

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
February 25, 2019

President of Council Doug Joseph called the meeting to order at 7:35 PM

PRESENT: Joseph, Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

ABSENT:

Approval of Minutes

- a. City Council – Regular Meeting – February 11, 2019

RESULT: ACCEPTED

Approval of Agenda

Remove item 9d

All voted in favor by voice

Community Comments and Requests
Communications

NOVEMBER, 2018 AUDITOR'S REPORTS

RESULT: READ INTO THE MINUTES

DECEMBER, 2018 AUDITOR'S REPORT

RESULT: READ INTO THE MINUTES

CLERK OF COURT REPORT

RESULT: READ INTO THE MINUTES

Reports

LEGISLATION FOR ONE READING

25-19

RESOLUTION APPROVING/DENYING SPECIAL EXCEPTION USE PERMIT #2018-12; 6555 E. LIVINGSTON AVENUE; APPLICANT, D. MARIE HOOPER

Mr. Luzader: Thank you President Joseph. I think we've all heard horror stories of sometimes how the elderly are treated, even in their own homes and I just like to make sure that, the applicant is doing what she said she is going to do and abiding by all the rules and regulations

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that are incumbent upon her. So I would like to just make a motion that we include a 6 month review on this item.

Mr. Cotner: I just wondered since the applicants not here tonight. Mr. Bowsher, any chance you heard from her since two weeks ago? Because we did have a lot of questions and dialog with her. Did she reach out and follow up with your office at all by any chance?

Mr. Bowsher: <INAUDIBLE>

Mr Hood: Thank you President Joseph: The only thing is since we have a motion and a second on the table but before you call for a vote, during discussion, is there any other conditions that you want to place on the special exception use permit, it has to happen before you vote. I don't know that there are but we have one condition proposed by Councilman Luzader but if there are others we need to include before a vote is called to approve or deny.

Mr. Joseph: Ok, thank you.

Mr. Spalding: Yes I think one of the concerns that we had from the questions that we asked prior, was that we hadn't seen a floor plan and that was something that we wanted and this time now we have a floor plan and it appears that there are two restrooms there, we were curious about. One seemed larger than the other. The other question we were trying to figure out was well most of these people are going to have disabilities, that's what we were told and how many people did we believe that they were going to actually be having there. Was it anywhere between like 12 to 20? And I was looking at the space, the space could possibly hold that but of course at this point there is no furniture and now there going to remove the wall. When you looked in the building, all you really see if that wall. Well that wall is going to be removed. So it looks like space wise, there may be enough space. But of course there is not a sink. Right. I cant tell from the diagram in these restrooms, are they just stalls or are they sinks and you know all the rest of the things that would go with that because if not, there is no sinks in this building. There is no kitchen here. So that has a concern for me, like where do they get drinking water. Just the little things you think you would want to have in a facility like this, that your going to have people. Because she's going to have to hand out the medication, she talked about that. People have to bring their own medication, she cant give it to them but she can remind them when they are supposed to take it. Well then again, I'd like them to have some water to possibly take that medication. So I think there is just a few things that I was hoping that she would be here tonight to discuss this but worst case, I think it should be passed with a 6 month inspection, that in fact these people are being taken care of properly.

Mr. Joseph: And I think that at the 6 months we will know that.

Mr. Spalding: We might know it before that. If its not happening the way that we would like it to. Because the Police substation is right next door.

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Mr. Clemens: Yes, I have to, she has to have permits for everything anyway that we'll be checking, I'm sure by our departments and so forth. And the bathrooms will have to be changed, I mean they have to be for senior citizens and so forth. So there is work to be done. And I think its fine, ill keep an eye on it because I go over there about every other day just to see what's falling apart. I don't know, they are going to have a hard time driving in there because its, its bad. But any how I'll keep an eye on and guarantee you that, so that's fine. I thought she'd be here but I don't think she knew much what she was talking about the last time, so it wouldn't be much use to be here. As long as when she get the permit and gets with you know our departments and get everything done, then we will know basically if its going to operate or not.

Mr. Cotner: And when does, I see so Attorney Hood standing up anyway, so when is the actual 6 month review start, from the time she would open, the permits or...

Mr. Hood: Yes, so and 6 months is what we have done historically. if there is a concern by Council that we need to know sooner rather than later, you can pick a 90 day review or a 30 day review. But what I want to remind all of us, your review today is the potential use, not what the building is going to look like, not what the buildings going to be inside, not how many patrons they are going to have and service. It may go into the characteristic of the use for neighborhood or the zoning district, but your review it confined to 1145 of the code. So if you find the use acceptable, once you get the special exception use permit with the condition that we will review to make sure they are in compliance with all of our City codes, she will have to submit things to our building department as far as minor site plan review, if she wants to change anything on the exterior it goes through a different body through design review but for the inside and any modifications that they would make would call for at least a minor site plan. So we would know exactly what construction if any are going to be made and then ultimately your building department or official would determine that commercial space and how many square feet are allowed to have, you have probably seen them before at different restaurants and thing, the maximum occupancy, 25 people, 35 people, 100 people. Depends on how many square foot you have in that commercial space. So 12 and 20 we can talk about that anecdotally but officially once, before they open we will have a number that will be published on the wall inside with their occupancy permit and they are not allowed to go above that. For the certificate of occupancy, prior to opening.

Mr. Cotner: One question on that. And the building department, yes, is who sets that number? Because her paper said 25 to 30 clients.

Mr. Hood: Its within the standards. So, its not a number we pick, it is I think, out of the Ohio Building code. State code . So its not a City Code, its a State code that we have adopted.

Mr. Cotner: Based on its use, since this is kind of a relatively new use though.

Mr. Hood: Commercial use, residential use, that's what Andrew.....

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Mr. Bowsher: They get really technical based on, like they have different numbers and everything like that. That are based on this would be an assembly use and then they would have some designations underneath of that and then outline specifically how many people could be there. Basically what they will do is, we will send in our commercial inspector to go an inspect the building the process, if they are renovating it. And once it gets done, they will get a final approval and that's the certificate of occupancy. It gets issued to them, but they cant start that process until they get the zoning process done. Which is this special exception use. So once you approve this tonight, then she can actually submit plans to building department and start that process. Sometimes, we do it simultaneously but its ill-advised because if they don't get approval through this, there is no reason to waste their money on doing plans.

Mr. Clemens: Andy, can I ask a question. Would there be any type of permit, from the State. Will this be State monitored situation since its handled by...

Mr. Bowsher: I'm not qualified to answer that but I believe if she was administering drugs, it would be a different classification for health services and than it would be monitored by a different body through the State. But because she is not and its more of just a day care sort of center for senior citizens she will not be governed by that body.

Mr. Luzader: And then if I understood correctly, the six month review would begins when she gets her occupancy permit.

Mr Bowsher: Correct.

Mr. Hood: If you approve the special exception use permit, she has 6 months to act on it or it expires. So she has 6 months to open and then once she opens and then 6 months review after that. That's why I said if you want to dial that back some you can but the clock starts clicking on the review as soon as she is granted her occupancy order.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Marshall Spalding, Ward 3 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

26-19

AN ORDINANCE TO APPROVE, ADOPT AND ENACT A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF REYNOLDSBURG, OHIO --- Cotner. Finance and Administration Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At-Large Councilmember
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

LEGISLATION FOR EMERGENCY ADOPTION

27-19

ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE FRANKLIN SOIL AND WATER CONSERVATION MINI GRANT; AND DECLARING AN EMERGENCY. --- Spalding. Development, Parks and Recreation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marshall Spalding, Ward 3 Councilmember
SECONDER:	Stacie Baker, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

28-19

ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT GRANT FROM THE CLEAN OHIO CONSERVATION PROGRAM FUND ADMINISTERED THROUGH THE OHIO PUBLIC WORKS COMMISSION; AND DECLARING AN EMERGENCY. --- Spalding. Development, Parks and Recreation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marshall Spalding, Ward 3 Councilmember
SECONDER:	Caleb Skinner, Ward 1 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

29-19

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MEDIA PROMOTION ENTERPRISES (MPE) FOR THE 2019 TOMATO FESTIVAL; AND DECLARING AN EMERGENCY. --- Spalding. Development, Parks and Recreation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marshall Spalding, Ward 3 Councilmember
SECONDER:	Brett Luzader, Ward 2 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

31-19

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING, PLANS, AND PREPARE BID DOCUMENTS FOR THE 2019 WATER MAIN REPLACEMENT PROJECTS, APPROPRIATING FUNDS THEREFORE, AND DECLARING AN EMERGENCY. (FIRST READING 2/11/2019, REQUESTS ADOPTION UPON SECOND READ). --- Luzader. Public Service and Transportation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Marshall Spalding, Ward 3 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

32-19

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL WORKING AGREEMENT WITH FRANKLIN SOIL AND WATER CONSERVATION DISTRICT FOR 2019 AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Barth R. Cotner, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

33-19

ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND TO AN ACCOUNT IN THE SERVICE DEPARTMENT; AND DECLARING AN EMERGENCY. --- Luzader. Public Service and Transportation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Mel Clemens, Ward 4 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

LEGISLATION FOR FIRST READING

ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND TO AN ACCOUNT IN THE PARKS & RECREATION DEPARTMENT --- Spalding. Development, Parks and Recreation Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 3/11/2019 7:30 PM
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ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST; AND DECLARING AN EMERGENCY. --- Clemens. Public Safety, Law and Courts Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 3/11/2019 7:31 PM
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ORDINANCE APPROPRIATING FUNDS FROM UNAPPROPRIATED GENERAL FUND TO AN ACCOUNT IN THE POLICE DEPARTMENT. --- Clemens. Public Safety, Law and Courts Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 3/11/2019 7:31 PM
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LEGISLATION FOR SECOND READING

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING AND MANAGEMENT OF SEWER LINE CCTV AND MANHOLE INSPECTIONS. --- Luzader. Public Service and Transportation Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 3/11/2019 7:32 PM
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LEGISLATION FOR THIRD READING

34-19

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE PARKS & RECREATION DEPARTMENT'S FIXED ASSET LIST. --- Spalding. Development, Parks and Recreation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marshall Spalding, Ward 3 Councilmember
SECONDER:	Stacie Baker, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

35-19

ORDINANCE TO AUTHORIZE THE MAYOR TO PURCHASE ONE (1) 2019 F-350 4X4 FOR THE PARKS AND RECREATION DEPARTMENT. --- Spalding. Development, Parks and Recreation Committee.

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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marshall Spalding, Ward 3 Councilmember
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

36-19

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. --- Luzader. Public Service and Transportation Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Barth R. Cotner, At-Large Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

37-19

RESOLUTION AUTHORIZING PARTICIPATION IN ODOT SALT CONTRACT FOR 2019/2020 --- Luzader. Public Service and Transportation Committee.

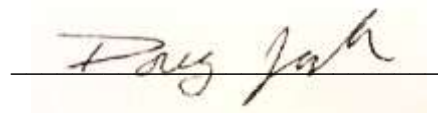
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Marshall Spalding, Ward 3 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

38-19

ORDINANCE TO AUTHORIZE THE MAYOR TO PURCHASE TWO 2019 F-250 FORD TRUCKS AND RELATED EQUIPMENT FOR THE WATER AND WASTEWATER DEPARTMENT AND TRANSFER ONE (1) TRANSIT VAN TO PARKS AND RECREATION DEPARTMENT AND REMOVE RELATED EQUIPMENT FROM THE WATER AND WASTEWATER DEPARTMENT ASSET LIST. --- Luzader. Public Service and Transportation Committee.

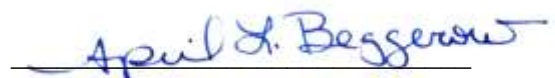
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brett Luzader, Ward 2 Councilmember
SECONDER:	Caleb Skinner, Ward 1 Councilmember
AYES:	Clemens, Cotner, Luzader, Spalding, Baker, Bryant, Skinner

Adjournment



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Doug Joseph, President of Council



April L. Beggerow, Clerk of Council