed to be doing.

Mr. Baxter: If I may respond, Mr. Hills?

Mr. Hills: You may respond, Mr. Baxter.

Mr. Baxter: Thank you, President Hills. Mr. Clemens, I do appreciate your comments. And I think you know, under average and normal situations, your recommendation would be a very good one. I think from the start of this, it started in 2003, we=ve gone down this path once before. And now here we are in 2007 and the same concerns exist. When is enough time to these citizens keep working with the residents....

Mr. Hills: Mr. Baxter, if I could interrupt. If I could interrupt. Because I=m looking through this material that=s attached to this and it=s saying that the Administration has misquoted things, made misstatements. I=m going to suggest, or basically insist that the issue is now here, let the Administration have the opportunity to respond to this. You haven=t given them a copy of your statements or your allegations or the attachments, correct?

Ms. Guard: Correct.

Mr. Hills: Alright.

Ms. Guard: Or I got the attachments from Mr.....

Mr. Hills: Well, you may have got, I don=t know those things. I know what you gave us.

Ms. Guard: I got them from Mr., I got them from the city.

Mr. Hills: Mayor, will you take an opportunity and look at this? - Mrs. Frazier, if you=ll get it to them in the morning.- Evaluate what it is that=s been presented? Because there are statements here Ms. Guard, that they=ve misquoted, and incorrect statements. I=m not going to get into a debate whether they are or aren=t, okay? It=s not going to be remedied this evening. So I do thank you for coming in and thank you for limiting your time.

Communications- - -Clerk read report from Clerk of Courts: total monies collected from courts held during February 2007, $35,821. Monies also collected during that period pursuant to Ordinance Nos. 146-94 and 104-02- - -$2,099 for the Computerization Needs Fund; and $200 for the Enforcement and Education Fund.

Mr. Hills said the Mayor had requested an Executive Session to review Collective Bargaining strategy. Mr. Joseph moved to recess for Executive Session. Mr. Stearns seconded. Mr. Hills said those attending would be elected officials, the Clerk of Council, Special Counsel Fischel, Chief of Police, Safety/Service Director, and the Mayor=s Secretary. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed. Council recessed at 7:47 p.m.

Council reconvened at 8:05 p.m. With the roll called, members responding were: Mrs. Newman APresent@; Mrs. Shirey APresent@; Mr. Stake APresent@; Mr. Stearns APresent@; Mr. Baxter APresent@; Mr. Joseph APresent@; Mr. Clemens APresent@.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Linda Winters and David Humphrey to serve on the Reynoldsburg Housing Council for Community Reinvestment Areas; each term to be for three years. Mr. Stake moved adoption. Mr. Joseph seconded. All voted AAye@. Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby appoint Nathan Burd, Leslie Kelly, Don Hallowes, Thomas Drabick and Norman Brusk to the 2007 Charter Review Commission.

Ms. Burrus: Good evening. My name is Roxyanne Burrus. I live at 7955 Cheriton Circle. I wanted to speak to you about the recommendations that you have for the Charter Review Commission. My name was submitted and I just wanted to make it clear that I=m not here to request that I be reconsidered, but I did have a concern. There was some information that

was brought to me about the recommendations that are coming forward for the Charter Review Commission. Reynoldsburg is a partisan city. And the Charter Review Commission does state that you have a minimum of two representatives from each party. That means two representatives that are Republican, and two representatives that are Democrats. And that=s not what the recommendation that=s going to be brought forth to Council today contains. Instead, there=s only one Democrat that is on, that=s being recommended for the Charter Review Commission. And then there are, I think, believe there=s two Independents that are being recommended for the Charter Review Commission. The Independents are not, should not be a part of the Reynoldsburg Charter. I mean, they can be on Charter but, they do not represent the partisan politics. So I am stating to Council that the recommendation that=s being brought forth is not in compliance with what the Charter Review of the City of Reynoldsburg says that the city is supposed to do. So I am recommending that you not pass that. And we at least have, for the Charter Review Commission, two Democrats, two Republicans, and then you can decide if you want another Democrat, Republican, or Independent. Thank you.

Mr. Hills: Ms. Burrus, I thank you for your comments. We have two other speakers. I would note, and I=m not agreeing or disagreeing, I=ll leave that to the City Attorney, but I think the reference in the Charter Review Commission of the Charter 7.05 says, ANot more than two of the members shall be adherents of the same political party@. So it=s how you interpret that statement. It says no more than two of the same political party. And I don=t know if the City Attorney, we=ll wait and see what our other comments are and then maybe he=ll address those. Does that raise any questions from anybody? Mrs. Newman.

Mrs. Newman: I=d just like to comment. It doesn=t say that they are required to be a member of any political party. Just that not more than two of any political party can be on there. You=re not required to be a member.

Mr. Hills: I think one could say that they could all be I=s. And it would comply with that definition. But I agree. Does that raise any questions? Mr. Stearns.

Mr. Stearns: President Hills, I don=t agree with that. The Charter states, like you said, no more than two members from an affiliated party. And the I=s are not a party. They don=t have a party. And that means that they have a choice whether to be a Republican or a Democrat. And that means that they are free from being affiliated with any party. So that means that the two representatives should be from the two major parties. The Republicans and the Democrats. So that is my contention of all that. And also I agree that the intent of the Charter at the time of acceptance, was to have two Democrats, and two Republicans, and one Independent so that the Independent would be able to settle any kind of a dispute that comes up between the party affiliations. So that is my contention on that.

Mr. Hills: Alright, Mr. Stearns. Any other questions before we go to the other speaker slips? (No response). I=ll ask Mr. Hood at the end to kind of summarize where we are on the speaker slips. Richard Crisp. Could you come forward? You can stay right there if you=d like at that microphone. Or you could come up front. Whatever=s more comfortable for you. If you would give your name and address for the record.

Mr. Crisp: You wish me to speak now on that matter?

Mr. Hills: Yes, Mr. Crisp.

Mr. Crisp, 70 Hampton Ln: Councilman Stearns sounded like he was at the meetings when we wrote the Charter. Because he expressed it exactly, that was the way we felt. With regard to Independents, at the first part of it, when we first met, you can understand how I felt. I was one of two Democrats out of fifteen. So you=re starting out kind of overwhelmed by it. So we were very concerned that this didn=t turn into some partisan party in a sense, the writing of the Charter. And I must say on behalf of the Republican members of the Charter Commission, they did not do that. They were congenial, they were fair, they allowed all discussions and so forth. There was no, I would say, conscious effort to turn into some kind of political ball game whatsoever. The first activity of the Commission however, was a little political. The first activity we had was to select a Chairman. But we kind of knew where that one was going to go. But Dr. Goosetree and I after that, didn=t have a problem with it. So any time the issue came before us where there might have been some possible partisan pressure, bias, so forth and so on, written into the Charter, we were very careful with that one. And in regard to this two, two, one thing, our attitude toward the Charter membership was that an Independent is someone who decides they do not want to be politically active. And therefore, should be treated as such. And that at any instance where a Commission, a committee, whatever, if it=s involving partisan membership, that the role of an Independent should be subordinate. And therefore, the two, two, one formula would be the proper formula. Independent=s are there, like you say, they=re there to cast that vote when you=ve got a tie basically what it comes down to. And so the way it sounded to me sitting back there is, that=s not the way it=s been proposed. So I=ll be glad to answer any questions you have.

Mr. Hills: Any questions of Mr. Crisp? (No response). I thank you for being on the original Charter Review Committee. And that was in what, 1972?

Mr. Crisp: Somewhere back there.

Mr. Hills: Well, I do thank you for your comments.

Mr. Stearns: I just want to thank Mr. Crisp for coming down here. Because I was amazed to find someone that was still on the Commission that was available. And I really do appreciate the fact of you coming down here and speaking before Council and giving your perception as to what went on at that time. So again, I want to thank you.

Mr. Crisp: It was a great experience. It really was a great experience. You know, I=m a former government teacher and I just relished it. I ate it up.

Mr. Hills: You and Mr. Goosetree just hit it off good, didn=t you? Last speaker slip is Mr. Ken Wright.

Mr. Wright: My name=s Ken Wright. I live on Roselawn Avenue. I apologize for my sore

throat here. I can=t hardly speak, but I=ll try. I just have a comment on the Charter Review Commission too. And as I understand it, there=s two Republicans, two Independents, and one Democrat that have been chosen to serve. Also, at least two of those five are political candidates this year. First, I think this is obviously unfair to have a greater number of Republicans than Democrats serving this Commission. As to the other point, it should be equally obvious that possible conflicts of interest may arise if current candidates for political office are allowed to serve on this Commission. The situation is similar to a group of people sitting down to play a game, and one of the group says, before we play, I must be allowed to write new rules. So I urge the Council to review the matter and create a solution the public can have real confidence in. And that=s my concern. It=s that there=s, I mean, with all the illegality and everything we see in a lot of the government and everything, we should try to bend over backwards to make it fair and to, you know, show everybody in town that we=re trying to be fair to everybody. And that=s really my issue with it, is the fairness. And also, the fact that I don=t think that people, I don=t really think that anybody that=s running for office should be on the Commission. I mean, we have a lot of other people that can be on it. So anyway, that=s the way I feel. So thanks.

Mr. Hills: Thank you for your comments. Any other comments for Mr. Wright? Mrs. Newman.

Mrs. Newman: Yeah. I=d just like to know who these people are that are running for office that are on the committee?

Mr. Stearns: Leslie Kelly.

Mr. Hills: She is the only filed candidate that I=m aware of that=s on there. As far as Independents, the filing of an Independent=s the day before the primary. So it could be any number of people. I=m not aware of....

Mr. Wright: Norm Brusk announced he would be...

Mr. Hills: Mr. Hood, would you, because I know we ran this through your office to be sure. And it does say no more than two of the members shall be adherents of the same political party. And it=s obviously being interpreted different ways. Do we have anything from you?

Mr. Hood: Well, you are correct. The Charter does state that ACouncil shall appoint by a majority vote of it=s members, a Charter Review Commission consisting of five members who are electors of the city. Not more than two of the members shall be adherents of the same political party@. And we=ve been using the term >Independent=. I called the Board of Elections this morning and I think we=re using that term incorrectly. The people who are not affiliated with the Republican, or the Democratic party are designated as Unaffiliated electors. They are not a member of a third party. Thereby, I believe that your example of five members who are unaffiliated, who are electors of the city, would be a proper exercise of your recommendation, and proper exercise of the Council, if they choose to vote in the majority to appoint those people. I guess that I would defer, and I spoke to Mr. Underwood, Mr. Crisp, and I guess I didn=t speak to you before but, and he left, I guess my question would be, if the intent of the Charter Commission at that time was to appoint two Democrats and two Republicans, why didn=t they

say it? In the rules of construction, they teach you in law school that you first go to the four corners of the document and look for its plain meaning. I believe this has a plain meaning. It means that no more than two members of a political party can be on the Charter Review Commission. It does not say that there must be two Democrats, and two Republicans, and one Independent. I also would have issue with his logic. If he believes that an unaffiliated member, or unaffiliated elector is to take a subordinate role in our government, then why is that Independent, or that unaffiliated member, the one who casts the final and deciding vote? That to me, seems that it=s a commanding vote and not the subordinate vote. I believe this document speaks for itself. I also believe that, and I=ve spoken to Mr. Underwood who drafted this document, or portions of it, and he said the intent of the Commission at that time was to be sure that the Committee was not overrun by one political party or the other. Not that they be separated equally, but they=re not made up of only one political party. That=s what they meant by drafting this document. And that=s why it says what it says. I believe the plain meaning of that section 7.05 is obvious. And I believe that Mr. Hills, your recommendations to Council are proper. And if they are voted in the majority, then you=ll have a proper Charter Review Commission. Any questions?

Mr. Hills: Questions of Mr. Hood?

Mrs. Newman: Well, in theory that person who is now, everybody thinks of as an Independent, they could be a member of the _____ Communist Party.

Mr. Hood: That is correct.

Mrs. Newman: Or the Dixiecrats?

Mr. Hood: And I asked them to take deference with me and explain it to me how you become a member of a party in Ohio. And how you become a member of a political party in Ohio is, you vote in a primary. So the only way a member, an elector of our city could become a member of the Dixiecrats or whatever you just spoke of, would be that that party has something on the primary ballot. And they must vote.....

Mrs. Newman: No. I mean, you can join the Dixiecrat party. I mean, they could be a member of that. That was just....

Mr. Hood: But what I=m saying to you is, the Board of Elections would still deem you as an Unaffiliated elector unless you voted in a primary for one of their issues.

Mrs. Newman: I see. Okay.

Mr. Hood: So they are not a member of a party. They are an Unaffiliated elector.

Mr. Baxter: I do have one question, President Hills. From the way the Charter=s written, could you have five Independents?

Mr. Hood: Unaffiliated members. Absolutely.

Mr. Baxter: That=s what I thought. Yes.

Mr. Hood: And that was his example and I agree with that.

Mr. Hills: Certainly I would suggest that maybe that=s the section of the Charter the Charter Review Commission may look at.

Mr. Hood: If there=s disagreement, then absolutely. That=s what they=re for.

Mr. Hills: That=s what part of the review of the Charter=s about. We=re having some of the discussions right now that probably will go forward in the meeting. Mr. Stearns, did you have a question?

Mr. Stearns: Yes, President Hills. Again, I would like to say that the intent is to have the equal amount, two Democrats and two Republicans. And one of the things that we=re going to get closer here to why and what=s going on in this particular selection. We had, a request came from the Chairman of the Finance Committee for me to look out and try to find at least two Democrats. And that all indicates that from past practice, that was the way it has been done. And just because we want to change the rules right now simply because of something, I don=t know the real reason for it, personal or whatever the case may be. I don=t know what it might be. But I think what we need to do is, is to be fair. Because I believe that to go the way we=re going is going to be a violation of the city=s Charter, which I think is wrong. And I think that it=s a moral issue too for us to change the rules right now. Whereas in the past, it has been to reflect the two Democrats, two Republicans, and one Independent. So you know, so that=s what I have to say about it. I don=t have anything personally against anyone that=s been selected on there, but I just want to do what is right. That=s my contention right here is do right. And the way it=s going right now, I don=t believe it=s the right way to go.

Mr. Hills: Mr. Stearns, I appreciate what you had to say but it sounds to me like the City Attorney=s saying it is alright and you=re saying it=s not alright. Now that=s just a disagreement between two people.

Mr. Hood: Well if I may comment, President Hills. Mr. Underwood, as I worked under his tutelage for a few weeks before I became the City Attorney for you all, he said to me, and he left me with some parting wisdom - men are not right; the Charter is right. That=s why we have this document to stand by. And if we go by _____ then we get into problems. It says what it says. I think the plain meaning is very obvious. I think it says that you=re not allowed to put more than two people of a _____ party on this commission. I think that=s all it says. And once again, I would stress the fact that if the original intent of the Charter Commission was to put two Democrats, and two Republican, and one Unaffiliated person, it would have been just as easy to write that into the Charter. And they didn=t do that. And I think there=s a reason.

Mr. Hills: So your legal opinion is, the names that have come forward, comply with what the

Charter requirements are.

Mr. Hood: If the Council chooses to vote in the majority, I think that you have a legal, and without expressing opinion, a very good Charter Review Commission. I know that no less than three of the people on there are Ohio trained lawyers. And I think that would be very beneficial.

Mr. Hills: Other questions? Mr. Baxter.

Mr. Baxter: President Hills, not two questions, or actually two here. The first one=s with the elected side of it. I don=t think I remember hearing anything of what you read Mr. Hood, that stated that somebody who is on a ballot at the time that they=re asked to be on the Commission, is illegal to the Charter.

Mr. Hood: Illegal?

Mr. Baxter: It is not illegal, is it?

Mr. Hood: It doesn=t speak to that.

Mr. Baxter: No, it does not.

Mr. Hood: It doesn=t speak to be a political candidate. Absolutely.

Mr. Baxter: And I also don=t remember seeing anybody who was running against that person as a bias, of any type of bias in that selection. So if you=re on that ballot and on this review here, I don=t remember seeing anybody else that was on the ballot asking to be part of the Commission. So I don=t see how this Council has been bias in any way with those members at least for that point.

Mr. Hills: I appreciate those comments.

Mr. Baxter: Okay. And second side of it, I do agree with what we heard earlier from the gentleman who was on one of the original ones and I think that was quite an insight. And I think you mentioned it, even in your comments that you look at the four corners to see what the intent was. And I think it makes sense in a city that could either be Democrat or Republican to try to insure that one side doesn=t bully over the other side. That you would want to have an opportunity to have two, two, and one. So to Mr. Stearns= comment, I think it does make sense. We might want to have two, two, and one to try to keep that ability to have two different views discussed, and a third opportunity to vote whichever way that goes.

Mr. Hood: And you have that option.

Mr. Baxter: And that=s a flip of a coin at that point.

Mr. Hood: I don=t disagree with those comments. You have that option to put two Democrats,

two Republicans, and one Unaffiliated member on there. That=s the Council=s prerogative. That is not dictated by the Charter.

Mr. Baxter: Do we have the opportunity, and my last question was, do we have the opportunity to have alternates? So if somebody is unable to complete the position, that somebody could step into that. I don=t read anything in the Charter, but would that be something that we would consider?

Mr. Hills: I don=t know. But certainly, I think as Mrs. Frazier noted before, if for some reason someone couldn=t serve, it=s nice to be able to have a backup list.

Mr. Baxter: A name ready to go.

Mr. Hills: I=d have to say we, you know, I remember the Charter Review I served on back in late 80's, early 90's, there was one member that did not complete his service. But I cannot remember right off hand, I=m sure Mrs. Frazier can dig it up for you how that was handled. And I apologize. I just don=t remember.

Mrs. Frazier: It=s replaced by Council. There are no alternates.

Mr. Hills: Okay.

Mr. Baxter: That may be something to consider in the Charter Review.

Mr. Hood: It would fall under the vacancy provisions of the Charter.

Mr. Hills: Mr. Stearns.

Mr. Stearns: Okay. One last thing I=d like to say is, we do not have any kind of term limitations in the City of Reynoldsburg. But under this issue that we have before us now, we would be observing that right now. Simply because one person has served on the Commission before, they=re going to be denied that. And that=s one of the contentions that Mr. Hills stated that week.

Mr. Hills: Mr. Stearns, I=m going to, I=ll help right there on that.

Mr. Stearns: Okay. If you would.

Mr. Hills: I was very clear in what I said. The goal was to have all new faces that had not served before. I appreciate Ms. Burrus for standing up here and saying, I=m not coming up to say I should have been. I=m not going to apologize, but the fact that you were asked to go find two Democrats or five Democrats, did not mean that one or all of those Democrats were going to be appointed. I would certainly look for you in your role on Council to please come forward with some Democrats. They have a tendency not to want to come forward if I talk to them. I mean, that=s just, it works better if you do or Mrs. Shirey does. So we worked with what we had. We

had nine people, or eight people came forward. And as I explained before, four are brand new to the, never served on Charter, and one, I looked at the availables, and one had not served on Charter but did serve on BZA. And I looked at that and I remember my experience on Charter Review, and I think the Mayor and others would go along; and Roxyanne would agree I believe, it gets a little touchy at times. There are debates, there are arguments, and I looked at Mr. Brusk as to fill out the fifth, simply because he does know a little bit more of how the city works than any of the other four that are coming forward because they have not worked within the city. But it=s not a personal thing. That=s not what this is about. And I=m not sure how much more clearly I can explain what I did. And I made the recommendations. That=s part of the job that I have as President of Council. Certainly, if for some reason there=s motions that are passed that changes that, those things can change. Mr. Clemens, did you have something?

Mr. Clemens: Yeah. I was one that, and I had said it, but I thought it should be all members that had not served before. And me not being politically inclined, I hate to sit up here and hear politics, _____ didn=t know everything. I am the least concerned about politics. And we bring it across the table. It=s being brought across the table now. All I want is five people to do the job. And I think you=ve recommended five people to do the job. And I think that=s what we=re here for. I think it was stated by our City Attorney last week. It was stated by him this week. And if you read the Charter, it says in there, it doesn=t mention that it has to be two political parties. It says it can=t be no more than two. And I think that=s simple enough to understand. I don=t like to be accused of politics at this table. So I think it=s best to move on, appoint the people that we have selected and forget about it.

Mr. Hills: Thank you, Mr. Clemens. Mr. Stake, did you have something?

Mr. Stake: Yes, President Hills. I just would like to clarify that I did have a conversation with Councilman Stearns in regards to having Democrats put their name in. I never said that we only needed two Democrats to put their names in. I did urge him to get as many Democrats as possible to put their name in. There were only two Democrats that put their name in. There were four Republicans and three Independents. You brought to the table last week, your recommendations. I did not hear anybody in the Finance Committee disagree with those recommendations. Therefore, I made a motion to send this forward to Council. And that=s what we have here today.

Mr. Hills: Any other questions? Is that your hand up?

Mr. Stearns: Well yes, I guess. I would call for a vote to end the....

Mr. Hills: Well, let=s get the motion in first. Let=s kind of keep that in order. Mrs. Frazier, you have read in item 11b for the record. And now Mr. Stake, I will refer it to you.

Mr. Stake said the motion had been sent to Council with a unanimous recommendation for adoption from the Finance Committee. Mr. Stake moved adoption. Mrs. Newman seconded.

Mr. Hills: Questions or comments? First of all from Council? Do you want to get the Council out of the way? You=ve addressed Council. Do you have something else to address?
Mr. Wright: I just have something else I wanted to say on this.

Mr. Hills: Well, let=s wait for a while. Let=s go ahead and try to get our motions out of the way that are on the table. Are there any questions or comments? Mr. Stearns, did you have something?

Mr. Stearns: Yes, President Hills. I call to amend the motion to include two Democrats, two Republicans, and one Independent.

Mr. Hills: Mr. Stearns, there=s five names on it now. Who do you want to replace and who do you want to put in?

Mr. Stearns: The replacement would be whomever submitted their letter first would be the one Independent. Do you want to know the names? Is that what you=re saying?

Mr. Hills: There=s five names forward. If you want to amend those five names, take off one and put one in.

Mr. Stearns: Okay. The way I look at it, the way I saw it was to add Mrs. Burrus, and to remove Mr. Hallowes.

Mr. Hills: Remove who, please?

Mr. Stearns: Hallowes. Yes.

Mr. Hills: Okay. There is a motion and a second. Now there is a motion to amend that motion. That motion, and please people correct me, is to remove Mr. Hallowes, who is an Unaffiliated person, and replace them with Ms. Burrus, who is a D. There is that motion. Is there a second to that motion? Second by Mrs. Shirey. Mrs. Frazier, before you call the roll please, I want everybody to understand on this motion, an affirmative vote, an AAye@ vote would make that substitution. A ANay@ vote would not. We are voting on the motion to amend the motion on the table.

With the roll called, members voted: Mrs. Newman ANay@; Mrs. Shirey AYea@; Mr. Stake ANay@; Mr. Stearns AYea@; Mr. Baxter ANay@; Mr. Joseph ANay@; Mr. Clemens ANay@. Motion failed.

Mr. Hills: Okay. That motion to amend does not obtain the required four votes. There is a motion and a second.

With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey ANay@; Mr. Stake AYea@; Mr. Stearns ANay@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed.

Clerk read motion: That the Reynoldsburg City Council does hereby appoint Brandon Wright to

the Income Tax Board of Review; term to be for three years. Mr. Stake moved adoption. Mr. Clemens seconded. All voted AAye@. Motion passed.

ORDINANCE TO AMEND ORDINANCE NO. 3-07 PASSED JANUARY 16, 2007 TO INCLUDE IN SECTION 1, GRAHAM ROAD REPAVING PROJECT TO BE INCLUDED IN THE ODOT MAIN STREET PROJECT FOR BIDDING PURPOSES ONLY AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Stake moved to amend the ordinance by adding at the end of the sentence in Section 2, Aand replaced@. Mr. Joseph seconded. All voted AAye@. Motion passed; ordinance amended.

Mr. Stake moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Ordinance No. 11-07 adopted.

ORDINANCE AUTHORIZING APPLICATION TO FRANKLIN COUNTY ENGINEER FOR USE OF PERMISSIVE LICENSE TAX FUND FOR THE CITY=S PORTION OF REPAVING WAGGONER ROAD 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: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Ordinance No. 12-07 adopted.

ORDINANCE AUTHORIZING APPLICATION TO FRANKLIN COUNTY ENGINEER FOR USE OF PERMISSIVE LICENSE TAX FUND FOR THE CITY=S PORTION OF REPAVING GRAHAM ROAD AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Ordinance No. 13-07 adopted.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF ~~$800,000~~ **$900,000**, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL WATERWORKS SYSTEM BY REPLACING WATER LINES AND ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the second time. Mr. Stake moved to amend the ordinance by changing the amount to $900,000. Mr. Stearns seconded. All voted AAye@. Motion passed; ordinance amended. Item referred to Finance Committee.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF ~~$800,000~~ **$900,000**, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL WATERWORKS SYSTEM BY REPLACING WATER LINES AND ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the second time. Mr. Stake moved to amend the ordinance by changing the amount to $900,000. Mr. Joseph

seconded. All voted AAye@. Motion passed; ordinance amended. Item referred to Finance Committee.

ORDINANCE TO AMEND THE ACITY OF REYNOLDSBURG, OHIO PERSONNEL POLICY AND PROCEDURE MANUAL@ ADOPTED BY ORDINANCE NO. 14-03 PASSED MARCH 10, 2003 AND AS SUBSEQUENTLY AMENDED, SECTION 3.08 Transfer, Subsection A.- - -Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Ordinance No. 14-07 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO PERSONAL SERVICE CONTRACT WITH DUBLIN MANAGEMENT GROUP LIMITED FOR HUMAN RESOURCE CONSULTING SERVICES- - -Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance by adding emergency language. Mrs. Newman seconded. All voted AAye@. Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Ordinance No. 15-07 adopted.

RESOLUTION ADOPTING THE REVISED CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF REYNOLDSBURG, OHIO FOR THE YEARS 2007 THROUGH 2011- - -Clerk read resolution by title for the third reading. Mr. Stake moved to amend the resolution as redrafted 3-6-07 to change the revision date from January 24, 2007 to February 6, 2007. Mr. Joseph seconded. All voted AAye@. Motion passed; resolution amended.

Mr. Stake moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mrs. Newman AYea@; Mrs. Shirey AYea@; Mr. Stake AYea@; Mr. Stearns AYea@; Mr. Baxter AYea@; Mr. Joseph AYea@; Mr. Clemens AYea@. Motion passed; Resolution No. 16-07 adopted.

Meeting was adjourned at 8:46 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council