



CITY COUNCIL

Council Meeting

Angie Jenkins, President
Shanette Strickland, Ward 1
Louis Salvati, Ward 2
Bhuwan Pyakurel, Ward 3
Meredith Lawson-Rowe, Ward 4
Barth Cotner, At-Large
Stacie A. Baker, At-Large
Kristin J. Bryant, At-Large

7232 East Main Street
Reynoldsburg, OH 43068
www.ci.reynoldsburg.oh.us

Mollie Prasher, Clerk of Council
614-322-6836

Monday, January 25, 2021

Council Chambers

CITY COUNCIL MEETING

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF MINUTES**
 - a. City Council – Regular Meeting – January 11, 2021

6. **COMMUNITY COMMENTS**

The Community Comments portion of the meeting is an opportunity for citizens to address Council. Citizens may wish to bring matters to the attention of City Council or discuss items on the agenda.

Before addressing City Council, members of the public are asked to complete a speaker's form and give it to the Clerk of Council. The Council President will invite speakers to step to the microphone and give their name and address. All remarks should be addressed to Council as a whole and not exceed three minutes.

7. **COMMUNICATIONS**

8. MOTIONS

- a. A Motion to Approve a Resolution to Establish, Implement, and Enforce a Zero-Tolerance Policy Against Any Act Which May Support the Sex Trafficking of Humans in the City of Reynoldsburg
- b. A Motion to Approve a Resolution to Recognize Dr. Martin Luther King, Jr. and His Day of Service
- c. A Motion to Affirm the Appointment of Doug McCollough to the COTA Board

9. REPORTS

a. City Attorney Year-End Review

b. Clerk of Court

- 1. Clerk of Court Report

c. West Licking Fire District

- 1. West Licking Fire District

d. Development, Parks & Recreation Committee

- 1. An Ordinance Consenting to the Annexation of Certain Real Property Located on US Route 40 Identified as Parcel Numbers 010-017466-00.000, 010-018030-00.000, and 010-018030-00.001 in Licking County and Adopting Permanent Zoning
- 2. An Ordinance to Approve the Application Made by Maple Wood Farms LTD. to Have Certain Land Located Within the City of Reynoldsburg Located on Summit Road, Permanent Parcel Numbers 125-026616-00.000, Designated for Placement in an Agricultural District

e. Public Safety, Law & Courts Committee

- 1. An Ordinance to Amend Chapter 503 of the Codified Ordinances of the City of Reynoldsburg to Provide Fair Housing Opportunities for Individuals and Their Families Regardless of the Source of Income to Pay for Such Accommodations (Work Session Only)
- 2. An Ordinance to Amend Chapter 795 of the Codified Ordinances of the City of Reynoldsburg, Adult Entertainment and/or Sexually Oriented Businesses or Clubs

f. **Public Service & Transportation Committee**

1. An Ordinance Creating Chapter 1397 Rental Property Registration to the Reynoldsburg Code of Ordinances to Provide for the Registration of Residential Rental Housing Located Within the Boundaries of the City of Reynoldsburg (Work Session Only)
2. An Ordinance Authorizing the Annual Participation in the ODOT Road Salt Purchasing Contract
3. An Ordinance Authorizing the Mayor to Purchase a Ford Truck and Related Equipment for the Street Department, Appropriating Funds, and Declaring an Emergency
4. An Ordinance Authorizing the Mayor to Purchase a F350 Ford Truck and Related Equipment for the Water and Sewer Department, Appropriating Funds, and Declaring an Emergency

g. **Finance & Administration Committee**

1. An Ordinance to Establish Chapter 701 Landlord-Tenant Relationships of the Codified Ordinances of the City of Reynoldsburg (Work Session Only)
2. An Ordinance to Approve Payment of Services Performed in Prior Year, and Declaring an Emergency

10. CONSENT AGENDA FOR FIRST READING

- a. An Ordinance Consenting to the Annexation of Certain Real Property Located on US Route 40 Identified as Parcel Numbers 010-017466-00.000, 010-018030-00.000, and 010-018030-00.001 in Licking County and Adopting Permanent Zoning --- Baker. Development, Parks and Recreation Committee.
- b. An Ordinance to Approve the Application Made by Maple Wood Farms LTD. to Have Certain Land Located Within the City of Reynoldsburg Located on Summit Road, Permanent Parcel Number 125-026616-00.000, Designated for Placement in an Agricultural District --- Salvati. Finance and Administration Committee.
- c. An Ordinance to Amend Chapter 795 Adult Entertainment And/Or Sexually-Oriented Businesses or Clubs of the Codified Ordinances for the City of Reynoldsburg --- Bryant. Public Safety, Law and Courts Committee.
- d. An Ordinance Authorizing the Annual Participation in the ODOT Road Salt Purchasing Contract --- Strickland. Public Service and Transportation Committee.

- e. An Ordinance Authorizing the Mayor to Purchase a Ford Truck and Related Equipment for the Street Department, Appropriating Funds, and Declaring an Emergency --- Strickland. Public Safety, Law and Courts Committee.
- f. An Ordinance Authorizing the Mayor to Purchase a F350 Ford Truck and Related Equipment for the Water and Sewer Department, Appropriating Funds, and Declaring an Emergency --- Strickland. Public Service and Transportation Committee.
- g. An Ordinance to Approve Payment of Services Performed in Prior Year, and Declaring an Emergency --- Salvati. Finance and Administration Committee.

11. CONSENT AGENDA FOR SECOND READING

- a. An Ordinance Authorizing the Mayor to Enter into a Contract for the 2021-2022 Irrigation Service Contract and Appropriating Funds Therefor (First Reading 1/11/2021). --- Baker. Development, Parks and Recreation Committee.
- b. An Ordinance Authorizing the Mayor to Enter into a Contract for the 2021-2022 Landscape Services Contract and Appropriating Funds Therefor (First Reading 1/11/2021). --- Baker. Development, Parks and Recreation Committee.

12. CONSENT AGENDA FOR THIRD READING

- a. An Ordinance to Approve the Final Plat Plan for the Spring Hill Farm Development (Second Reading 1/11/2021). --- Baker. Development, Parks and Recreation Committee.

13. OTHER COUNCIL MATTERS

14. UPCOMING MEETINGS

- a. February 4, 2021 Planning Commission
- b. February 8, 2021 Council
- c. February 18, 2021 BZBA
- d. February 22, 2021 Council

ADJOURNMENT

Reynoldsburg

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Council President Leanora Jenkins called the meeting to order at 6:33 PM

PRESENT: Cotner (Remote), Baker (Remote), Bryant (Remote), Jenkins (Remote), Strickland (Remote), Salvati (Remote), Pyakurel (Remote), Lawson-Rowe (Remote)
ABSENT:

All stand for the pledge of allegiance.

Approval of Agenda

The agenda stands as approved.

Approval of Minutes

a. City Council – Regular Meeting – December 14, 2020

The minutes stand approved as submitted.

RESULT:	ACCEPTED
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Community Comments

Volunteer Energy Presentation

Mayor Begeny

It is a wonderful occasion when I am able to present to Council some great news. Larry is going to go ahead and tell us a little bit more from Volunteer Energy Service and our agreement with them and present this check.

Larry Taylor-Volunteer Energy Services

It's much more fun to hand over a check to the City of Reynoldsburg in person but this is going to have to do. Some of you have known for 45 or 50 years. Some of you I don't know. My name is Larry Taylor, I am an Energy Specialist with Volunteer Energy Services. I administer the gas aggregation program for the City of Reynoldsburg. The nice thing about the aggregation program that we have with the City is that it creates two wins. The first win is that it's a guaranteed savings of 8% from FCO Columbia Gas customers in the City of Reynoldsburg. The second being, way back when we negotiated this agreement, Volunteer Energy agreed to donate 5 cents for every MCF used in the

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aggregation program, back to the City of Reynoldsburg. So you guys could collectively decide how to use that money to benefit the residents of the City. Again, this is the best part about my job. I get to present a check, typically Mr. Cicak jumps up runs over and gives me a hug. Unfortunately, he is not going to be able to do that this evening. It's my pleasure to be able to present this check in the amount of \$24,167.12.

Mayor Begeny

Thank you very much. I am very happy with the partnership and I know the Auditor and I always thrilled anytime that we are able to give money back into the City so that we can use to benefit the community.

Auditor Cicak

I want to thank your organization. I know you are based in Pickerington and I invite you to come and move back to Reynoldsburg.

Larry Taylor

I will work on that, so you never know.

President Jenkins

Thank you for coming this evening Mr. Taylor and we appreciate the check and are excited about that.

Larry Taylor

We appreciate you all and thank you very much as well.

Mayor Begeny had the following comments.

Mayor Begeny

It is my opportunity today to declare it as Human Trafficking Awareness Day. I do have a proclamation to read.

***WHEREAS**, human sex trafficking is a form of modern-day slavery and occurs when an adult or child is recruited, harbored, obtained, or exported through force, fraud or coercion for the purposes of sexual exploitation; and*

***WHEREAS**, human sex trafficking is growing throughout Reynoldsburg, Ohio and the United States, thriving in cities across geographic and socio-demographic variability, and*

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nationally, the criminal enterprise of human trafficking is second only to the illegal drug trade, in terms of the speed of its growth and being among the most lucrative, and;

WHEREAS, *human sex trafficking significantly threatens the safety and well-being of the child victims, some as young as infants, and often coming from the foster care system, and vulnerable adults and being purchased, as well as the families of buyers, legitimate businesses and our communities; and*

WHEREAS, *there is a growing body of evidence that targeting sex buyers is a pragmatic, effective way to reduce demand within the commercial sex industry; and*

NOW, THEREFORE, *I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio, do hereby to continue our efforts to combat the commercial sexual exploitation of our children and vulnerable adults, and mitigate the associate public safety, economic, and health risks to our community, in collaboration with the U.S. Institute Against Human Trafficking, Reynoldsburg Diversity Inclusion Equity Youth Council, and other anti-human trafficking organizations by;*

**COMBATING COMMERCIAL SEXUAL EXPLOITATION THROUGH
COMPREHENSIVE EDUCATION, AND THE IMPLEMENTATION AND
ENFORCEMENT OF A ZERO-TOLERANCE POLICY AGAINST ANY ACT
WHICH MAY SUPPORT THE SEX TRAFFICKING OF HUMANS**

And ask the citizens of Reynoldsburg to join us in promoting a shift away from the culture of tolerance toward human trafficking.

Thank you Cornelius McGrady for being such a powerful advocate for such a long time within the community of Reynoldsburg and the country at large.

Communications

TREASURY BOARD MEETING MINUTES

HUMAN TRAFFICKING FREE ZONE INFORMATION

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RESULT:**REFERRED TO COUNCIL****Next: 1/25/2021 6:30 PM**

Motions

A MOTION TO APPROVE A RESOLUTION OF RECOGNITION OF CONGRESSWOMAN JOYCE BEATTY

Councilmember Lawson-Rowe

It is with great honor that I am able to offer this resolution of appreciation for Congresswoman Beatty. Actually, we had it on our schedule last year to recognize her, thank you Covid.

Councilmember Lawson-Rowe reads the motion into the minutes

Congresswoman it is such an honor to watch your servant leadership. We appreciate you. I have invited Ms. Julie Collins to be a part of this call, it's because of her that I met you. I am in awe of all of your leadership and fight for those of us here. We can go on and on and all of your accomplishments from March until now is not included in this because we did not know we would not be able to recognize you in March of last year.

Congresswoman Beatty

Let me just say, if it is appropriate, first Mr. Mayor it is good to see you, to you Councilwoman Lawson-Rowe and all of the other Council members and elected officials and friends. All of you fall into that category. And to have Julie here is a special honor to me, she is very special. We have the opportunity to work together in one of my other tours of duty as a public servant when I was in the Ohio House of Representatives and her work was stellar. She guided me through many of the issues that you have talked about and many of the things that you see in my career today. Certainly you all know, there is always people who stand with you and next to you and deliver all of the things that you read. I don't know if you really know how special you are to me. I want to say to you Councilwoman Bryant, thank you. It was your leadership that continuously before she was elected, all I heard was Reynoldsburg and Reynoldsburg and our Council and what we can do. You know it's like having a dream. Dreams come true. Then it was you and Councilmember Baker. We thought we had concurred the world. That I was able to come and see two of you there. When you came to me and said we are going to go to take it all. From having someone the President of Council to multiple people on the Council, we are going to have the Mayor. And then we are going to have a first time person that

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comes from a heritage that people don't even know what county and where he is from to join us. Then we are going to bring everyday people to the table. We are going to run and do that together. I met Louis. I met all of the rest of you and you were strong as a team. And then it was you Council President. Angie said don't underestimate us, we are going to win. Then when my two sisters who are little specials. We have a special bond with our sorority that put them in a whole different classification. I want to say is, I sat here and listened to you read off those things, those things only happened because I have a team. A team in my congressional office, my district office. Trenton Weaver, who is a Council and Lawyer in our office, has always pushed to make sure Reynoldsburg was at the table and well represented as other municipalities. Tonight is a big thank you. I am getting emotional because this is an emotional week. Maybe you didn't ask for this but to have this many elected officials and individuals with authority on this call, we should be very thankful for the community that we come from. Very thankful that we have diverse leaders like you that make us understand that we will build back a better America. That makes us understand that we will not let people come and take over our United State Capital or let them come and destroy this wonderful America that we live in. We are on a briefing now because there are four different insurgent groups that have sent threats that aren't veiled threats. We are on a call with all kinds of leaders that are explaining to us that we do have something to be worried about but we are bigger and better and we will not run and we will not be afraid. This was a scarring time. To be told to be in your office and barricade yourself and lock the door and hide. And to have three young staff on the first day of work there. I didn't have time to reflect on my life. I thought about much of what you read Meredith, about the work that I had done and how I could continue to help people. But when you heard a gunshot and vulgar language and you heard gas bomb going off. But when I saw 15 people scaling the walls of the capital and having enough armory to break out the windows and come through wood doors and not even stop when bullets were fired. They were serious about taking over the capital. They had enough tie backs to put around the wrist of every member of congress. We were very fortunate. No matter what you hear about those who protected us, those in the trenches, it was amazing that we did not lose more Officers. At the top where leaders are. True leaders. Thank you for leading. Our security leadership failed us, failed the nation and failed those died. They did not call in for the National Guard and when someone was begging for it, it was denied. When 30 some thousand people came to the grounds and took over the capital, we were left helpless and to be harmed. It's the first time I have gotten to say that out loud and to say how grateful I am to be here. So many of my colleagues you have seen on TV who were in the balcony, who hit the ground and put on gas masks and herded us to the secure location that I not so secure and the newspapers knew where we were going.

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Then there was another problem, it was Covid infested, even of my colleagues on the other side of the isle, with 100 others in there, refused to put on a mask. This morning members are testing positive who were in that room. I am sure it is because of that. Back to the business at hand. Thank you. Thank you for honoring me. It doesn't matter whether it was March of last year or today. This is a resolution that I will frame. I take it with great honor. I am very honored and privileged to serve. To have you as part of the third congressional district. This means more to me than you will know. Thank you.

President Jenkins

Thank you for your support and we appreciate your public service. We are so happy that you are safe.

Councilmember Bryant

Thank you for continuing to represent us and to be faced with something and face it with courage and bravery. I thank you for protecting our democracy and standing up to those who would otherwise come against it. You are the best congresswoman in the land and I thank you for all that you do.

Councilmember Pyakurel

Thank you for coming and supporting us <INAUDIBLE>. Last week was the darkest day of our democracy. It was one of the realist moments in life that I thought that the refugee camp is better than United States. I felt that, literally, I felt that. We were inside crying. We came all the way from the origin of country in the refugee camps, stayed so long and came to the United States. Seeing how the people are treated, that's what was were discussing at home when we were seeing the capital. Thank you for what you do and that you are safe. We appreciate it. Thank you.

Councilmember Strickland

I wanted to say thank you for always being there. Always on the road fighting for us. You always have the voice. I see you. I am following you. She is a fighter for Reynoldsburg. I appreciate everything you do for our community. When we need advice we can call on you. Just thank you so much for being that congress woman who is out there on the front lines and just not talking, she is walking at the same time to make sure things are happening right here in Reynoldsburg. Thank you so much.

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Councilmember Baker

I just want to say thank you for everything you have done over the past and what continue to do and what you are about to do. What you have done for not just for the 3rd congressional district but the whole state of Ohio and the United States. It's very much commended. I am going to go out on a limb and if anybody needs to get the congressional Medal of Freedom from Congress, it should be you. I am going to take a personal privilege and start calling you Iron Side Beatty. You have a lot of things, been through a lot of things and seen a lot of things. Just to let you know, here in the Baker household we appreciate you so much.

Congresswoman Beatty

Thank you so much, all of the comments, they are so touching. You have been so generous with your time and I appreciate that so much thank you.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristin Bryant, At-Large Councilmember
SECONDER:	Meredith Lawson-Rowe, Councilwoman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CLEAN OHIO CONSERVATION PROGRAM FUND ADMINISTERED THROUGH THE OHIO PUBLIC WORKS COMMISSION

Director Bowsher

This is before you as a motion to go ahead and apply for this grant. We were working on a proposal for this a few years back. This alongside our Parks and Rec Director Donna Bauman. This will be a relocation of Blacklick Trail in Huber Park, to get it up out of the flood way as we have some erosion that's over in that area. As well as doing some stream bank restoration. This will be back before you, if we get accepted for the grant, to go over specific time lines and pricing.

Councilmember Cotner

What does this cost the City then? Is this 100%, matching funds that the City will be paying? What's the scope? The information we have is extremely limited.

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Director Bowsher

This is one of three different grants that are aligned with the Clean Ohio. This one specifically is for trail movement as well as the stream bank restoration. This portion of the project is about \$660,000.00. It's a 20% match given at that time that the City would be allocated. We are actually working with a couple of different organizations. The good thing about this is you can double up on the grants. Our goal would be when we apply for the other two that are not up for application yet, we will utilize those dollars to oversee those matching funds. We have a preliminary plan. We are still working on that. The goal is to get it before MORPC or Clean Ohio and get awarded. It's a very small grant, there is only \$3,000,000.00. The metro parks typically get a portion of that alongside, we are competing with every other Central Ohio Municipality. It's tough, we have already been through the screener with them. EMH&T is our applicant on our behalf. WE are going to be continuing working with them. When we come back we can give you a much more detailed approach of what those cost. I will make sure that everyone in Council has a packet that outlines those cost, a spreadsheet, as well as a plan for this project specifically.

Councilmember Cotner

The motion says to apply for and accept it. Again, we are presented very little information. It's the first time we have seen it and we are going for an emergency. I am assuming timing is of the essence that you are presenting and needing an emergency all in one foul swoop.

Director Bowsher

It is but just clarify this is motion, so it doesn't need to be an emergency. Just a one read item. We spoke with the Auditor, Mayor and City Attorney via some emails that we were having this week and last. This is just to apply for. If we are awarded we will come back to Council with much more detailed information about what those cost will look like to actually accept said grant.

Councilmember Cotner

Ok, so would be changing the language of this motion then? It says we are applying and accepting. Does that put us in the position that we are committed?

Director Bowsher

No we are not committed. Even if we were rewarded it and something were to happen and we weren't able to match the funds, the funds would never leave their hands. They

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are reimbursement dollars. I will pass it on to the City Attorney Shook if we need to amend the language.

Attorney Shook

I would echo Councilmember Cotner's concern about the language and when I reiterated to Director Bowsher earlier today was that it needs to be clear to Council that this is not an acceptance of the award, that if we are presented with the opportunity to accept such award we would have to come back to Council for a 3 read ordinance. If you chose to amend the language that's up to you. But you could not accept it by a motion anyway.

Councilmember Cotner

Auditor Cicak, these funds would be matching through CIP that we are not matching but are required to put in.

Auditor Cicak

Councilmember Cotner, I think we still need to have a lot more information and have the application. I think Director Bowsher just mentioned that this is a reimbursement. There are too many variables that I don't know, I have not seen the application to be able to comment on it.

President Jenkins

What is the deadline for the grant and when we will know if we have been accepted to receive it?

Mayor Begeny

This particular grant will be made <INAUDIBLE> by the summer time. Around that time is the approximate time that we will be able to apply for the other two grants that would help alleviate cost factors with that. Basically would be something where even if the grants were applied for and received this year, nothing would come out until 2022 other than some engineering funds early on. Which again, would be covered by the grant.

Councilmember Cotner

I will clarify then that even though we are leaving language as is, it still does not require us to accept it and make that decision. I am fine with leaving the language as it is, I appreciate the clarification.

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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristin Bryant, At-Large Councilmember
SECONDER:	Louis Salvati, Councilman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO AFFIRM THE APPOINTMENT OF JODELLE M. D'AMICO AND STEVEN CASTRO TO THE CIVIL SERVICE COMMISSION

There are no comments on this motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bhuwan Pyakurel, Councilman
SECONDER:	Stacie Baker, At-Large Councilmember
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO HEREBY CONFIRM THE MAYORAL APPOINTMENT OF PASTOR ROBERT LINDER TO SERVE ON THE BOARD OF ZONING AND BUILDING APPEALS FOR A TERM BEGINNING FEBRUARY 1, 2021 THROUGH JANUARY 31, 2024

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bhuwan Pyakurel, Councilman
SECONDER:	Shanette Strickland, Councilwoman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

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A MOTION TO HEREBY CONFIRM THE MAYORAL APPOINTMENTS OF PAT ZOLLARS AND TYLER CULLINAN TO SERVE ON THE PLANNING COMMISSION FOR A TERM BEGINNING FEBRUARY 1, 2021 TO JANUARY 31, 2024

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shanette Strickland, Councilwoman
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO RECOMMEND THE APPOINTMENT OF STACIE BAKER AS THE COUNCIL REPRESENTATIVE TO THE WEST LICKING JOINT FIRE DISTRICT BOARD FOR 2021

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bhuwan Pyakurel, Councilman
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO RECOMMEND THE APPOINTMENT OF BARTH COTNER AS THE COUNCIL REPRESENTATIVE TO THE REYNOLDSBURG VISITORS BUREAU

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shanette Strickland, Councilwoman
SECONDER:	Meredith Lawson-Rowe, Councilwoman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

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A MOTION HEREBY APPOINTING STEPHEN CICAK AND CHRIS SHOOK TO SERVE ON THE VOLUNTEER PEACE OFFICERS' DEPENDENT FUND

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stacie Baker, At-Large Councilmember
SECONDER:	Meredith Lawson-Rowe, Councilwoman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO RECOMMEND THE APPOINTMENT OF KRISTIN BRYANT TO SERVE AS THE PRESIDENT PRO TEMPORE OF COUNCIL FOR THE PERIOD BEGINNING JANUARY 11, 2021 UNTIL THE NEXT COUNCIL ORGANIZATIONAL MEETING IN JANUARY 2022

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Meredith Lawson-Rowe, Councilwoman
SECONDER:	Stacie Baker, At-Large Councilmember
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

A MOTION TO RECOMMEND THE APPOINTMENT OF TEMPORARY COMMITTEE CHAIRS

President Jenkins

I move to appoint Stacie Baker as the Temporary Chair of the Development Parks and Recreation Committee, Kristin Bryant as the temporary chair of the Public Safety, Law and Courts Committee, Shanette Strickland as the temporary chair of the Public Service and Transportation Committee and Louis Salvati as the temporary chair of the Finance and Administration committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Meredith Lawson-Rowe, Councilwoman
SECONDER:	Kristin Bryant, At-Large Councilmember
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

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A MOTION TO RECOMMEND THE APPOINTMENT OF COUNCILMEMBERS TO COUNCIL COMMITTEES EFFECTIVE JANUARY 11, 2021 UNTIL THE NEXT COUNCIL ORGANIZATIONAL MEETING IN JANUARY 2022

President Jenkins

I move to appoint Stacie Baker, Barth Cotner, Meredith Lawson-Rowe and Bhuwan Pyakurel to the Development Parks and Rec committee, Kristin Bryant, Barth Cotner, Meredith Lawson-Rowe and Bhuwan Pyakurel to the Public Safety, Law and Courts Committee, Shanette Strickland, Barth Cotner, Meredith Lawson-Rowe, Bhuwan Pyakurel to the Public Service and Transportation Committee and Louis Salvati, Stacie Baker, Kristin Bryant and Shanette Strickland to the Finance and Administration Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Meredith Lawson-Rowe, Councilwoman
SECONDER:	Bhuwan Pyakurel, Councilman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

Reports

Clerk of Courts

CLERK OF COURT REPORT

Clerk Prasher

The Clerk of Court submitted monies collected from the courts held on, 12/3, 12/10, 12/17, 12/23 and 12/30/20 in the amount of \$13,277.00.

RESULT:	READ INTO THE MINUTES
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Liquor Permit

MUDRAN INC. LIQUOR PERMIT REQUEST

Deputy Chief Grizzell

The application is for a permit for a restaurant at 7976 Main Street where Old Rev Cafe was. The permit is for beer, wine and mixed beverages. The owners are four

Minutes Acceptance: Minutes of Jan 11, 2021 6:30 PM (Approval of Minutes)



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partners and are listed as Mudran Inc. They hold no other liquor permits and have no prior violations. We do not recommend a hearing for this application.

RESULT: READ INTO THE MINUTES

Development, Parks & Recreation Committee

This is the Development, Parks & Recreation Committee meeting for January 11, 2021.

Members in attendance are: Councilmember Cotner, Councilmember Lawson-Rowe, Councilmember Pyakurel, Temporary Chair Baker and President Jenkins.

Election of Committee Chair

Councilmember Baker

I open the floor for nominations for chair of the Development, Parks and Recreation committee. Individuals may nominate themselves with any second to the nomination. Is there any nomination for chair of this committee?

Councilmember Pyakurel

I nominate you to be chair of this committee.

Councilmember Baker

Ok, is there any other nominations? Is there a second.

Councilmember Lawson-Rowe

Second.

Councilmember Baker makes a motion for the election of Councilmember Baker as the committee chair for the Development, Parks and Recreation Committee. Second by Councilmember Lawson-Rowe. Motion carries.

Councilmember Baker

Thank you for re-electing me as chair of this committee.

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Election of Committee Vice Chair

Councilmember Baker

I open the floor for nomination for vice chair of the Development, Parks and Recreation committee. Individuals may nominate themselves with a second. Are there any nominations for vice chair of this committee? I would like to open up the floor and nominate Councilmember Pyakurel as Vice Chair of the Development, Parks and Recreation Committee. Is there a second?

Councilmember Baker makes a motion for the election of Councilmember Pyakurel as the committee vice chair for the Development, Parks and Recreation Committee. Second by Councilmember Lawson-Rowe. Motion carries.

An Ordinance Authorizing the Mayor to Enter into a Contract for the 2021-2022 Landscape Services Contract and Appropriating Funds Therefor

Director Bauman

This legislation before you tonight is requesting authorization for the Mayor to enter into contract with Yard Solutions for landscape services for 2021 and 2022. The landscaping services is soft scape. Which goes from City Hall to Brice Road. Any soft scape through out there, that is what the landscaping services is for. Mulch, pruning of trees, taking care of perennials, all of that good stuff that goes with it. The contract for one year is \$89,830.91. That is a 2 year contract, so this would be the same price for 2021 and 2022. For two years it bring the total contract to \$169,795.70. We do not need to appropriate funds as I did have that included in the 2021 budget.

Councilmember Pyakurel

Is this something we do every year?

Director Bauman

We do this every two years. So we will do this, this year which will cover 2021 and then it will cover 2022. And then in 2022 around November, we will take it out to bid again for 23 and 24.

Councilmember Cotner

Nothing too significant other than sharing more information. Thank you Director Bauman for sharing why you are choosing Yard Solutions, I think that's important to

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have in the packet for us. Yard Solutions is who we have currently and for the past two years, correct?

Director Bauman

Yes, yard solutions was awarded the contract for 19 and 20. It was quite a nightmare that they took over and I think they did a really good job in getting us back on track.

Councilmember Cotner

Yes, I think they have done really well. I think we heard critiques and complaints in some years passed and we really were getting the value we were paying, so I think that Yard Solutions has done a good job for the City. Again, I think that explaining why you saw them as the best choice, that was really important and the itemization was valuable for Council to see what has happened. I know in past there has even been discussion about whether the City should take that on and do it on our own in house verses utilizing a third party. Again, I thought that was good to have all that break down. Thank you for that. One other point to clarify, there were only two bids?

Director Bauman

It was Yard Solutions and then Grass Groomers was the lowest bid. Yard Solutions was the next lowest, the other two were substantially higher. They may have been 3 others, I'm sorry I don't have that.

Councilmember Cotner

Thank you, this was good information and useful for how the process should work. There is going to be significant work along Main Street this year. Do they have a plan and strategy for that?

Director Bauman

The portion where the street scape is will not be effected by any of the construction going on because it's the flower beds. They are back far enough off of the road that they should not be impacted.

Yard Solutions Representative

If I can just jump in here. We are used to working around a lot of curve balls, it's something that comes with the job. I don't really anticipate any major problems with it moving forward.

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Councilmember Cotner

Fair enough. I knew you would take it into account but just trying to think through that process. Even though it's not on the road itself, it's still going to make an impact, thank you.

Director Bauman

And I a lot of the items like the mulching and stuff that takes place on the weekends or later in the evenings so it's not to effect traffic flow and so forth.

Yard Solutions Representative

Yes, when we are doing major services such as putting down mulch and things like that, we want to do it with as little traffic as possible. As little pedestrian interaction as possible. I think the last two years we hit it pretty hard on Saturday mornings just so that it wouldn't impact general traffic flow and utilize sidewalks.

Councilmember Baker makes a motion to move the ordinance to Council for a first read. Second by Councilmember Pyakurel. Motion carries.

An Ordinance Authorizing the Mayor to Enter into a Contract for the 2021-2022 Irrigation Service Contract and Appropriating Funds Therefor

Director Bauman

We are requesting to enter contract with EMI, Environmental Management Irrigation. They will take care of the irrigation, so the watering of the street scape. So we have irrigation that runs underneath there from City Hall to Brice Road. They are the ones that we would like to contract with to do any maintenance to that service. Their contract price is \$18,000.00 per year, which is a two year contract with a total of \$36,000.00. This is contract is the same for 2021 and 2022, EMI currently holds the contract for irrigation for 2019 and 2020. We do not need funds appropriated as they are in the budget.

Councilmember Baker makes a motion to move the ordinance to Council for a first read. Second by Councilmember Pyakurel. Motion carries.

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**MINUTES REGULAR MEETING
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Public Safety, Law & Courts Committee

This is the Public Safety, Laws & Court Committee meeting for January 11, 2021.

Members in attendance are: Councilmember Cotner, Councilmember Lawson-Rowe, Councilmember Pyakurel, Temporary Chair Bryant and President Jenkins.

Election of Committee Chair

Councilmember Bryant

Anyone can make a nomination, including themselves. Are there any nominations?

Councilmember Lawson-Rowe

I would like to nominate you, Councilmember Bryant as Chair.

Councilmember Bryant makes a motion for the election of Councilmember Bryant as the committee chair for the Public Safety, Law and Courts Committee. Second by Councilmember Pyakurel. Motion carries.

Election of Committee Vice Chair

Councilmember Bryant

Anyone can make a nomination, including themselves. I would like to nominate Councilmember Lawson-Rowe. Do we have any other nominations?

Councilmember Bryant makes a motion for the election of Councilmember Lawson-Rowe as the committee vice chair for the Public Safety, Law and Courts Committee. Second by Councilmember Pyakurel. Motion carries.

Public Service & Transportation Committee

This is the Public Service & Transportation Committee meeting for January 11, 2021.

Members in attendance are: Councilmember Cotner, Councilmember Lawson-Rowe, Councilmember Pyakurel, Temporary Chair Strickland and President Jenkins.

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Election of Committee Chair

Councilmember Strickland

I open the floor for nomination for chair of the Public Service and Transportation Committee. Individuals may nominate themselves with a second. Are there any nominations?

Councilmember Lawson-Rowe

I would like to nominate you, Councilmember Strickland to continue service.

Councilmember Strickland makes a motion for the election of Councilmember Strickland as the committee chair for the Public Service and Transportation Committee. Second by Councilmember Pyakurel. Motion carries.

Election of Committee Vice Chair

Councilmember Strickland

I open the floor for nomination for vice chair of the Public Service and Transportation Committee. Individuals may nominate themselves with a second. I would like to nominate Councilmember Lawson-Rowe.

Councilmember Strickland makes a motion for the election of Councilmember Lawson-Rowe as the committee vice chair for the Public Service and Transportation Committee. Second by Councilmember Lawson-Rowe. Motion carries.

Finance & Administration Committee

This is the Finance & Administration Committee meeting for January 11, 2021

Members in attendance are: Councilmember Baker, Councilmember Bryant, Councilmember Strickland, Temporary Chair Salvati and President Jenkins.

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Election of Committee Chair

Councilmember Salvati

I open the floor for nomination for chair of the Finance and Administration Committee. Individuals may nominate themselves with a second. Are there any nominations?

Councilmember Strickland

I would like to nominate you, Councilmember Salvati as chair.

Councilmember Salvati makes a motion for the election of Councilmember Salvati as the committee chair for the Finance and Administration Committee. Second by Councilmember Baker. Motion carries.

Election of Committee Vice Chair

Councilmember Salvati

I open the floor for nomination for vice chair of the Finance and Administration Committee. Individuals may nominate themselves with a second. I would like to nominate Councilmember Baker.

Councilmember Salvati makes a motion for the election of Councilmember Baker as the committee vice chair for the Finance and Administration Committee. Second by Councilmember Bryant. Motion carries.

Consent Agenda for First Reading

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE 2021-2022 LANDSCAPE SERVICES CONTRACT AND APPROPRIATING FUNDS THEREFOR --- Baker. Development, Parks and Recreation Committee.

There is no discussion on this item.

RESULT: REFERRED TO COUNCIL

Next: 1/25/2021 6:30 PM

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Reynoldsburg

OHIO • 1839

MINUTES REGULAR MEETING REYNOLDSBURG CITY COUNCIL January 11, 2021

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE 2021-2022 IRRIGATION SERVICE CONTRACT AND APPROPRIATING FUNDS THEREFOR --- Baker. Development, Parks and Recreation Committee.

There is no discussion on this item.

RESULT: REFERRED TO COUNCIL

Next: 1/25/2021 6:30 PM

Consent Agenda for Second Reading

AN ORDINANCE TO APPROVE THE FINAL PLAT PLAN FOR THE SPRING HILL FARM DEVELOPMENT --- Baker. Development, Parks and Recreation Committee.

There is no discussion on this item.

Other Council Matters

Councilmember Lawson-Rowe

The holiday Martin Luther King Day, January 18th, my Council colleagues and I will be handing out free PPE equipment as a part of the National Day of Service. The Martin Luther King Holiday is a day on not a day off so we will ensure that we will be out there. Let's see Monday, January 18th in front of City Hall from 12 until 2, while supplies last. We look forward to seeing everyone. We have much work to do but we need to make sure everyone is safe. We can continue the work and take it to the next level.

Councilmember Strickland

I would just like to acknowledge the ladies of Delta Sigma Theta Inc. a happy Founders Day. We have been in existence since 1913. We are celebrating 108 years of service. Congresswoman mentioned Councilmember Lawson-Rowe and myself who are members. A few things that we concentrate on is making sure economic development. It's called economic development, education development, international awareness and involvement, physical and mental health and political awareness and involvement. I know we have been working in our community, this is who we are and I just wanted to make sure that I give a special shout out to my sorority sisters who are still working in our community even past college. We are excited to continue the work and just a quick shout out to the Deltas.

President Jenkins

Thank you and congratulations for working so hard for the community not just in Reynoldsburg but with your sorority.

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Councilmember Baker

Thank you for everybody who is helping the community get through this pandemic. I do want to keep with tradition and those are working as essential workers. To our residents, thank you for helping the City get through this. Shout out to the Lady Raiders, they have been kicking butt. Go Bucks!

Auditor Cicak

Councilmembers I would like to offer my thanks for letting me continue to serve on that board. Thank you.

Councilmember Pyakurel

I want to thank our schools and teachers for continuing to educate our children. And the parents who are working from home and with the students in front of a computer all day, it's not easy for them. Whatever grade they are in, hopefully there is light at the end of the tunnel. I want to thank teachers and parents and most important our students for getting through this pandemic and getting out of this hopefully soon.

President Jenkins

The Reynoldsburg Community Association is postponing their February Spaghetti dinner for all of those that normally attend.

Councilmember Baker

Shout out to my beautiful wife on her birthday.

Upcoming Meetings

January 21, 2021 BZBA

January 25, 2021 Council (Virtual)

February 4, 2021 Planning Commission

February 8, 2021 Council

February 18, 2021 BZBA

February 22, 2021 Council

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Adjournment

Mollie Prasher
Mollie Prasher, Clerk of Council

Leanora Jenkins
Leanora Jenkins, President of Council

Minutes Acceptance: Minutes of Jan 11, 2021 6:30 PM (Approval of Minutes)

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone****MOTION REQUEST**

DATE: January 25, 2021**TO:****RE: Human Trafficking Free Zone**

Approval:

Joe Begeny	Chris Shook	Stephen Cicak
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Former Councilmember Cornelius McGrady asked Council to consider issuing this resolution to enforce a human trafficking free zone in the City of Reynoldsburg.

**A MOTION TO APPROVE A RESOLUTION TO ESTABLISH, IMPLEMENT, AND
ENFORCE A ZERO-TOLERANCE POLICY AGAINST ANY ACT WHICH MAY
SUPPORT THE SEX TRAFFICKING OF HUMANS IN THE CITY OF
REYNOLDSBURG**

WHEREAS, human trafficking is a form of modern-day slavery in which victims are forced to work in various forms of exploitation, including debt bondage, forced marriage, labor and commercial sexual exploitation, that are induced through force, fraud, or coercion. The City of Reynoldsburg is committed to becoming a Trafficking Free Zone ensuring that our community is prepared to recognize signs of human trafficking; and

WHEREAS, an increase in tourists seeking entertainment within the City of Reynoldsburg increases the potential risk of exploitation and human trafficking. Traffickers are opportunistic hunters, and they see entertainment events, and the people who attend these events, as an opportunity for huge profits with very little risk of penalty or punishment; and

WHEREAS, due to its isolating nature, many individuals are unaware that trafficking exists in their neighborhoods. The first step in eliminating human trafficking in our community is to

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

educate others. We must work diligently to ensure that all front-line industries are aware of this issue and how to spot it.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, we, the City Council of Reynoldsburg, do hereby proclaim that we will continue our efforts to combat the commercial sexual exploitation of our children and vulnerable adults, and mitigate the associated public safety, economic, and health risks to our community, in collaboration with the Child Trafficking Solutions Project, the U.S. Institute Against Human Trafficking, and other anti-human trafficking organizations to combat commercial sexual exploitation through comprehensive education of our staff and the implementation and enforcement of a zero tolerance policy against any act which may support human trafficking and ask all citizens of the City of Reynoldsburg join us in promoting a shift away from the culture of tolerance toward human trafficking.

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone****MOTION REQUEST**

DATE: January 25, 2021**TO:****RE: MLK, Jr. Recognition**

Approval:

Joe Begeny	Chris Shook	Stephen Cicak
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Even though Martin Luther King, Jr. Day has passed, this resolution is to recognize his contributions to the country and how this day is used as a day of service to give back to local communities.

A MOTION TO APPROVE A RESOLUTION TO RECOGNIZE DR. MARTIN LUTHER KING, JR. AND HIS DAY OF SERVICE

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to the advancement of civil rights and public service. He believed in a nation of freedom and justice for all, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of America; and

WHEREAS, Dr. King recognized that everyone can be great because everyone can serve, and during his lifetime, he encouraged all Americans to serve their neighbors and their communities; and

WHEREAS, in 1994, Congress initiated the King Day of Service, a nationwide effort to transform the federal holiday honoring Dr. Martin Luther King, Jr. into a day of community service, grounded in Dr. King 's teachings, that helps solve social problems while focusing on bringing people together and breaking down the barriers that have divided us as a nation; and

WHEREAS, thousands of Ohio residents used Martin Luther King, Jr. Day as a day on, not a day off, including the Reynoldsburg City Council who handed out PPE units to community members; and

Clerk of Council

Mollie Prasher

7232 East Main Street

Reynoldsburg OH 43068

614-322-6836 Phone

WHEREAS, hundreds of thousands of volunteers in cities and towns across the nation participate in King Day service projects, in all 50 states, the District of Columbia, Guam, and Puerto Rico; and,

WHEREAS, non-profit organizations, volunteer managers, AmeriCorps and Senior Corps members across the nation have organized hundreds of projects for volunteers to engage in service honoring the goals of the King Day of Service; and,

WHEREAS, the King Day of Service, which fell on January 18th this year, was a time for the people of Reynoldsburg to recognize Dr. King's teachings on advancing equality and opportunity for all by contributing their own time and talents in a day of service; and,

WHEREAS, the King Day of Service is an excellent opportunity to take the first step in making service a regular activity in the lives of Reynoldsburg residents. It is an important day to encourage each citizen to take part in service that will benefit communities and neighborhoods and provide a fitting memorial to the life of Martin Luther King, Jr.

THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, we do hereby recognize Martin Luther King Day, Jr. as a Day of Service in the City of Reynoldsburg and urge our citizens to honor the memory of Dr. King, to put his teachings into action by participating in the King Day of Service, and to find ways to give back to our community.

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

MOTION REQUEST

DATE: **January 25, 2021**

TO:

RE: **Affirm COTA Board Appointment**

Approval:

Completed Joe Begeny	Chris Shook	Stephen Cicak
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The Mayor is responsible for appointing a member to the COTA Board. Mayor Begeny has selected Doug McCollough as the City of Reynoldsburg's member to the COTA Board.

Doug McCollough – COTA Board

Doug McCollough has embraced the rich community of innovation that is Central Ohio and now serves as external CIO/CTO with the City of Dublin. Through collaborations and partnerships he has worked to connect people to opportunities, remove barriers, and promote change in initiatives ranging from Smart and Connected Cities, IT Workforce Development, expanding broadband access, Connected and Autonomous Vehicles, and Blockchain in Government. He has spoken as a Subject Matter Expert and advocate on technical subjects, diversity and inclusion, and using technology for community development and now serves as an advisory, consultant, and advocate for communities and organizations.

Prior to his current work, Doug held positions within the State of Ohio Departments of Public Safety, Commerce, Industrial Commission, and Medicaid. He served as the Director of Information Technology for the City of Richmond, Virginia, and as a Project Manager at Nationwide Insurance and Alcatel-Lucent. He is on the boards of Per Scholars Columbus, TECH CORPS, and Jewish Family Services of Columbus and is a cofounder of Black Tech Columbus.

Doug earned a Bachelor's degree from the University of Toledo in Information Systems and Operations Management and a Master of Business Administration degree from the University of Notre Dame. He is a 2020 Champion for Women Award winner from EmpoWE-R Women of Information Security, 2019 Top Doers, Dreamers, and Drivers Honoree, and 2018 Ohio Public Sector CIO Academy Municipality CIO of the Year.

Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6852 phone****Memo**

DATE: **January 25, 2021**

TO: **City Council**

CC:

RE: **CLERK OF COURT REPORT MONTH ENDING DECEMBER**
2020

I am submitting monies collected from the courts held on, 12/3, 12/10, 12/17, 12/23 and 12/30/20. I am also submitting monies collected during the same period pursuant to City Ordinance No/s. 146-94 and 104-02.

Fines &Waivers/Bond Costs/Bond Forfeitures Order In	(#110.4512)	\$ 3,496.00
Court Costs & Misc. Costs Assessed	(#110.4510)	\$ 8,746.00
Sub-Total (To General Revenue Fund)		\$ 12,242.00
Computerization Needs Fund	(#211.4510)	\$ 1,010.00
Enforcement & Education Fund	(#293.4616)	\$ 25.00
Sub-Total		\$ 1,035.00

Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6852 phone****Total Amount Submitted****\$ 13,277.00**

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 phone****Departmental Report**

DATE: **January 25, 2021****TO:****CC:****RE:** Councilmember Baker provides a report regarding the West Licking Fire
District.

DECEMBER BOARD STATS

Total Calls by Township/City	
Etna	104
Harrison	72
Jersey	16
Kirkersville	7
New Albany	3
Pataskala	187
Reynoldsburg	112
Mutual Aid	56
Total	557

Total Calls by Shift		
Shift		Total
1 Unit		174
2 Unit		192
3 Unit		191
Prevention		0
Total		557
Total Calls by Station		
Station		Total
Station 401		185
Station 402		66
Station 403		80
Station 404		182
Station 405		44
Total	0	557

Apparatus Name	
45B401	127
45E402	29
45E403	n/a
45E405	60
45M401	176
45M402	72
45M403	135
45M404	171
45M407	n/a
45R401	153
45SQ404	90
45TWR403	129

Mutual Aid Response	
M/A Received	M/A Given
33	56

District Response Average	
	5:00

Dispatch to On scene Average	
Etna	5:58
Harrison	5:35
Jersey	5:07
Kirkersville	5:50
New Albany	3:13
Pataskala	4:55
Reynoldsburg	4:26

Total Calls by Township/City	
Etna	1147
Harrison	936
Jersey	122
Kirkersville	113
New Albany	47
Pataskala	2227
Reynoldsburg	1171
Mutual Aid	465
Total	6228

Total Calls by Shift	
Shift	Total
1 Unit	2047
2 Unit	2100
3 Unit	2057
Prev/Com Medic	24
Total	6228
Total Calls by Station	
Station	Total
Station 401	2188
Station 402	805
Station 403	975
Station 404	1803
Station 405	393
Multiple Stations	58
Support 401	6
Total	0 6228

Apparatus Name	
45B401	1431
45E402	400
45E403 First 6 months	575
45E405	489
45M401	1913
45M402	806
45M403	1424
45M404	1798
45M407	98
45R401	1515
45SQ404	1007
45TWR403 Last 6 months	597

Mutual Aid Response	
M/A Received	M/A Given
395	465

District Response Average	
	4:48

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST**

DATE: January 25, 2021**TO: Public Safety, Law and Courts Committee****RE: Source of Income Regarding Fair Housing**

Approval:

Completed Joe Begeny	Completed Chris Shook	Stephen Cicak
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This legislation has been prepared and submitted at the request of Councilmember Strickland to prohibit housing discrimination against individuals and families based on source of income.

An Ordinance to Amend Chapter 503 of the Codified Ordinances of the City of Reynoldsburg to Provide Fair Housing Opportunities for Individuals and Their Families Regardless of the Source of Income to Pay for Such Accommodations

WHEREAS, the Council of the City of Reynoldsburg seeks to provide appropriate protection for all citizens and their right to equal housing opportunities; and

WHEREAS, any person, persons, or family who receives financial assistance for the payment of rent should have fair access to rental housing in the City of Reynoldsburg; and

WHEREAS, such individuals may include veterans, recipients of disability payments, households with rental assistance vouchers and anyone with other governmental or private sources of payment should be protected from discrimination when seeking rental housing solely on the basis of of source of payment; and

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone**

WHEREAS, landlords who own rental property in the City of Reynoldsburg will retain the right to apply appropriate screening criteria regarding tenant history, credit scores, and can charge security deposits as financial protection; and

WHEREAS, the City of Reynoldsburg reaffirms its commitment to being a welcoming community for all, and will continue to explore and enact policy reforms and programs in order to expand the quality and availability of affordable housing to families in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

Section 1. Chapter 503 of the Codified Ordinances of the City of Reynoldsburg shall be amended to include "source of income" as a protected status under the Section on Unlawful Discriminatory Housing Practices.

Section 2. This Ordinance shall become effective at the earliest allowable date by law.

CHAPTER 503

UNLAWFUL DISCRIMINATORY PRACTICES

503.01 Purpose

It is the intent of the Reynoldsburg City Council to create safeguards and protections against discrimination and intimidation based on race, religion, ethnicity, national origin, sex, disability, military status, family or marital status, sexual orientation, gender identity or expression, and natural hairstyle and/or texture.

503.03 Definitions

As used in this Chapter:

- A. "Age" means at least forty (40) years old.
- B. "Aggrieved individual" means an individual who claims to have been injured by an unlawful discrimination act or practice described in this Chapter.
- C. "City Attorney" means the individual duly elected pursuant to Section 6.01 of the Charter of the City of Reynoldsburg.
- D. "Complainant" means an aggrieved individual who, pursuant to the provisions of this Chapter, files with the Clerk of Council a written complaint alleging an unlawful discriminatory act or practice.
- E. "Disability" means a physical or mental impairment that substantially limits one (1) or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.
 - 1. "Physical or mental impairment" includes any of the following:
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one (1) or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine;
 - b. Any mental or psychological disorder, including, but not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, sickle cell, human immunodeficiency virus infection, intellectual disabilities, and emotional illness.

2. “Physical or mental impairment” does not include any of the following:
 - a. Pedophilia, exhibitionism, voyeurism, or other sexual behavior disorders;
 - b. Compulsive gambling, kleptomania, or pyromania;
 - c. Mental or psychological disorder, or disease or condition, caused by an illegal use of any controlled substance by an employee, applicant, or another individual, if an employer, employment agency, personnel placement service, labor organization, or joint labor management committee acts on the basis of that illegal use.
- F. “Discriminate”, “Discrimination”, or “Discriminatory” means to differentiate and treat differently including to segregate or separate.
- G. “Employee” means an individual employed by an employer but does not include any individual employed in the domestic service of any person.
- H. “Employer” means any person who regularly employs for compensation four (4) or more individuals, excluding the employer’s parents, spouse, and children, including any person acting directly or indirectly in the interest of an employer, provided “employer” does not include a public school system, or an agency of government other than the City.
- I. “Employment agency” means any persons regularly undertaking with or without compensation, to procure opportunities for employment or to procure, recruit, refer, or place employees.
- J. “Familial status” means either of the following:
 1. One (1) or more individuals who are under eighteen (18) years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian; or
 2. Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen (18) years of age.
- K. “Gender Expression or Identity” means actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.
- L. “Hearing Officer” means a neutral independent contractor, hired by the City, who conducts an administrative hearing based on a complaint filed pursuant to the provisions of this Chapter.

- M. “Housing accommodations” including any buildings or structure or portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied as a home residence or sleeping place of one (1) or more individuals, groups or families, whether or not living independently of each other; and any vacant land offered for sale or lease. It also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to the authorization of the owner, by the owner, or by such person’s legal representative.
- N. “Labor organization” includes any organization that exists, in whole or in part, for the purpose of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in relation to employment.
- O. “Military status” means a person’s status in “Service in the uniformed services” as defined in Section 5923.05 of the Ohio Revised Code.
- P. “Natural hair types and natural styles commonly associated with race” means hairstyle, type, and texture, treated and untreated, as well as protective hairstyles such as natural hair, afros, braids, twists, cornrows, and locks, which hair types and hairstyles are commonly associated with African-Americans and their racial ethnic, and cultural identities.
- Q. “Person” includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, and trustees in bankruptcy, receivers, and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee, lending institution; and the City of Reynoldsburg and all political subdivisions, authorities, agencies, boards, and commissions thereof.
- R. “Place of public accommodation” means any inn, restaurant, eating house, barbershop, hotel, motel, bank or other financial services institution, public conveyance by air, land or water, theater, store, or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation advantages, facilities, or privileges thereof are available to the public.
- S. “Protected Class” means a classification of individuals based on one or more of the following characteristics: race, color, religion, sex, national origin, age, familial status, disability, pregnancy, sexual orientation, gender identity or expression, or natural hair types and natural styles commonly associated with race.
- T. “Public use areas” means interior or exterior rooms or spaces of a privately owned building that are made available to the general public.

- U. “Restrictive covenant” means any specification in a deed, land contract or lease limiting the use of any housing because of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, marital status, familial status, genetic information, or military status or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, marital status, familial status, genetic information, or military status as a condition of affiliation or approval.
- V. “Service in the uniformed services” means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923 of the Ohio Revised Code. “Service in the uniformed services” includes also the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.
- W. “Sex” means male, female, neither, or both, and includes pregnancy, any illness arising out of and occurring during the course of a pregnancy, childbirth, or related medical conditions.
- X. “Sexual orientation” means a person’s actual or perceived homosexuality, bisexuality; or heterosexuality.
- ~~X~~.Y. “Source of Income” means lawful income, including but not limited to, income derived from from wages, social security, supplemental security income, any form of federal, state or local assistance payments or subsidies, including rent vouchers, child support, spousal support, and public assistance which can be verified and substantiated.
- ~~Y~~.Z. “Uniformed services” means the Armed Forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.
- ~~Z~~.AA. “Unlawful discriminatory practice” means any act prohibited by Chapter 503 of the Reynoldsburg Code of Ordinances.

503.05 Unlawful discriminatory employment practices.

- A. It shall be an unlawful discriminatory employment practice, except where based upon applicable national security regulations established by the United States:

1. For any employer, because of a person being in a Protected Class, to discharge without just cause, to refuse to hire, or otherwise to discriminate against that person with respect to hiring, compensation, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment.
2. For an employment agency or personnel placement service, because of a person being in a Protected Class, to do any of the following:
 - a. Refuse or fail to accept, register, classify properly, or refer for employment, or otherwise discriminate against any person;
 - b. Comply with a request from an employer for referral of applicants for employment, if the request directly or indirectly indicates that the employer fails to comply with the provisions of this chapter.
3. For any labor organization to do any of the following:
 - a. Limit or restrict its membership on the basis of a person being in a Protected Class;
 - b. Discriminate against, limit the employment opportunities of, or otherwise adversely affect the employment status, wages, hours, or employment conditions of any person as an employee because of a person being in a Protected Class.
4. For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of that person being in a Protected Class, in admission to, or employment in, any program established to provide apprentice training.
5. Except where based on a bona fide occupational qualification certified in advance by an agency of the state or federal government or a political subdivision, for any employer, employment agency, personnel placement service, or labor organization, prior to employment or admission to membership, to do any of the following:
 - a. Elicit or attempt to elicit any information concerning the Protected Class status of an applicant for employment or membership;
 - b. Use any form of application for employment, or personnel or membership blank, seeking to elicit information regarding a person's Protected Class status; provided an employer holding a contract containing a nondiscrimination clause with the government of the United States, or any department or agency of that government, may require an employee applicant for employment to furnish documentary proof of United States

- citizenship and may retain that proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes;
- c. Utilize in the recruitment or hiring of persons any employment agency, personnel placement service, training school or center, labor organization, or any other employee-referring source known to discriminate against persons because of their being in a Protected Class.
6. For any employer to discriminate against an individual with a disability in any of the following ways:
 - a. By limiting, segregating, or classifying a job applicant or employee in a way that adversely affects the opportunities or status of such applicant or employee because of the disability of such applicant or employee.
 - b. By failing to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual who is an applicant or employee, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer.
 - c. By denying employment opportunities to a job applicant or employee who is an otherwise qualified individual with a disability, on the basis of such disabled individual's use of a service animal, provided nothing in this chapter shall be construed to require any employer, as a reasonable accommodation, to provide a service animal to a disabled person.
 7. For any employer to discriminate against a woman affected by pregnancy, childbirth, or related medical conditions for any employment-related purposes, including receipt of benefits under fringe benefit programs, or to fail to treat a woman so affected the same as other persons not so affected but similar in their ability or inability to work.
 8. For any employer to discriminate against an employee or potential employee on the basis of age in offering any job opening or in the discharge of an employee without just cause who is physically able to perform the duties and otherwise meets the established requirements of the job and laws pertaining to the relationship between employer and employee.
 9. For any employer, employment agency, or labor organization to discriminate against any person because that person has opposed any practice forbidden by this Chapter, or because that person has made a complaint or assisted in any manner in any investigation or proceeding under this Chapter.
 10. For any person, whether or not an employer, employment agency, or labor organization, to aid, incite, compel, coerce, or participate in the doing of any act

declared to be an unlawful discriminatory practice by this Chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this Chapter, or to attempt directly or indirectly to commit any act declared by this Chapter to be an unlawful discriminatory practice by this Chapter.

- B. With regard to age, it shall not be an unlawful discriminatory practice and it shall not constitute a violation of this chapter for any employer, employment agency, joint labor-management committee controlling apprenticeship training programs, or labor organization to do any of the following:
1. Establish bona fide employment qualifications reasonably related to the particular business or occupation that may include standards for skill, aptitude, physical capability, intelligence, education, maturation, and experience;
 2. Observe the terms of a bona fide seniority system or any bona fide employee benefit plan, including, but not limited to, a retirement, pension, or insurance plan, that is not a subterfuge to evade the purposes of this section. However, no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit the involuntary retirement of any individual, because of the individual's age except as provided for in the "Age Discrimination in Employment Act Amendment of 1978", 29 U.S.C.A. 623, as amended by the "Age Discrimination in Employment Act Amendments of 1986," 29 U.S.C.A. 623, as amended, or as later amended.
 3. Retire an employee who has attained sixty-five years of age who, for the two-year period immediately before retirement, was employed in a bona fide executive or a high policymaking position, if the employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings, or deferred compensation plan, or any combination of those plans of the employer of the employee, which equals, in the aggregate, at least forty-four thousand dollars, in accordance with the conditions of the "Age Discrimination in Employment Act Amendment of 1978", 29 U.S.C.A. 631, as amended by the "Age Discrimination in Employment Act Amendments of 1986", 29 U.S.C.A. 631, as amended, or as later amended;
 4. Observe the terms of any bona fide apprenticeship program if the program is registered with the Ohio Apprenticeship Council pursuant to sections 4139.01 to 4139.06 of the Ohio Revised Code and is approved by the federal committee on apprenticeship of the United States Department of Labor.

- C. Nothing in this chapter shall be construed to prohibit any of the following:

1. The designation of uniform age the attainment of which is necessary for public employees to receive pension or other retirement benefits pursuant to Chapter 145., 742., 3307., 3309., or 5505. of the Ohio Revised Code;
 2. The establishment of maximum age requirements for original appointment to a police department or fire department pursuant to sections 124.41 and 124.42 of the Ohio Revised Code;
 3. Any establishment of a maximum age not in conflict with federal law that may be established by a municipal charter, municipal ordinance, or resolution of a board of township trustees for original appointment as a police officer or firefighter;
 4. Any establishment of a mandatory retirement provision not in conflict with federal law, a municipal charter, municipal ordinance, or resolution of a board of township trustees pertaining to police officers and firefighters.
- D. Nothing in this section shall be construed to require a person with a disability to be employed or trained under circumstances that would significantly increase the occupational hazards affecting either the person with a disability, other employees, the general public, or the facilities in which the work is to be performed, or to require the employment or training of a person with a disability in a job that requires the person with a disability routinely to undertake any task, the performance of which is substantially and inherently impaired by the person's disability.
- E. Nothing in this chapter shall prohibit an employer, employment agency, personnel placement service, labor organization, or joint labor-management committee from doing any of the following:
1. Adopting or administering reasonable policies or procedures, including, but not limited to, testing for the illegal use of any controlled substance, that are designed to ensure that an individual no longer is engaging in the illegal use of any controlled substance. For purposes of this chapter, a test to determine the illegal use of any controlled substance does not include a medical examination;
 2. Prohibiting the illegal use of controlled substances and the use of alcohol at the workplace by employees;
 3. Requiring that employees not be under the influence of alcohol or not be engaged in the illegal use of any controlled substance at the workplace;
 4. Requiring that employees behave in conformance with the requirements established under "The Drug-Free Workplace Act of 1988", 41 U.S.C.A. 701, as amended;

5. Holding an employee who engages in the illegal use of any controlled substance or who is an alcoholic to the same qualification standards for employment or job performance, and the same behavior, to which the employer, employment agency, personnel placement service, labor organization, or joint labor-management committee holds other employees, even if any unsatisfactory performance or behavior is related to an employee's illegal use of a controlled substance or alcoholism;
 6. Exercising other authority recognized in the "Americans with Disabilities Act of 1990", 42 U.S.C.A. 12101, as amended, including, but not limited to, requiring employees to comply with any applicable federal standards.
- F. This Section does not apply to any religious corporation, association, educational institution, or society with respect to the employment of an individual of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities.
- G. Whoever violates this section is guilty of an unlawful discriminatory employment practice.

503.07 Unlawful discriminatory housing practices.

- A. Subject to the limitations, exceptions, and qualifications provided in section 4112.024 of the Ohio Revised Code, it shall be an unlawful discriminatory housing practice for any person to do any of the following:
1. Refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of a person being in a Protected Class or a person's Source of Income;
 2. Represent to any person that housing accommodations are not available for inspection, sale, or rental, when in fact they are available, and the representation of unavailability is based on the person seeking such housing accommodations being in a Protected Class or a person's Source of Income;
 3. Discriminate against any person in the making or purchasing of loans or the provision of other financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, or any person in the making or purchasing of loans or the provision of other financial assistance that is secured by residential real estate, because of that person being in a Protected Class, or because the neighborhood in which the housing accommodations are located is composed of one or more Protected Classes, provided that the person,

whether an individual, corporation, or association of any type, lends money as one of the principal aspects or incident to the person's principal business and not only as a part of the purchase price of an owner-occupied residence the person is selling nor merely casually or occasionally to a relative or friend;

4. Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection with the ownership, occupancy, or use of any housing accommodations, including the sale of fire, extended coverage, or homeowners insurance, because the person's Source of Income or because the person is in a Protected Class, or because of the composition, in terms of Protected Class, of the neighborhood in which the housing accommodations are located;
5. Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations because of a person being in a Protected Class, or because of the composition, in terms of Protected Class, of the neighborhood in which the housing accommodations are located;
6. Refuse to consider without prejudice the combined income of both lawfully married spouses for the purpose of extending mortgage credit to a married couple or either member of a married couple;
7. Except as otherwise provided in this section, make any inquiry, elicit any information, or use any form of application containing questions or entries concerning a person's Protected Class status in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations.
8. Include in any deed, land contract, transfer, rental, or lease of housing accommodations any discriminatory restrictive covenant, or honor or exercise, or attempt to honor or exercise, any discriminatory restrictive covenant;
9. Induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the Protected Class composition of the block, neighborhood, or other area in which the housing accommodations are located, or induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that the presence or anticipated presence of persons of any

Protected Class in the block, neighborhood, or other area will or may have results including, but not limited to, the following:

- a. The lowering of property values;
 - b. A change in the composition, in terms of a Protected Class, of the block, neighborhood, or other area;
 - c. An increase in criminal or antisocial behavior in the block, neighborhood, or other area;
 - d. A decline in the quality of the schools serving the block, neighborhood, or other area.
10. Discourage or attempt to discourage the purchase by a prospective purchaser of housing accommodations, by representing that any block, neighborhood, or other area has undergone or might undergo a change in composition with respect to a Protected Class;
11. Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting housing accommodations, or discriminate against any person in the terms or conditions of that access, membership, or participation, because of a person being in a Protected Class;
12. For any person to discriminate in any manner against any other person because that person has opposed any unlawful practice defined in this chapter, or because that person has made a charge, testified, assisted, or participated in any manner, in any investigation, proceeding, or hearing under the provisions of this chapter;
13. Refuse to sell, transfer, assign, rent, lease, sublease, or finance, or otherwise deny or withhold, a burial lot from any person because of a person being in a Protected Class, or because of any prospective owner or user of the lot being in a Protected Class;
14. Discriminate in the sale or rental of, or otherwise make unavailable or deny, housing accommodations to any buyer or renter because of the person's source of income or the Protected Class status of the buyer or renter, or any person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;
15. Discriminate in the terms, conditions, or privileges of the sale or rental of housing accommodations to any person or in the provision of services or facilities to any person in connection with the housing accommodations because of the person's source of income or the Protected Class status of that person or any person residing

in or intending to reside in the housing accommodations after they are sold, rented, or made available;

16. Except as otherwise provided in this section, make an inquiry of an applicant to determine the Protected Class status of the applicant for the sale or rental of housing accommodations, or any person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available. The following inquiries may be made of all applicants for the sale or rental of housing accommodations, regardless of the applicant's Protected Class:
 - a. An inquiry into an applicant's ability to meet the requirements of ownership or tenancy;
 - b. An inquiry to determine whether an applicant is qualified for housing accommodations available only to persons with disabilities or persons with a particular type of disability;
 - c. An inquiry to determine whether an applicant is qualified for a priority available to persons with disabilities or persons with a particular type of disability;
 - d. An inquiry to determine whether an applicant currently uses a controlled substance in violation of section 2925.11 of the Ohio Revised Code or a substantively comparable municipal ordinance;
 - e. An inquiry to determine whether an applicant at any time has been convicted of or pleaded guilty to any offense, an element of which is the illegal sale, offer to sell, cultivation, manufacture, other production, shipment, transportation, delivery, or other distribution of a controlled substance.
17. Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing accommodations that are occupied or to be occupied by the person with a disability, if the modifications may be necessary to afford the person with a disability full enjoyment of the housing accommodations. This division does not preclude a landlord of housing accommodations that are rented or to be rented to a disabled tenant from conditioning permission for a proposed modification upon the disabled tenant's doing one or more of the following:
 - a. Providing a reasonable description of the proposed modification and reasonable assurances that the proposed modification will be made in a work-like manner and that any required building permits will be obtained prior to the commencement of the proposed modification;
 - b. Agreeing to restore at the end of the tenancy the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of

- occupancy, if it is reasonable for the landlord to condition permission for the proposed modification upon the agreement;
- c. Paying into an interest-bearing escrow account that is in the landlord's name, over a reasonable period of time, a reasonable amount of money not to exceed the projected costs at the end of the tenancy of the restoration of the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if the landlord finds the account reasonably necessary to ensure the availability of funds for the restoration work. The interest earned in connection with an escrow account described in this division shall accrue to the benefit of the disabled tenant who makes payments into the account.
18. Condition permission for a proposed modification of a dwelling unit upon a disabled tenant's payment of a security deposit that exceeds the customarily required security deposit of all tenants of the particular housing accommodations.
 19. Refuse to make reasonable accommodations in rules, policies, practices, or services when necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including associated public and common use areas;
 20. Fail to comply with the standards and rules adopted under division (A) of section 3781.111 of the Ohio Revised Code;
 21. Discriminate against any person in the selling, brokering, or appraising of real property because of the person being in a Protected Class;
 22. For any person to discriminate in any manner against any other person because that person has opposed any unlawful discriminatory practice defined in this section or because that person has made a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under this chapter or sections 4112.01 to 4112.07 of the Ohio Revised Code.
 23. For any person to knowingly aid or abet the doing of any act declared by this section to be an unlawful discriminatory practice, to knowingly obstruct or prevent any person from complying with this chapter or any order issued under it, or to knowingly attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice.
- B. Nothing in this chapter shall bar any bona fide private or fraternal organization that, incidental to its primary purpose, owns or operates lodgings for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.

- C. Nothing in this chapter limits the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy housing accommodations.
- D. Nothing in this chapter prohibits the owners or managers of housing accommodations from implementing reasonable occupancy standards based on the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit, provided that the standards are not implemented to circumvent the purposes of this chapter and are formulated, implemented, and interpreted in a manner consistent with this chapter and any applicable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy housing accommodations.
- E. Nothing in this chapter requires that housing accommodations be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
- F. Nothing in this chapter pertaining to unlawful discriminatory housing practice shall be construed to apply to “housing for older persons” as defined and provided in section 42 U.S.C. 3607 (b)(2), as amended.
- G. Nothing in this section shall be construed to require any person selling or renting property to modify the property in any way or to exercise a higher degree of care for a person with a disability, to relieve any person with a disability of any obligation generally imposed on all persons regardless of disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of the lease, agreement, or contract.
- H. Whoever violates this section is guilty of unlawful discrimination in housing accommodations.

503.09 Unlawful discriminatory practices in public accommodations.

It shall be an unlawful discriminatory practice:

- A. For any owner, operator, or manager of a place of public accommodation to deny to any person or permit any employee to deny to any person, except for reasons applicable alike to all persons regardless of them being in a Protected Class, the full enjoyment of the accommodations, advantages, facilities, or privileges of the place of public accommodation; or

- B. For any owner, operator, or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services, and privileges of any such place shall be refused, withheld or denied to any person on account of that person being in a Protected Class, or that such person is unwelcome, objectionable, or not acceptable, desired or solicited; or
- C. For any owner, operator, or manager of a place of public accommodation to deny to any individual with a disability the full enjoyment of the accommodations, advantages, facilities, or privileges of the place of public accommodation on the basis of such individual's use of a service animal, provided:
 - 1. The disabled individual using the service animal may be prohibited from having the service animal present in the place of public accommodation if the animal is out of control, as provided by 28 CFR 35.136(d), and the animal's handler does not take effective action to control it.
 - 2. If it is not readily apparent what service a service animal provides, the owner, operator, manager, or an employee of a place of public accommodation may inquire whether the service animal is required because of the disabled person's disability, provided an inquiry may not be made as to disabled person's disability or the disabled person's medical condition or requirements.
 - 3. The owner, operator, manager, or employees of a place of public accommodation are not required to provide care or food for the service animal.
- D. No person shall aid, abet, or participate in the doing of any act declared to be an unlawful discriminatory practice under this section.
- E. Unless otherwise prohibited by law, nothing in this section shall be construed to prohibit any person from offering senior citizen price discounts or other privileges exclusively for the benefit of senior citizens.
- F. Nothing in this section shall be construed to require the modification of existing facilities or the construction of new or additional facilities.
- G. Nothing in this section shall prohibit a religious or denominational institution, organization, society or association or any nonprofit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting its offerings of goods, services, facilities, and accommodations to a person of the same religion, or from giving preference to such persons, provided that such offerings mentioned are not offered for commercial purposes or supported by public funds.

- a. “Commercial purposes” shall be defined as “activities concerned with making money or profits, rather than, for example, providing a public service or other goods or services at cost.”

H. Whoever violates this section is guilty of unlawful discrimination in public accommodations.

503.11 Complaint procedure.

A. Filing of the complaint.

1. An aggrieved person, complainant, may file with the Reynoldsburg Clerk of Council a written complaint sworn under oath which specifies the facts and circumstances, including the location, date(s), and time(s), of alleged unlawful discriminatory act(s) or practices that did or are occurring within the City limits and which identifies the person who committed or continues to commit the alleged unlawful discriminatory act(s) or practices.
2. If the charge of discrimination alleges a violation based on race, sex, ethnicity, national origin, religion, age, disability, military status, and/or any other class protected under state or federal law, then the Clerk of Council shall instruct the complainant to file a charge of discrimination with the Ohio Civil Rights Commission(OCRC)/Equal Employment Opportunity Commission (EEOC). The Clerk of Council shall provide the complainant with the information about this requirement and contact information for the OCRC/EEOC within ten (10) days from the date the charge was filed with the Clerk.
3. Concurrent with the filing of the complaint, the complainant shall provide to the Clerk of Council in writing the complainant’s mailing address, telephone number, if any, and email address, if any.
4. The complaint shall not be accepted by the Clerk of Council if any of the following apply:
 - a. The complaint is presented to the Clerk of Council more than 180 days following the most recent unlawful discriminatory act alleged in the complaint;

- b. No incident location provided in the complaint is within the City of Reynoldsburg;
 - c. The investigation of the complaint is required to be conducted pursuant to the terms of a collective bargaining agreement to which the City is a party;
 - d. The complaint fails to include all the information required by (A)(1) of this section;
 - e. The complainant fails to concurrently provide a writing that includes the information required in (A)(2) of this section.
4. Upon receiving a complaint of an alleged unlawful discriminatory act, the Clerk of Council shall immediately date stamp the complaint and:
- a. Forward a copy thereof to the City Attorney; and
 - b. Mail by certified or registered mail, return receipt requested, certified copies of the complaint to the Respondent.
5. The Clerk of Council shall retain the original date-stamped complaint and shall open and maintain a file on the matter during the pendency of any actions related to the complaint and for so long thereafter as is necessary to comply with the City's Records Retention Schedule.

B. Investigation by City Attorney

- 1. Upon receipt of the Complaint, the City Attorney or a designee of the City Attorney shall investigate the Complaint to determine if probable causes exists to believe a violation of this Chapter has occurred.
- 2. As part of said investigation, the City Attorney shall be permitted to issue an administrative subpoena for documents pursuant to Section 501.15 of the Codified Ordinances of the City of Reynoldsburg.
- 3. If the City Attorney determines the most recent of the unlawful discriminatory acts alleged in the complaint occurred more than 180 days before the date the complaint was filed with the Clerk of Council or that none of the alleged acts occurred within the City of Reynoldsburg, the City Attorney shall have no authority to investigate or take further actions except to return the complaint to the Clerk of Council with written notice to the Clerk of Council that the Complaint is outside the authority of the City Attorney.
- 4. Except as otherwise provided in this section, the City Attorney shall be authorized to mediate complaints, issue findings of fact and conclusions of law, issue cease and desist orders, and issue a formal recommendation.

5. If the City Attorney finds, after investigation, that there is probable cause to determine that the Respondent has committed an act of unlawful discrimination under this Chapter, the City Attorney shall file and forward the Complaint with the Reynoldsburg Clerk of Council with a recommendation to refer the Complaint to a Hearing Officer.
6. If the City Attorney finds, after investigation, that there is insufficient evidence to establish probable cause that Respondent has committed an act of unlawful discrimination under this Chapter, the City Attorney shall dismiss the Complaint and mail notice of dismissal to the Complainant and the Respondent by certified mail, return receipt requested.

C. Hearing Officer

1. Upon receipt of the recommendation of the City Attorney that probable cause exists to determine the Respondent has committed an act of unlawful discrimination under this Chapter, the Clerk of Council shall forward the recommendation to the Mayor.
2. The Mayor shall, upon receipt of the recommendation from the City Attorney, appoint a Hearing Officer who shall be an attorney licensed to practice law in the State of Ohio.
3. If a Hearing Officer is appointed, the Hearing Officer shall conduct an administrative hearing. In the hearing, the Hearing Officer shall take testimony and considering evidence presented by and on behalf of the Complainant and the Respondent respectively. After the hearing is concluded, the Hearing Officer shall issue findings of fact and conclusions of law, and if the Hearing Officer, in the Hearing Officer's sole discretion, deems it appropriate, the Hearing Officer may issue orders and impose sanctions provided in this Chapter.
4. If the Hearing Officer determines that the respondent is engaged in an unlawful discriminatory act or practice under this chapter, the final decision of the Hearing Officer may include the issuance to the Respondent of orders to cease and desist the unlawful discriminatory acts or practices. Any orders to cease and desist shall specify a time period for the Respondent's compliance.
5. If the Hearing Officer determines that the Respondent did engage in, or continues to engage in, an unlawful discriminatory act or practice under this chapter, the final decision of the Hearing Officer may include the imposition upon the Respondent of the following:

- a. Reasonable costs of the administrative hearing, provided the cost of the Hearing Officer's services shall not be assessed against the Respondent.
 - b. Reasonable attorney fees incurred by the Complainant.
 - c. The imposition of a civil penalty in an amount not to exceed one thousand dollars (\$1,000.00); or two thousand five hundred dollars (\$2,500) if the Respondent has committed a violation of this Chapter during the five-year period preceding the date on which the Complaint was filed.
- 6. The final decision of the Hearing Officer may not include any orders for reinstatement of employment, refund of monies paid, other mitigation of damages, or any other orders for corrections or sanctions, except as provided in this section.
- 7. The final decision of the Hearing Officer may be appealed pursuant to the provisions of Chapter 2505 of the Ohio Revised Code.
- 8. The final decision issued by the Hearing Officer shall be in a writing served by ordinary United States Mail on the Respondent and the Complainant. The documents shall be deemed received and properly served upon the respondent five days following the mailing thereof. Copies of the final decision shall also be sent to the Clerk of Council and the City Attorney.

503.13 Complaints Alleging Unlawful Discriminatory Practices by the City of Reynoldsburg

If a Complaint is filed with the Clerk of Council alleging that the City, or one of its boards, commissions, departments, divisions, officials, or employees has engaged or is engaging in an unlawful discriminatory practice as defined by this Chapter, the following procedures shall apply:

- A. Upon receipt of the Complaint pursuant to Section 503.06(A)(4)(a), the City Attorney shall forward a copy of the Complaint to City Council.
- B. City Council may appoint a special counsel to conduct a preliminary investigation instead of the City Attorney
- C. The City Council may appoint a Hearing Officer to conduct a determination instead of the Mayor appointing the Hearing Officer.

503.15 Failure to comply with a subpoena.

No person shall fail to comply with a subpoena issued by the City Attorney or the Hearing Officer. Whoever violates this section is guilty of failure to comply with a subpoena, a misdemeanor of the fourth degree.

503.17 Failure to comply with an order of the Hearing Officer.

No person shall fail to comply with any portion of an order issued by the Hearing Officer within thirty days following service of the order or such period of time as the order provides, whichever is greater. Whoever violates this section is guilty of failure to comply with an order of the Hearing Officer, a misdemeanor of the first degree.

503.19 Failure to pay financial sanctions imposed by the Hearing Officer.

If a civil penalty or costs or both are imposed by the Hearing Officer on the Respondent, and any portion thereof remains unpaid thirty days following service of the order or following the expiration of the time period designated by the Hearing Officer, the City may institute civil enforcement proceedings against the Respondent.

503.21 Ethnic Intimidation

- A. No person shall violate Sections 2903.13, 2903.21, 2903.22, 2907.06, 2911.06, 2911.07, 2911.21, 2911.211, 2913.02, 2913.04, 2917.11, 2917.12, 2917.21(A)(3) through (A)(5) of the Ohio Revised Code by reason of or where one of the motives is the victim's race, sex, sexual orientation, gender identity or expression, ethnicity, religion, national origin, disability, or military status.
- B. In a prosecution under this section, the offenders' motive, reason, or purpose may be shown by the offender's temporarily related conduct or statements before, during or after the offense, including ethnic, sexual orientation, gender identity or expression, religious or racial slurs, and by the totality of the facts, circumstances and conduct surrounding the offense.
- C. Whoever violates this Section is guilty of Ethnic Intimidation, a misdemeanor of the first degree. If the underlying offense, as a necessary element of Ethnic Intimidation, is a misdemeanor of the first degree, there shall be a minimum mandatory jail sentence of at least ten (10) days.

503.23 Severability

Should any section, clause, or paragraph of this chapter be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the Chapter as a whole or any part thereof other than the part declared invalid.

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST**

DATE: January 25, 2021

TO: Public Service and Transportation Committee

RE: Establishment of a Rental Property Registration Program

Approval:

Completed Joe Begeny	Completed Chris Shook	Completed Stephen Cicak
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**AN ORDINANCE CREATING CHAPTER 1397 RENTAL PROPERTY
REGISTRATION TO THE REYNOLDSBURG CODE OF ORDINANCES TO PROVIDE
FOR THE REGISTRATION OF RESIDENTIAL RENTAL HOUSING LOCATED
WITHIN THE BOUNDARIES OF THE CITY OF REYNOLDSBURG**

WHEREAS, the City of Reynoldsburg ("City") is a community in the State of Ohio which is facing the challenges of providing safe, available and affordable housing for current and future residents; and

WHEREAS, the growth of the City has increased the pressure on neighborhoods and housing in the City; and

WHEREAS, the Reynoldsburg City Council recognizes the need for an organized residential rental registration program for program for residential rental units within the City to provide an efficient system of code enforcement for the welfare of all residents of the City; and

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone**

WHEREAS, the Reynoldsburg City Council desires that all residential rental units within the City be registered with the Department of Development; and

WHEREAS, the Reynoldsburg City Council authorizes the Department of Development to develop a rental registration application and administrative procedures and policies for the purpose of registering appropriate buildings with residential rental units; and

WHEREAS, it is the desire of the Reynoldsburg City Council to adopt enforcement measures and penalties to encourage compliance with this ordinance for the health, safety and welfare of the all residents of the City of Reynoldsburg; and

WHEREAS, the Reynoldsburg City Code contains a Property Maintenance Code in Chapter 1711 to protect the health and safety of all residents, to promote the public welfare, and to place standards of maintenance upon property owners that protects the beauty and health of our City.

NOW, THEREFORE, BE IT ORDAINED BY THE REYNOLDSBURG CITY COUNCIL

SECTION 1. That Chapter 1397 shall be created and added to the Reynoldsburg Code of Ordinances to require registration of residential rental housing for the City of Reynoldsburg be and is hereby attached as Exhibit A.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

CHAPTER 1397 – RENTAL PROPERTY REGISTRATION

1397.01	Purpose
1397.02	Definitions
1397.03	Registration required
1397.04	Designated agent; Notice and Service of process
1397.05	Exempt rental dwelling units
1397.06	Registration application form
1397.07	Registration term and renewal
1397.08	Fees
1397.09	Inspections
1397.10	Maintenance standards
1397.11	Responsibility of designated agent
1397.12	Retaliatory Eviction Prohibited
1397.13	Notice of Violations
1397.14	Appeals
1397.15	Failure to Remediate
1397.16	Disclaimer of Liability
1397.17	Saving clause
1397.18	Validity
1397.99	Penalties

§1397.01 Purpose.

It is the purpose of this chapter to protect the public health, safety and welfare of the residents of Reynoldsburg by establishing minimum standards governing the maintenance, appearance, and condition of all rental housing properties, to impose certain responsibilities and duties upon owners and operators; to authorize and establish procedures for the inspection of rental housing properties; to provide for the issuance of rental certification; to establish a fee schedule for inspection; to authorize the vacation or condemnation of dwelling structures that are unsafe or unfit for human habitation; and to fix penalties for violations of this chapter.

Rental housing with code violations are a risk to new development, housing stock, property values, public health, safety, and welfare in the City of Reynoldsburg. This chapter is hereby declared to

be remedial and essential for the public interest, and it is intended that this chapter be liberally construed to effectuate the purposes as stated herein.

§1397.02 Definitions.

As used in this chapter, the words and terms below shall have the following meanings respectively prescribed to them in this chapter:

- A. "Appeal" means a written notice to be filed with the City Board of Zoning and Building Appeals challenging a Notice of Violation. Such appeal must be filed within 14 days of the date of the Notice of Violation.
- B. "City" means the City of Reynoldsburg.
- C. "Designated City Official" means the Director of Public Service or a designee.
- D. "Designated agent" means a business entity located in or an individual person eighteen (18) years or older residing in the State of Ohio with an address other than a post office box and named by an owner as a secondary point of contact regarding the use or condition of land and the occupancy and physical condition of structures on a platted lot or parcel of land.
- E. "Dwelling" means any building or portion of a building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for living purposes.
- F. "Dwelling unit" means a space within a dwelling, comprised of a living, cooking and dining area, a sleeping room or rooms, storage closets and bathing and toilet facilities, all used by only one family.
- G. "Lease" means the written or oral agreement that sets forth any and all conditions concerning the use and occupancy of rental units.
- H. "Notice of Violation" means a notice issued by the Designated City Official to the owner of real property or to their designated agent that there has been a violation of a provision of this chapter or any other applicable section of the *Reynoldsburg City Code*, ordinance, rule or regulation concerning the occupancy or condition of a premises that is or contains a rental dwelling unit.
- I. "Premises" means a real property parcel of land and the structures on that parcel containing at least one (1) residential dwelling unit or one (1) commercial or industrial business space, including lots in manufactured home parks or platted lots or parcels outside a manufactured home park where a mobile home, manufactured home or industrialized unit may be located.
- J. "Owner" means any person who, alone or jointly or severally with others, shall have the legal or equitable title to a property, and shall include executors, administrators, trustees or

guardians of the estate of the owner, and any purchaser or assignee under a certificate of sale pursuant to a mortgage foreclosure. The term "owner" shall also include partnerships and other unincorporated associations. Any individual owner, regardless of whether he or she shares ownership responsibility with any other person, any general partner of a partnership, and any officer of a corporation or unincorporated association, shall have direct and personal responsibility and liability for compliance with the provisions of this chapter.

- K. "Person" means an individual, corporation, business trust, estate, trust partnership or association, two or more persons having a joint interest or any other legal or community entity.
- L. "Property manager" means a person other than the owner that has managing control of a rental unit.
- M. "Rent" means the offering, holding out or actual leasing of rental property to an occupant other than the owner and generally involves the payment of a rental amount although other forms of consideration may be involved or no consideration at all may be involved.
- N. "Rental Dwelling Unit" means any structure or part thereof rented or leased by a person or persons other than the owner for residential purposes. Rental dwelling units may also be known as a rental dwelling, rental unit, dwelling unit, or housekeeping unit and may be a mobile home, manufactured home, or industrialized unit.
- O. "Tenant" means any person who rents or leases a rental housing property for living or dwelling purposes with the consent of the landlord, whether or not rent is paid to the owner.
- P. "Rental Inspector" means a person designated by the Designated City Official, qualified to conduct exterior and interior inspections of rental properties within the City. "Rental Inspector" may include, but is not limited to, Code Compliance Officers, Chief Building Official, and Assistant Chief Building Official.

§1397.03 Registration required.

No person shall lease, rent, or cause to be occupied a rental dwelling unit until first registering with the Designated City Official for that specific dwelling unit.

§1397.04 Designated agent; Notice and Service of process.

Every owner of a rental unit shall designate an agent who resides in the state who shall be responsible for operation of the unit and who may accept service of process and official notices on behalf of the owner. Any official notice or service of process issued to a designated agent shall be deemed as served or delivered upon the owner of record. Each owner or designated agent shall maintain a list of the names and number of tenants in each rental unit and advise the tenants of all known applicable City regulations regarding occupancy and premise conditions. Failure to

maintain a property or to maintain any requirements regarding registration shall be grounds for revocation of an existing certificate or denial of issuance of a renewal certificate of registration.

§1397.05 Exempt rental dwelling units.

The following dwellings are exempt from the requirements of this Chapter:

- A. Owner-occupied, single-family dwellings;
- B. Owner-occupied multi-family dwellings if the total number of occupants is equal to or less than ten (10) persons.
- C. Hotels and motels without continuous occupancy by the same tenant for more than thirty (30) days;
- D. Bed and breakfast inns without continuous occupancy by the same tenant for more than thirty (30) days.
- E. Any single-family home without continuous occupancy by the same tenant for more than thirty days.
- F. Nursing homes or residential care facilities as defined by Ohio Revised Code Section 3721.01

§1397.06 Registration application form.

- A. Application for registration of rental dwelling units shall be on forms provided by the Designated City Official and shall include at a minimum the following:
 - (1) Name, address, telephone, and e-mail address, if applicable, of an individual owner, sole proprietor or a corporate officer or business representative of a corporation, trust or other entity capable of holding title; and
 - (2) Name, address, telephone number, and e-mail address, if applicable, of a company or designated agent who must be located in the State of Ohio; and
 - (3) Address of each rental dwelling unit; and
 - (4) Number of detached structures on the lot or parcel and number of dwelling units per structure; and
 - (5) Number of parking spaces on the lot or parcel used for dwelling purposes.

- B. No post office boxes shall be accepted as a legal address for purposes of this chapter.
- C. Registrations shall be retained by the City as a public record and made available to any other City ~~De~~partment or public entity upon request.
- D. Every person required to register a rental dwelling unit shall complete a new application upon amendment or change of any required information.
- E. Upon sale or transfer of the premises, the previous owner shall provide the Designated City Official with the name and contact information of the new owner so that they may complete a new application for certificate of registration.
- F. Upon construction of new rental dwelling units or conversion of existing building space not previously used for residential purposes, an owner shall complete and submit a rental registration form for each building or portion thereof used for rental purposes.

§1397.07 Registration term and renewal.

Registration shall be made within ninety (90) days of the enactment of this Chapter. The term of the registration shall be valid so long as all of the original information and all registration fees are current. Sale or transfer of property shall cause the registration to expire and be no longer valid. Any new owner shall submit a ~~make~~ new application for registration for each dwelling unit prior to closing so as to maintain a continuous record of ownership in case of damage, vandalism, premises condition or other requirement necessitating public notification to the owner, but in no case more than thirty (30) days after sale or transfer.

§1397.08 Fees.

The fees described in this section are established in order to defray the costs to the City related to the health, safety, and economic impact of rental dwelling units, including but not limited to administrative costs for registering and processing rental dwelling units on an owner registration form and for the costs incurred by the City in monitoring the rental dwelling units in the City.

- A. The following application and registration fees shall be remitted to the City:
 - (1) Single-family rental dwelling unit – ~~seventy-five dollars (\$75.00)~~twenty-five dollars (\$25.00).
 - (2) Two-family rental dwelling unit (aka “duplex”) – ~~seventy-five dollars (\$75.00)~~twenty-five dollars (\$25.00) for each dwelling unit.

- (3) Multi-family rental dwelling unit – ~~seventy-five~~twenty-five dollars (\$~~75~~25.00) for each of the first ~~four~~five dwelling units in one building structure and zero dollars (\$~~500~~.00) for each additional dwelling unit in that building structure.
- B. The fees shall be submitted to the Designated City Official at the time a rental dwelling unit is registered with the City. ~~There shall be no annual registration fee.~~ Any original or renewal rental registration submitted more than ten (10) days after the due date shall be assessed a late fee of an additional twenty-five dollars (\$25.00) per unit. There shall be no annual registration fee.
- C. A re-inspection fee of twenty-five dollars (\$25.00) per unit shall be assessed for any additional inspections needed on a per unit basis if violations are not corrected within the amount of time given by the Designated City Official.
- D. Fees assessed and collected in accordance with this Section shall be maintained as a separate line item and will be dedicated solely to reimbursing the costs actually incurred by the City related to the enforcement of this Chapter.

§1397.09 Inspections.

- A. Inspections shall be conducted on the premises upon presentation of proper credentials. Nothing in this chapter shall be construed to require an occupant, operator or owner to consent to a warrantless inspection of a rental unit, dwelling, rooming house or premises except as provided by law.
- B. Any exterior or interior common area, which is accessible to the public, of any building containing more than one ~~residential-rental~~ dwelling unit may be inspected at any time.
- C. Interior inspections of ~~residential-rental~~ dwelling units may be performed at the request or consent of an occupant of a rental dwelling unit or by an owner or agent of an owner of a rental unit that is unoccupied.
- ~~D.~~ If the owner, occupant, or agent thereof, does not consent to the proposed inspection, the Designated City Official may appear before any judge in a court of competent jurisdiction and seek an administrative search warrant to allow an inspection. Any such application shall be made within ten (10) calendar days after the non-consent. The application for the warrant shall specify the basis upon which the warrant is being sought and shall include a statement that the inspection will be limited to a determination whether there are violations of the Ohio Residential Building Code, the Property Maintenance Code under Chapter 1711 of the City Ordinances of Reynoldsburg, or any other applicable law. The Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall be issued:

1. Eyewitness account of a violation;

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2. Citizen complaints;
3. Tenant complaints;
4. Violations in plain view ~~violations from the public right-of-way;~~
5. ~~Violations apparent from~~ City records pertaining to past violations;
6. Property deterioration;
- ~~7. Age of property;~~
- ~~8. 7. Nature of alleged violation;~~
- ~~9. 8. Condition of similar properties in the area;~~
- ~~10. Documented violations on similar properties in the area;~~
- ~~11. 9.~~ Passage of time since last inspection;
- ~~12. 10.~~ Previous violations on the property.

~~E. D.~~ If a warrant is issued, no owner, occupant, or agent thereof shall fail or neglect, upon presentation of a warrant, to properly permit entry therein by the code official or his/her duly authorized designee for the purpose of conducting a rental inspection and examination pursuant to this section and consistent with the terms of the warrant. If the court declines to issue a warrant, or if no warrant is sought, the rental inspection shall be limited to such areas as are in plain view.

~~F. E.~~ Upon occupation of a dwelling unit by a tenant, or if a dwelling has not been inspected for more than two (2) years, the Designated City Official shall send a letter to the occupant(s) advising said occupant(s) of their right to have an inspection with instructions on how to make that request to the Designated City Official.

~~G. F.~~ No criminal penalty, or any penalty or fine under this Chapter shall attach solely by reason of the owner's, occupant's or agent's refusal to consent to a full inspection.

§1397.10 Maintenance Standards.

Every owner, agent or person in charge of a rental unit or structure shall be responsible for the maintenance thereof in good repair and safe condition in compliance with the requirements of this Chapter, the Residential Building Code of Ohio, and the Property Maintenance Code contained in Chapter 1711.. The owner shall also be responsible for maintaining in a safe and sanitary condition the shared or common areas of the premises. In addition to any requirements specified within this section of the codified ordinances, all applicable regulations provided for within the Codified Ordinances of the City of Reynoldsburg, shall apply and shall be subject to enforcement.

§1397.11 Responsibility of designated agent.

Designation of an agent by an owner shall cause the agent to be an additional responsible party for purposes of this Chapter and other chapters that may apply regarding the operation of the premises. All official notices of the City may be issued to the designated agent as well as the owner and in such case as a notice is served upon a designated agent such notice issued shall be deemed as having been served upon the owner of record.

§1397.12 Retaliatory Eviction Prohibited

It shall be a violation of this Chapter if a court of competent jurisdiction determines that any owner of a rental dwelling unit or his or her agent brought or threatened to bring an action for possession of a rental unit for the purpose of retaliating against a tenant for requesting the assistance of the Designated City Official with an alleged violation of this Chapter or the Property Maintenance Code set forth in Chapter 1711.

§1397.13 Notice of Violations

- A. The Designated City of Official, or his or designee, shall have the power to enforce all provisions of this Chapter.
- B. The Designated City Official, or his or her designee, shall have the responsibility to issue ~~to the owner of a rental dwelling unit or designated agent of an owner of a rental dwelling unit~~ any applicable Notice of Violation of any part of this Chapter, the Property Maintenance Code provided in Chapter 1711, or any other applicable section of the City ordinances. Such notice shall be delivered in person or by certified mail to the owner of the rental dwelling unit or to the designated agent of an owner of a rental dwelling unit.
- C. The Notice of Violation shall include the applicable code section the owner is alleged to have violated, a brief statement of the factual basis for the alleged violation, and instructions to the owner of the right to appeal under Section 1397.15.

§1397.14 Appeals.

The Board of Zoning and Building Appeals (the “Board”) shall have jurisdiction to hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Designated City Official in the enforcement or administration of this chapter.

Any person affected by any Notice of Violation which has been issued in connection with the enforcement of any of the provisions of this chapter may request and shall be granted a hearing on the matter by filing an appeal.

The person shall file, in the office of City Council, an appeal with a written request for the hearing and shall set forth the name, address, and phone number of the appellant and a brief statement of the grounds for the hearing and appeal from any Notice of Violation of this chapter. Requests shall be filed within 14 days of the date of the Notice of Violation. On receipt of the appeal, the Clerk of Council shall set a time and place for a hearing before the Board. The hearing shall be held within a reasonable time after a request has been filed. At the hearing, the appellant shall be given an opportunity to be heard and to show cause why the notice and order should be modified or dismissed, or why a variance should be granted. The failure of the appellant or his representative to appear and present his position at the hearing shall be grounds for dismissal of the request.

Any party entitled to appeal a decision of the Board may appeal to a court of competent jurisdiction.

§1397.15 Failure to Remediate

- A. If, after expiration of the time to file an appeal of a Notice of Violation or upon the affirmance by the Board and exhaustion of further appeals, the owner fails to remediate revision the violation, the Designated City Official shall have the power to issue a criminal or civil citation to the owner.
- B. Any citation issued under Section (A) shall be filed in the Reynoldsburg Mayor's Court, in the Franklin County Municipal Court, Environmental Division, or in the appropriate county municipal court which shall have jurisdiction over the address where the violation occurred.

§1397.16 Disclaimer of liability.

A certificate of registration is not a warranty or guarantee that there are no defects in a rental dwelling unit and the City shall not be held liable to any person for the condition of the property.

§1397.17 Saving clause.

All proceedings pending and all rights and liabilities existing and acquired or incurred at the effective date of this chapter are saved and may be consummated according to the law in force when they were commenced.

§1397.18 Validity.

Should any section, clause, or paragraph of this chapter be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the chapter as a whole or any part thereof other than the part declared invalid.

§1397.99 Penalties.

- A. Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of an unclassified misdemeanor that shall be punishable by up to one-thousand dollars (\$1000.00) in fines. Each separate violation shall constitute a separate offense, and a separate offense shall be deemed committed for each day during or on which a violation or non-compliance occurs or continues.
- B. The penalty provisions of this Chapter shall supersede the penalty provisions provided in Section 1711.99 of the Reynoldsburg Code of Ordinances solely as it relates to owners of rental dwelling units subject to this Chapter.

- C. The imposition of any penalty shall not preclude the City from instituting any appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance; to restrain, correct or abate a violation; to prevent the occupancy of a dwelling, building, structure or premises; or to require compliance with the provisions of this chapter of other applicable laws, ordinances, rules or regulations or with the orders or determination of the Designated City Official.

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST****DATE:** **January 25, 2021****TO:** **Finance and Administration Committee**

RE: This legislation is to require residential landlords in the City of Reynoldsburg to provide their tenants alternatives to the traditional security deposit (a payment equal to one month's rent, due at lease signing). Those alternatives include (1) payment of the full security deposit, but split-up into eleven, monthly installments, (2) a reduced security deposit, but split-up into 6 monthly installments (no more than 60% of the monthly rent), or (3) providing rental security insurance this option applies (only to landlords who own and control more than 10 rental units).

Approval:

Completed Joe Begeny	Pending Chris Shook	Stephen Cicak
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**AN ORDINANCE TO ESTABLISH CHAPTER 701 LANDLORD-TENANT
RELATIONSHIPS OF THE CODIFIED ORDINANCES OF THE CITY OF
REYNOLDSBURG**

WHEREAS, the City of Reynoldsburg desires to provide its residents with affordable options for the payment of security deposits to landlords for the lease of residential property; and

WHEREAS, the City of Reynoldsburg recognizes that the payment of a full security deposit along in addition to the full amount of monthly rent for residential lease significantly limits the available housing options for low-income renters; and

WHEREAS, the Council of the City of Reynoldsburg finds that legislation requiring residential landlords to provide tenants with alternatives to a traditional security deposit will alleviate barriers to residential housing for low-income residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, STATE OF OHIO:

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone**

Section 1. That Chapter 701 Landlord-Tenant Relationships be and is hereby enacted as set forth in Exhibit A.

Section 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.

CHAPTER 701 LANDLORD-TENANT RELATIONSHIPS

§ 701.01 Purpose and Construction

- A. The purpose of this Chapter is to improve the condition of residential housing in the City of Reynoldsburg and to promote equitable relationships between landlords and tenants.
- B. If any of the provisions of this Chapter shall conflict with the laws, rules, and regulations of the United State or the State of Ohio, such federal or state laws, rules, and regulations shall govern.

§ 701.03 Definitions

- A. "Landlord" means the owner of a rental unit.
- B. "Rental agreement" means any contract or lease, whether written, oral, or implied by operation of law, for the rental of the rental unit.
- C. "Rental unit" means the whole or part of a building including common areas used by a person for living dining, cooking, sleeping, and sanitation purposes owned or controlled by another, under an agreement for the periodic payment of rent.
- D. "Security deposit" means any deposit of money or other property however denominated whose primary function is to secure the performance of the tenant under a rental agreement.
- E. "Residential Tenant" means an occupant of a rental unit other than an owner or operator.

§ 701.21 Renter's Choice

- A. All Landlords who own or control more than ten (10) Rental Units located with the municipal boundaries of the City of Reynoldsburg and who require a Security Deposit shall offer to accept at least one of the three options set forth below in lieu of the required Security Deposit:
 - 1. Rental security insurance that satisfies the following criteria
 - a. The insurance provider is an approved carrier licensed by, and in good standing with, the Ohio Department of Insurance; and
 - b. The insurance must permit the payment of premiums on a monthly basis, unless the tenant selects a different payment schedule; and
 - c. The coverage is effective upon the payment of the first premium and remains effective for the entire lease term; and

- d. The coverage provided per claim is no less than the amount the landlord requires for Security Deposits.
- 2. Payment of the Security Deposit over the period of no less than six (6) equal monthly installment payments, which installments shall be due on the same day as the monthly rent payment and which may be paid together with the monthly rent payments in a single transaction, absent separate agreement by the landlord and tenant; or
- 3. Payment of a reduced Security Deposit, which amount shall be not more than fifty percent (50%) of the monthly rental rate charged for the subject rental unit.
- B. Prior to entering into a Rental Agreement, a Landlord shall provide written notice to a prospective Tenant of the available options provided in Section 701.21(A)(1-3).
- C. If there is no rental security insurance available, which meets the criteria of Section 701.21(A)(1), within the City of Reynoldsburg, a Landlord shall satisfy the obligations of this Section by offering, at the option of the Landlord, one of the rental Security Deposit alternatives provided in Section 701.21(A)(2-3).
- D. This Section shall not apply to any Security Deposit placed with a Landlord to secure the availability of a Rental Unit more than sixty (60) days prior to the commencement of the rental period.
- E. A Tenant who chooses to provide rental security insurance in lieu of a security deposit shall not be required to provide additional security or insurance coverage per claim in an amount greater than the amount required for security deposits.
- F. The provisions of this Section shall apply to any Residential Lease that is executed or renewed after the effective date of this subsection.

§ 701.99 Enforcement

- A. Upon the failure of any Landlord to comply with this Chapter, the Landlord shall be liable for damages in favor of the Residential Tenant in the amount of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each violation, together with reasonable attorney fees.
- B. Upon the failure of any Landlord to comply with this Chapter, the Residential Tenant may enforce such provisions in the appropriate Municipal Court or Court of Common Pleas. The Court may grant such appropriate relief, including by injunction, restraining order, and/or by imposing damages, costs, and attorney fees as set forth in Section 701.99(A).

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

ORDINANCE REQUEST

DATE: **January 25, 2021**

TO: **Development, Parks and Recreation Committee**

RE: **Annexation of East Main Street & Summit Road Properties**

Approval:

Completed Joe Begeny	Pending Chris Shook	Stephen Cicak
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This legislation is the final step of annexation for the proposed Eastwood development on East Main Street and Summit Road across from the agriculture complex on East Main Street. This legislation will also establish zoning for this development. The zoning will be divided into three separate districts - Main Street District, Residential Medium, and Suburban Residential.

**AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN REAL
PROPERTY LOCATED ON US ROUTE 40 IDENTIFIED AS PARCEL NUMBERS 010-
017466-00.000, 010-018030-00.000, AND 010-018030-00.001 IN LICKING COUNTY OF
137.542 +/- ACRES**

WHEREAS, the Howard and Rosemary Emswiler, owners of parcel numbers 010-018030-00.000 and 010-018030-00.001 (a "Property Owner") and Robert Foster and Neal Seymour, owners of parcel number 010-017466-00.000 being more fully described in Exhibit A are requesting annexation into the City of Reynoldsburg of 137.542 +/- acres; and

WHEREAS, the Property is located outside of the corporate limits of any municipality, but is adjacent and contiguous to the corporate limits of the City of Reynoldsburg ("City"); and

WHEREAS, the Property Owners desire to obtain services from the City, and the City desires to provide such services; and

Clerk of Council

Mollie Prasher

7232 East Main Street

Reynoldsburg OH 43068

614-322-6836 Phone

WHEREAS, the Property Owners desire to obtain the zoning necessary to support the existing use of the Property; and

WHEREAS, the City desires to annex the Property in order to serve and to assist in the development of the Property for the benefit of its citizens and residents; and

WHEREAS, the City, after due and careful consideration, has concluded that the annexation, zoning, development, and use of the Property as contemplated by the Annexation Petition is consistent with the City's plans and goals for the future development of Reynoldsburg and accordingly is in the best interests of the citizens and residents of the City; and

WHEREAS, City of Reynoldsburg Section 11.01.19 (D) allows for the establishment of zoning upon annexation; and

WHEREAS, the property owners have requested that Main Street District, Residential Medium and Suburban Residential zoning be applied as shown on Exhibit B attached.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Reynoldsburg, Franklin County, State of Ohio that:

Section 1: The City of Reynoldsburg hereby consents to the proposed annexation, and will make available services upon annexation in accordance with the Reynoldsburg Codified Ordinances and existing administrative regulations.

Section 2: Once the Property is annexed and zoned, and if the City of Reynoldsburg zoning ordinances permit uses on the Property that are determined by the City to be clearly incompatible with the uses permitted under current Etna Township zoning regulations applicable to adjacent land remaining within Etna Township, the City of Reynoldsburg will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed Property to provide a buffer separating the use of the annexed Property and any adjacent land remaining within Etna Township.

Section 3: That upon adoption by Council, this Ordinance shall be in effect following the signature by the Mayor.

PROPOSED ADDITION
TO THE CITY OF KENOSHA

THE UNITED STATES OF AMERICA BY WILLIAM B. BROWN, JR., ATTORNEY AT LAW, OF THE COUNTY OF LOS ANGELES, CALIFORNIA, DO hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the County Clerk of said County, California.

[illegible]

DATE RECEIVED _____ 21 _____
DATE APPROVED _____ 2 _____

CONTINUED TO NEXT PAGE

DATE OF BIRTH _____
PLACE OF BIRTH _____
CITY OF BIRTH _____
COUNTRY OF BIRTH _____
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DATE OF FINAL REPORT _____
PLACE OF FINAL REPORT _____
CITY OF FINAL REPORT _____
COUNTRY OF FINAL REPORT _____

0-8-972-116-0

ORDER FOR THE CITY OF METROPOLITAN AND BY ORDER
 IS AND APPROVED BY THE MAYOR OF
 AND BY THE TRUSTEES AND COMMISSIONERS OF THE CITY OF METROPOLITAN AND
 MAYOR AND COMMISSIONERS

20 JUL 1978

CONFLICTS OF INTEREST

THE TOTAL PERMETER OF AMMUNITION AREA IS THIRTEEN FEET, OF WHICH ONLY FEW ARE CONTIGUOUS WITH THE CITY OF DETROIT, INCLUDING 1,475 FEET.

THIS DOCUMENT WAS PREPARED FROM RECORD INFORMATION FROM THE LEAD-
ING FIVE SOURCE AND IS NOT INTENDED FOR THE
COUNTY ENGINEER, RECORDS AND AUDIT, AND IS NOT INTENDED FOR THE
TRANSFER OF REAL PROPERTY.



DATE 9.12.20

137.542+ ANNEXATION

LEGEND

	EAST, STRA TOWNSHIP CORP., LINE
	CITY, PIERCE, LINE
	PACIFIC ASSOCIATION CORP., LINE
	PACIFIC AREA TO BE REVERTED (SEE PAGE 26)

STATE ROUTE 42	DATE 08/22/22	JOB NO. 10940	SHEET NO. 1 of 1
SCALE 1"=40'			
DESIGNER			
MA			
DRAWN			
REL			
CHECKED			
 CESO WWW.CESODIG.COM			
LOADING POINT, USED			

LEGAL DESCRIPTION

Description of 137.542 ACRES +/- TO BE ANNEXED FROM ETNA TOWNSHIP TO THE CITY OF REYNOLDSBURG

Situated in the State of Ohio, County of Licking, Township of Etna, and being located in Section 9, Township 16, Range 20 of the Refugee Lands, and being all the lands conveyed to Howard P and Rosemary A Emsweiler Trustees, Instrument Number 201401090000565 and being PPN 010-018030-00.000, all the lands of Howard P and Rosemary A Emsweiler Trustees, Instrument Number 201401090000565 and being PPN 010-018030-00.001, all the lands of Robert Foster and Neal Seymour, Instrument Number 201909100019058 and being PPN 010-017466-00.000, and as follows:

Beginning, in the centerline of National Road (State Route 40), at the southwesterly corner of said 58.417 acre tract of land as conveyed to Robert Foster and Neal Seymour, the southeasterly corner of a 10.990 acre tract of land as conveyed to Nastev Cveta Trustee of record in Instrument Number 200003220008898, and on the existing City of Reynoldsburg corporation line of record in Proposed Annexation of 362.7 Ac., Plat Book 13, Pages 60-63;

Thence, along the easterly and northerly lines of said 10.990 acre tract the following two (2) courses:

1. North 4°15'57" East, a distance of 1596.05 feet to a point,
2. North 86°07'48" West, a distance of 298.50 feet to a point on the easterly line of a 129.893 acre tract of land as conveyed to Joseph Bauman Trustee of record in Instrument Number 201301170001449;

Thence, North 03°53'49" East along the easterly line of said 129.893 acre tract, a distance of 1317.20 feet to the southeasterly corner of Reserve A of Taylor Woods Section 5 of record in Plat Book 15, Pages 307-308 at an angle point in the existing City of Reynoldsburg corporation line of record in Proposed Annexation of 179.4 Ac., Plat Book 13, Pages 115-116 and being the southwesterly corner of a 36.479 acre tract of land as conveyed to Carol S. Christy and Richard Halley of record in Instrument Number 200809150020609;

Thence, South 86°04'30" East with the southerly line of said 36.479 acre tract and the southerly line of a 35.517 acre tract of land as conveyed to Maplewood Farms, LTD. of record in Official Record 849, Page 558, a distance of 1836.88 feet to a point on the southerly line of a 5.03 acre tract of land as conveyed to Humphreys Donna L of record in Instrument Number 201312050029764;

Thence, along the southerly line of said 5.03 acre tract the following five (5) courses:

1. South 86°07'32" East a distance of 141.09 feet to a point,
2. South 5°28'52" West a distance of 21.89 feet to a point,
3. South 85°18'03" East a distance of 61.29 feet to a point,
4. North 3°28'46" East a distance of 22.76 feet to a point,
5. South 86°07'32" East a distance of 585.59 feet to a point at the northeasterly corner of aforementioned 39.828 acre tract and the southeasterly corner of said 5.03 acre tract and the centerline of Summit Road SW;

Thence, South 4°01'31" West along easterly line of said 39.828 acre tract, said centerline Summit Road SW and easterly line of aforementioned 38.329 acre tract of land as conveyed to Howard P and Rosemary A Emsweiler Trustees a distance of 1312.37 feet to the southeasterly corner of said 38.329 acre tract of land and the northeasterly corner of a 1.500 acre tract of land as conveyed to Lisa A Maters of record in Official Record 489, Page 405;

Thence, North 86°07'51" West along said southerly line of said 38.329 acre tract of land and northerly line of said 1.500 acre tract of land a distance of 664.59 feet to the northwesterly corner of said 1.500 acre tract of land;

Thence, South 3°17'07" West along westerly line of said 1.500 tract of land, westerly line of a 1.980 acre tract of land as conveyed to Douglas A Ballman & Evelyn May Ballman of record in Instrument Number 200709180024633, westerly line of a 1.500 acre tract of land as conveyed to Douglas A Ballman & Evelyn May Ballman of record in Instrument Number 200708030020363, westerly line of a 2.496 acre tract of land as conveyed to Joan B Ogershok of record in Official Record 844, Page 619, westerly line of a 2.500 acre tract of land as conveyed to Mary Ellen Praither ET AL of record in Instrument Number 200503170007854 a distance of 1450.73 feet to the southwesterly corner of a 3.010 acre tract of land as conveyed to Summit Road Storage LLC of record in Instrument number 201002080002541 and the centerline of aforementioned National Road;

Thence, along said centerline of National Road the following two (2) courses:

1. South 88°43'57" West a distance of 96.50 feet to a point, passing a corner of aforementioned City of Reynoldsburg corporation line at a distance of 65.86 feet;
2. South 88°50'28" West with said City of Reynoldsburg corporation line a distance of 1593.90 feet to the **Point of Beginning**;



The annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.37. The above annexation contains a perimeter distance of 10,999.35 feet, of which 1624.54 feet are contiguous with the existing City of Reynoldsburg Corporation Line, and 14.8% of the perimeter length is contiguous to the City of Reynoldsburg Corporation line.



Ceso Inc.

[Handwritten Signature]
Jeffrey A. Miller, PS Registered Surveyor No. 7211

Attachment: Annexation of East Main Street and Summit Road Exhibit A (Annexation of East Main Street/Summit Road Properties)

RECEIVED

RESOLUTION NO. 2020-07

2020 NOV - 2 11:24

**A MOTION TO APPROVE A RESOLUTION STATING WHAT SERVICES THE
CITY OF REYNOLDSBURG WILL PROVIDE TO THE PROPOSED
ANNEXATION OF PARCEL NUMBERS 010-017466-00.000, 010-018030-00.000,
AND 010-018030-00.001 IN LICKING COUNTY**

WHEREAS, Howard and Rosemary Emswiler, owners of parcels numbers ~~010-018030-00.000~~ and 010-018030-00.001 and Robert Foster and Neal Seymour, owners of parcel number 010-017466-00.000 are requesting annexation into the City of Reynoldsburg; and

WHEREAS, Ohio Revised Code §709.03(D) requires that a municipal corporation shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory sought to be annexed and an approximate date by which it will provide them; and

WHEREAS, the Council of the City of Reynoldsburg finds that the general good of the territory sought to be annexed will be served by its annexation to the City of Reynoldsburg and that the territory is not unreasonably large to be annexed; and

WHEREAS, the Council for the City of Reynoldsburg has determined that the property encompassed within the annexation petition can easily become and be made a part of the community of the City of Reynoldsburg, and that said annexation at the earliest possible date is in the best interest of the City of Reynoldsburg.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF REYNOLDSBURG, COUNTY OF LICKING, STATE OF OHIO, THAT:

Section 1. The City of Reynoldsburg will provide to the territory sought to be annexed all services that are currently available to the remainder of the City, specifically including the following:

- A. The services of a full-time administrative staff including the City Attorney, City Auditor Utility Clerks, Clerk of Court, and Income Tax Commissioner.
- B. The services of a full-time Building Department, who performs technical and professional work related to the development and implementation of land use policies and is responsible for enforcing zoning regulations by issuing zoning permits and certificates of occupancy for new construction, additions, exterior modifications, demolitions, excavations, home occupations, signs in the City, and zoning inspections.
- C. The services of a full-time Reynoldsburg Police Department including road and traffic patrol, radar details, complaint investigations, accident investigations, and incident investigations with a response time of approximately five minutes.

- D. Fire and emergency medical services will not change upon annexation and will continue to be provided through the Etna Township Fire Department, which currently services the territory with fire protection and emergency medical services.
- E. The services of the City's Service Department including roadway maintenance and repairs, mowing of public rights-of-way, snow plowing, and sign and guardrail maintenance.
- F. The City has also franchised with a private refuse hauler that provides refuse and recycling pick-up billed on the water/sewer bills. Refuse services are currently provided by Rumpke of Ohio, Inc.
- G. In addition, the properties included in the annexation territory will be enhanced due to the following Village amenities:
 - 1. The following parks and public facilities:
 - a. Parks – JFK Park, Old Rodebaugh Park, New Rodebaugh Park, Civic Park, Huber Park, Pine Quarry Park and Livingston Garden
 - b. The Livingston House and Park
 - c. Reynoldsburg Senior Center
 - d. Reynoldsburg Community Center

Section 2. Wastewater collection and treatment and water treatment and distribution. The City has the capacity and will be able to provide services at such time as lines are extended into the territory. The extension of water and sewer lines may be subject to special assessments or other public financing alternatives for the financing of the construction of the water and sewer mains.

Section 3. Except where noted, the services listed above will be provided to the territory immediately upon the effective date of the annexation. Nothing in this Resolution shall preclude the City from providing additional services as needed and as available.

Section 4. In the event the property is annexed and becomes subject to the City of Reynoldsburg zoning and city permit uses, if the City determines there are clearly incompatible uses permitted under Licking County regulations in effect at the time of the filing of the petition, then the City of Reynoldsburg will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Licking County. The term "buffer" includes open space, landscaping, fences, walls and other structured elements such as streets, street rights-of-way, bicycle trails, pedestrian pathways, and sidewalks.

Section 5. The Clerk of Council of the City of Reynoldsburg is hereby directed to forward a certified copy of this Resolution to the Board of County Commissioners of Licking County

Section 6. This Resolution is effective on the earliest date permitted by law.

Passed this 26th day of October, 2020.


Leanora Jenkins, Council President

ATTEST: 
Mollie Prasher, Clerk of Council

APPROVED: 
Joe Begery, Mayor

DATE: 

On behalf of the state of Ohio, Licking County, City of Reynoldsburg, I, Mollie Prasher, duly qualified Clerk of Council for the City of Reynoldsburg, do hereby certify that the foregoing is a copy of the original, now on file, and that the foregoing has been compared by me with said original document, and that the same is a true and correct copy, WITNESS by my signature, this 26th day of October, 2020.


Mollie Prasher, Clerk of Council
City of Reynoldsburg

RECEIVED

ORDINANCE NO. 86-2020

RECEIVED

AN ORDINANCE ASSUMING MAINTENANCE RESPONSIBILITY FOR THE FULL WIDTH OF SUMMIT ROAD BETWEEN THE SOUTHERN/MOST BOUNDARY OF PARCEL NUMBER 010-018030-00.001 AND THE NORTHERN/MOST BOUNDARY OF PARCEL NUMBER 010-018030-00.000 UPON ANNEXATION OF SAID PARCELS INTO THE CITY OF REYNOLDSBURG, AGREEING TO COOPERATE IN THE MAINTENANCE OF SAID ROADWAY, AND INDEMNIFYING THE TOWNSHIP OF THE ETNA AND LICKING COUNTY

WHEREAS, owners of real property located along Summit Road in Etna Township have expressed a desire to annex into the City of Reynoldsburg corporate limits and will file one or more petitions for annexation with the Licking County Commissioners; and

WHEREAS, as a condition of annexation, Ohio Revised Code Section 709.033(A)(6) requires the annexing municipal corporation to assume maintenance responsibility of any and all highways or streets that will be segmented or divided by such annexation; and

WHEREAS, the proposed annexation of parcel numbers 010-018030-00.001 and 010-018030-00.000 (the "Emswiler" parcels) will segment Summit Road from parcels to the north and south of the Emswiler parcels and from parcels directly across Summit Road to the east, which are all located in Etna Township; and

WHEREAS, upon annexation of the Emswiler parcels, the City shall assume responsibility for all areas associated with Summit Road between the northern and southern boundary lines of the Emswiler parcels; and

WHEREAS, the Council of the City of Reynoldsburg has determined that it has the necessary resources to maintain such roads upon annexation of the proposed territory into the City of Reynoldsburg.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO;

SECTION 1: The City of Reynoldsburg hereby agrees it will assume maintenance responsibility, including, but not limited to, paving, striping, drainage, installation and maintenance of traffic control devices, and snow removal, of the full width of Summit Road from the southern-most boundary of Parcel Number 010-018030-00.001 and the northern-most boundary of Parcel Number 010-018030-00.000 upon annexation into the City of Reynoldsburg, as shown on the map attached as Exhibit A.

SECTION 2. The maintenance responsibilities assumed by the City of Reynoldsburg in Section 1 above shall commence from and after the effective date of the annexation of the Emswiler parcels.

SECTION 3. The City of Reynoldsburg hereby agrees to indemnify and hold harmless Etna Township and Licking County and their employees [as defined in R.C. 2744.01(B)] from any and all suits, claims, demands, costs, damages, attorney fees, charges, liabilities and expenses whatsoever which Etna and Licking County may at any time sustain or incur or become liable for by reason of or in consequence of injury or death to person or property arising from said City's maintenance of, or failure to properly maintain these sections of Summit Road following their respective annexations, as shown on the map attached as Exhibit A.

SECTION 4: That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.

PASSED this 26th day of October, 2020.


Leanora Jenkins, Council President

ATTEST: 
Mollie Prasher, Clerk of Council

APPROVED: 
Joe Begeny, Mayor

DATE: 

On behalf of the state of Ohio, Licking County, City of Reynoldsburg,
I, Mollie Prasher, duly qualified Clerk of Council for the City of Reynoldsburg,
do hereby certify that the foregoing are copies of the originals, now on file,
and have been certified by me, and the same are a true and correct copies.

WITNESS by my signature, this 26th day of October, 2020.


Mollie Prasher, Clerk of Council
City of Reynoldsburg

RESOLUTION

IN THE MATTER OF GRANTING EXPEDITED II ANNEXATION – ETNA TOWNSHIP TO THE CITY OF REYNOLDSBURG– 137.542 +/- ACRES – CIMINELLO, AGENT– (FILE #6-2020)

Whereas: A petition and map for an Expedited II annexation was filed with the Board of Commissioners on October 15, 2020 Resolution Jr. #106-250; and,

Whereas: A hearing is not required on Expedited Type II Annexation; and,

Whereas: No objections have been filed by the municipal corporation and the township, therefore the Board of Commissioners are required to adopt a resolution to approve the annexation at their next regular meeting per the requirements 709.023 of the ORC; and,

Whereas: All parties have been informed there is no appeal process in this type of annexation, but if there is an objection, they can seek a writ of mandamus to compel the Board to perform its duties under this special procedure (ORC 709.023(G)); NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we do hereby **GRANT** the Expedited II annexation (File #6-2020) as petitioned by Anthony Ciminello, 411 East Town Street, Floor 2, Columbus, Ohio 43215, Agent as required by Section 709 of the Ohio Revised Code, to annex certain territory, adjacent and contiguous, containing 137.542 +/- acres, more or less, in Etina Township to the City of Reynoldsburg have been fulfilled as follows:

1. The petition meets the statutory and technical requirements of the statutes, including waiver of right to appeal.
2. The petition is substantially compliant with 709.015.
3. The persons who signed the petition are owners of the property proposed to be annexed.
4. The petition contains the signatures of all the property owners in the area proposed to be annexed.
5. The area proposed to be annexed does not exceed 500 acres.
6. The territory proposed to be annexed shares a common boundary with the municipality for a continuous length of at least 5% of the perimeter of the territory proposed to be annexed.
7. The annexation will not create an unincorporated area of the township(s) that is completely surrounded by the area proposed to be annexed.
8. The municipality has agreed to provide the area proposed to be annexed the services specified in the municipal services statement.
9. A highway will be divided or segmented so as to create a road maintenance problem, therefore a Highway Responsibility Ordinance is required.
10. No annexation agreement or CEQA agreement was entered into, thus the territory to be annexed is NOT to be excluded from the township and is to remain a part of the township's tax base. (ORC 709.023 & 503.7)

BE IT FURTHER RESOLVED that the Clerk/Administrator of this Board be directed to file a transcript of these proceedings and a copy of the entire record with the Clerk of the municipality.

CC: Michael L. Smith, Auditor
Clerk, City of Reynoldsburg
PO, Etina Township Trustees
Mayor-City of Reynoldsburg
Brad Mercer, Planning Department
Jared Knerr, County Engineer
Carolyn Carnes, Pres. Attny.
E-911

Sheriff Randy Thorp
Board of Health
Board of Elections
Board of Education
Bill Hayes, Pres. Attny.
LC Water Department
Anthony Ciminello, Agent for Petitioner
City of Reynoldsburg Water Dept.
FILE

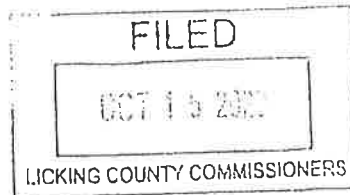
Motion by **BLACK** seconded by **BUBB**
that the resolution be adopted was carried by the following vote:
YEAS: *Timothy E. Bubbs*
NAYS: *Mark Black*

CLERK OF COURTS
OFFICE OF THE

Timothy E. Bubbs
Duane H. Flowers
Mark Black

Adopted: November 12, 2020

Beverly Adzie
Beverly Adzie, Clerk/Administrator



3

Date: 8/17/2020

(Expedited I or II Only)

To: The Board of County Commissioners of Licking County, Ohio
 Licking County Administration Building -4th Floor
 20 South Second Street
 Newark, Ohio 43055

PETITION FOR EXPEDITED II ANNEXATION OF 137.542 +/- ACRES IN
Etna TOWNSHIP TO THE CITY/VILLAGE OF Reynoldsburg

The undersigned, 100% of the owners of real estate within the area hereinafter described in Exhibit "A" and consisting of 137.542 acres in Etna Township, Licking County, Ohio, adjacent to the City/Village of Reynoldsburg, do hereby respectfully petition the Board of Licking County Commissioners to cause such territory to be annexed to the City/Village of Reynoldsburg under authority of Sections 709.02 to 709.11 of the Revised Code of Ohio.

The number of owners within the area are 4 in total.

1. Attached to this petition and made part hereof is a full legal description marked Exhibit "A".
2. Attached to this petition and made part hereof is an accurate mylar (map) of the area to be annexed, marked Exhibit "B"
3. Attached to this petition and made part hereof is a list of parcels in area to be annexed and adjacent territory that includes name of owner, mailing address of owner and permanent parcel number, marked Exhibit "C".
4. Attached to this petition and made part hereof is a certified copy of either an annexation agreement or a cooperative economic development agreement between the township(s) and the municipality marked Exhibit "D". (Applies to Expedited I, II- if excluded from the township(s), and III only)
5. Petition includes statutory disclosure statement in bold face, capital letters regarding waiver of appeal rights. (Applies to Expedited I and II only)

The undersigned petitioners do hereby designate Anthony Ciminello, who is located at 411 East Town Street, Floor 2, Columbus, OH 43215, as their agent. His phone number is (614) 778-7743; Fax number is 614-228-1790; and his email address is anthonyciminello@gmail.com.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Name	Address	Date
<u>See Exhibit 1 attached hereto.</u>		

Revised: 01/15/2004mem

A: New Annexation procedure revision

THE INFORMATION CONTAINED WITHIN THIS DOCUMENT SHOULD NOT BE CONSIDERED LEGAL ADVICE. SHOULD YOU HAVE ANY QUESTIONS REGARDING ANNEXATIONS, PLEASE CONTACT COUNSEL.

Attachment: Annexation of East Main Street and Summit Road Exhibit A (Annexation of East Main Street/Summit Road Properties)

106-249

RESOLUTION

IN THE MATTER OF ESTABLISHING THE ETNA TOWNSHIP TO CITY OF
REYNOLDSBURG ANNEXATION II PETITION #6-2020 EXPENDITURES
APPROPRIATION AND INCOME ACCOUNT WITHIN THE GENERAL FUND

Whereas, State of Ohio, Senate Bill 5 provides for the deposit of special revenues for the purpose of paying expenses related to the processing of annexation petition within the County; and,

Whereas, Licking County Auditor, Michael L. Smith has indicated that the County Commissioners shall establish appropriations and income accounts within the General Fund to facilitate tracking these monies; and,

Whereas, funds in the amount of \$125.00 has been received by the Licking County Commissioners for the aforementioned Annexation; NOW, THEREFORE,

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we do hereby request the Licking County Auditor, Michael L. Smith to establish a General Fund income account for the payment of annexation fees as follows:

0001-907-4768 Annexation, 6-2020, Annexation II, Etna Twp. to City of Reynoldsburg.

BE IT FURTHER RESOLVED that we do hereby request the Licking County Auditor, Michael L. Smith to establish the following appropriation for annexation expenditures within the General Fund as follows:

0001-907-5768 Annexation, 6-2020, Annexation II, Etna Twp. to City of Reynoldsburg.

BE IT FURTHER RESOLVED that we do hereby request the Licking County Auditor, Michael L. Smith to appropriate from the unappropriated balance of the General Fund as follows:

\$125.00 0001-907 5768 Annexation, 6-2020, Annexation II Etna Twp. to the
City of Reynoldsburg.

Motion by FLOWERS seconded by BLACK

that the resolution be adopted was carried by the following vote:

YEAS:

NAYS:

CC: Michael L. Smith, Auditor
Brad Cottrell, Auditor's Office
Martha Snively, Auditor's Office

FILE
Louise Chaney, Deputy Clerk

Timothy E. Bubh
Duane H. Flowers
Rick Black

Adopted: October 15, 2020

Beverly Adzic, Clerk/Administrator

RESOLUTION

IN THE MATTER OF FILING EXPEDITED II PETITION AND MAP FOR ANNEXATION -
ETNA TOWNSHIP TO THE CITY OF REYNOLDSBURG - CIMINELLO/AGENT - FILE
#6-2020 - (137.542+/- ACRES)

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

That we did hereby receive and file an **EXPEDITED II** annexation petition, map by Anthony Ciminello, 411 East Town Street, Floor 2, Columbus, Ohio 43215, as required by ORC Section 709.02 - 709.11, to annex certain territory, adjacent and contiguous to the City of Reynoldsburg, containing 137.542 +/- acres, more or less, in Etna Township; also known as File #6-2020.

BE IT FURTHER RESOLVED that the file date for this annexation is hereby noted as October 15, 2020 and this annexation will create a divided road for which a Highway Responsibility Ordinance (HRO) is needed. At the time of the filing of this annexation, the HRO is in the process of being executed. Under ORC 709.023(C), the petitioners have 20 days after the filing of the petition to file the HRO with the Board of County Commissioners.

CC: Michael L. Smith, Auditor
Clerk, City of Reynoldsburg
Fiscal Officer, Etna Township Trustees
Anthony Ciminello, Agent
E-911
Jared Knerr, County Engineer
Brad Mercer, Planning Department
City of Reynoldsburg Water Department
City of Reynoldsburg Engineer Dept.

Sheriff Randy Thorp
Board of Health
Board of Elections
Board of Education
Bill Hayes, Pros. Atty.
Mayor, City of Reynoldsburg
Carolyn Carnes, LC Pros. Atty
Angela Farley, Planning Dept.
FILE

Motion by **FLOWERS** seconded by **BLACK**

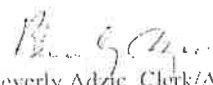
that the resolution be adopted was carried by the following vote:

YEAS:

NAYS:

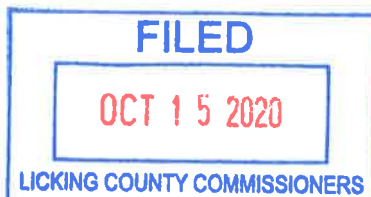
Timothy E. Bubb
Duane H. Flowers
Rick Black

Adopted: October 15, 2020


Beverly Adzic, Clerk/Administrator

I, Beverly Adzic, duly qualified clerk of Licking County Commissioners; do hereby certify that the foregoing document is a true and exact copy.


Beverly Adzic, Clerk
Licking County Commissioners

Date: 8/17/2020

(Expedited I or II Only)

To: The Board of County Commissioners of Licking County, Ohio
 Licking County Administration Building -4th Floor
 20 South Second Street
 Newark, Ohio 43055

PETITION FOR EXPEDITED II ANNEXATION OF 137.542 +/- ACRES IN
Etna TOWNSHIP TO THE CITY/VILLAGE OF Reynoldsburg

The undersigned, 100% of the owners of real estate within the area hereinafter described in Exhibit "A" and consisting of 137.542 acres in Etna Township, Licking County, Ohio, adjacent to the City/Village of Reynoldsburg, do hereby respectfully petition the Board of Licking County Commissioners to cause such territory to be annexed to the City/Village of Reynoldsburg under authority of Sections 709.02 to 709.11 of the Revised Code of Ohio.

The number of owners within the area are 4 in total.

1. Attached to this petition and made part hereof is a full legal description marked Exhibit "A".
2. Attached to this petition and made part hereof is an accurate mylar (map) of the area to be annexed, marked Exhibit "B"
3. Attached to this petition and made part hereof is a list of parcels in area to be annexed and adjacent territory that includes name of owner, mailing address of owner and permanent parcel number, marked Exhibit "C".
4. Attached to this petition and made part hereof is a certified copy of either an annexation agreement or a cooperative economic development agreement between the township(s) and the municipality marked Exhibit "D". (Applies to Expedited I, II- if excluded from the township(s), and III only)
5. Petition includes statutory disclosure statement in bold face, capital letters regarding waiver of appeal rights. (Applies to Expedited I and II only)

The undersigned petitioners do hereby designate Anthony Ciminello, who is located at 411 East Town Street, Floor 2, Columbus, OH 43215, as their agent. His phone number is (614) 778-7743; Fax number is 614-228-1790; and his email address is anthonyciminello@gmail.com

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Name

Address

Date

See Exhibit 1 attached hereto.

Revised: 01/15/2004mem

A: New Annexation procedure revision

THE INFORMATION CONTAINED WITHIN THIS DOCUMENT SHOULD NOT BE CONSIDERED LEGAL ADVICE. SHOULD YOU HAVE ANY QUESTIONS REGARDING ANNEXATIONS, PLEASE CONTACT COUNSEL

Exhibit 1

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE

Howard P Emswiler trust

By: Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended.

Address: 13167 MORSE RD SW PATASKALA OH 43062

Date: 8-22-2020

Rosemary A Emswiler trust

By: Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended.

Address: 13167 Morse Rd. SW. Pataskala, Ohio 43062

Date: 8-22-2020

Exhibit 1

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Robert Foster
Robert Foster



JONNA CARNEY
Notary Public, State of Ohio
My Comm. Expires Sept. 19, 2020
Recorded in Licking County

Address: 4202 Beaver Run Rd-Sw Hebron Oh
Date: 8-24-20 (143025

Neal Seymour

Address: _____

Date: _____

Exhibit 1

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE

Robert Foster

Address: _____

Date: _____

Neal Seymour

Address: 7815 South Bloomfield Royalton Rd Ashville, Ohio 43

Date: 8/21/20

State of Ohio

County of Pickaway ss:

Sworn to and subscribed in my presence Neal Seymour
on this the 21 day of August, 2020.

Kelly J. Hart
Kelly J. Hart
August 21, 2020



KELLY J HART
Notary Public
State of Ohio
My Comm. Expires
March 26, 2025

EXHIBIT C

Adjacent Property Owners		
PID	Owner Name	Mailing Address
PO 010-018030-00.000	Howard P. & Rosemary A. Emswiler, Trustees	13167 Morse Road, Pataskala, Ohio 43062
PO 010-018030-00.001	Howard P. & Rosemary A. Emswiler, Trustees	13167 Morse Road, Pataskala, Ohio 43062
PO 010-017466-00.000	Robert Foster & Neal Seymour	7815 South Bloomfield-Royalton Road, Ashville, Ohio 43103
1 013-027588-00.276	Taylor Woods Ltd. Partnership, c/o Donald W. Kelley	250 East Broad Street, Columbus, Ohio 43215
2 011-026598-00.003	Maple Woods Farms, Ltd.	8718 Summit Road SW, Reynoldsburg, Ohio 43068
3 011-026598-00.000	Donna Humphreys	Post Office Box 604, Reynoldsburg, Ohio 43068
4 011-026598-00.002	Carol S. Christy & Richard Halley	146 Commodore Drive, Milledgeville, Georgia 31061
5 012-027282-00.000	Joseph Bauman, Trustee	9154 Mink Road, Pataskala, Ohio 43062
6 107-017808-00.000	Margaret J. & Richard F. Harvey, Trustees	12506 Palmer Road SW, Reynoldsburg, Ohio 43068
7 010-018816-00.000	Craig S. Milner	139 Lakeview Drive, Reynoldsburg, Ohio 43068
8 010-018780-00.000	Clifford J. & Emilee P. Fehr	17 Lakeland Drive, Reynoldsburg, Ohio 43068
9 010-016998-00.000	Cveta Nastev, Trustee	6291 Headley Road, Gahanna, Ohio 43230
10 010-019752-00.000	Lisa A. Masters	9206 Summit Road, Reynoldsburg, Ohio 43068
11 010-021876-00.000	Lakeland Hills Association, c/o P. Keith Brown	298 Lakeland Drive SW, Etna, Ohio 43068
12 010-018804-00.000	Jeffrey S. Johnson & Susan M. Luebke	9173 Summit Road, Reynoldsburg, Ohio 43068
13 010-021888-00.000	Mary L. Laughlin	9207 South Summit Road, Reynoldsburg, Ohio 43068
14 010-018960-00.000	Douglas A. & Evelyn May Ballman	9228 Summit Road, Reynoldsburg, Ohio 43068
15 010-020490-00.000	Douglas A. & Evelyn May Ballman	9228 Summit Road, Reynoldsburg, Ohio 43068
16 010-022914-00.000	Joan B. Ogershok	9288 Summit Road SW, Reynoldsburg, Ohio 43068
17 010-021120-00.000	Mary E. Praither	9306 Summit Road SW, Reynoldsburg, Ohio 43068
18 010-018012-01.000	Summit Road Storage LLC, c/o Jon Hanson	160 Rolen Road SW, Etna, Ohio 43068
19 013-027284-01.000	State of Ohio-AGR	8995 East Main Street, Reynoldsburg, Ohio 43068
20 010-019200-00.000	Hillview Freewill Baptist Church	14441 National Road SW, Etna, Ohio 43068
21 010-021618-00.000	Scott Allen Bina	138 Lakeview Drive SW, Reynoldsburg, Ohio 43068

EXHIBIT B



Attachment: Annexation of East Main Street and Summit Road Exhibit B (Annexation of East Main Street/Summit Road Properties)

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

ORDINANCE REQUEST

DATE: **January 25, 2021**

TO: **Finance and Administration Committee**

RE: **CAUV Application for Maple Wood Farms**

Approval:

Completed Joe Begeny	Pending Chris Shook	Pending Stephen Cicak
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The City has to approve, as part of the overall placement of a property into an agricultural district, the application submitted by the property owner. Maple Wood Farms Ltd. have applied to continue their CAUV district for 25 acres they own on Summit Road. This application is a renewal of an existing application. Applications must be renewed every 5 years.

For property tax purposes, farmland devoted exclusively to commercial agriculture may be valued according to its current use rather than at its "highest and best" potential use. This provision of Ohio law is known as the Current Agricultural Use Value (CAUV) program. By permitting values to be set well below true market value, the CAUV normally results in a substantially lower tax bill for working farmers.

AN ORDINANCE TO APPROVE THE APPLICATION MADE BY MAPLE WOOD FARMS LTD. TO HAVE CERTAIN LAND LOCATED WITHIN THE CITY OF REYNOLDSBURG LOCATED ON SUMMIT ROAD, PERMANENT PARCEL NUMBER 125-026616-00.000, DESIGNATED FOR PLACEMENT IN AN AGRICULTURAL DISTRICT

WHEREAS, Maple Wood Farms Ltd., 8718 Summit Road SW, have made an application for placement of approximately twenty-five (25) acres of farm land located on Summit Road, permanent parcel number 125-026616-00.000, into an Agricultural District in accordance with Ohio Revised Code Section 929.02; and

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

WHEREAS, the location of the property is within the limits of the City of Reynoldsburg; and

WHEREAS, Maple Wood Farms Ltd. have filed the application in accordance with the provisions of Ohio Revised Code Section 929.02; and

WHEREAS, the City has complied with all of the notice and public hearing requirements of Ohio Revised Code Section 929.02.

NOW, THEREFORE, be it resolved by the Council of the City of Reynoldsburg, Ohio, that:

Section 1. The application from Maple Wood Farms Ltd. for placement twenty-five (25) acres of farm land located on Summit Road, permanent parcel numbers 125-026616-00.000, into an Agriculture District is hereby approved in accordance with the provisions of Ohio Revised Code Section 929.02.

Section 2. The placement of the land into an Agricultural District shall be for a period of five (5) years in accordance with Ohio Revised Code Section 929.02.

Section 3. Upon adoption by Council, this Ordinance shall take effect and be in force thirty days following the Mayor's signature.

APPLICATION FOR PLACEMENT OF FARMLAND
IN AN AGRICULTURAL DISTRICT

R.C. Section 929.02

(SEE REVERSE SIDE FOR INSTRUCTIONS BEFORE COMPLETING APPLICATION)

New Application _____
Renewal Application ☒

A. Owner's Name: MAPLE WOOD FARMS LTD
Owner's Address: 8718 SUMMIT RD SW REYNOLDSBURG OH 43068
Description of land as shown on property tax statement: _____
Location of Property SUMMIT RD Street or Road _____
Licking County

TAX DISTRICT(S)	PARCEL NUMBER(S)	# OF ACRES
ETNA T-REYNOLDSB CTY-LH LSD-WLJFD	<u>125-026676-00.000</u>	<u>25.0600</u>
ETNA T-LICKING HGHTS LSD-WLJFD	<u>011-026598-00.003</u>	<u>35.5100</u>
	TOTAL # OF ACRES:	<u>60.5700</u>

- B. Does any of the land lie within a municipal corporation limit? Yes ☒ No ☐ If **YES, REMEMBER** a copy of this application must be submitted to the Clerk of the municipal legislative body.
- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code?
Yes ☒ No ☐ If "NO" show the following evidence of land use:

	Last Year # of Acres	2 Years Ago # of Acres	3 Years Ago # of Acres
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber & nursery stock			
Land Retirement Program pursuant to an agreement with a federal agency			
Conservation Program pursuant to an agreement with a federal agency			
Building Areas devoted to agricultural production			
Roads, building areas, and all other non agricultural areas			
Total Acres			

- D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government: Yes ☒ No ☐
- If "NO", complete the following:
- Attach evidence of the gross income for each of the past three (3) years, or
 - If the owner anticipates that the land will produce an annual gross income of twenty-five hundred Dollars or more, evidence must be attached showing the anticipated gross income.

By signing this application I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct report.

Signature of Owner: Reay & Meier for Maplewood Farms LTD Date: 1-11-21
(740-927-7767)

BELOW THIS LINE FOR OFFICIAL USE ONLY

Date filed with County Auditor: _____
County Auditor's Signature: _____
Date Filed (if required) with Clerk of Municipal Corporation: _____
Clerk's Signature: _____

Action of legislative body of Municipal Corporation

Application Approved _____, Approved with Modifications _____, * Rejected _____
Date of Legislative Action _____, Clerk's Signature _____

*if modified or rejected, attach reason for modification or rejection

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST**

DATE: January 25, 2021**TO: Public Safety, Law and Courts Committee****RE: Update Chapter 795 Adult Entertainment**

Approval:

Completed Joe Begeny	Pending Chris Shook	Stephen Cicak
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The purpose of this Ordinance will be to update Chapter 795 to reflect recent updates to the Zoning Code and to address concerns regarding the secondary effects of Adult-Oriented Businesses located near schools, parks, and residential districts.

AN ORDINANCE TO AMEND CHAPTER 795 ADULT ENTERTAINMENT AND/OR SEXUALLY-ORIENTED BUSINESSES OR CLUBS OF THE CODIFIED ORDINANCES FOR THE CITY OF REYNOLDSBURG

WHEREAS, the Council of the City of Reynoldsburg finds that is important to the health and safety of the community to amend the regulations affected adult entertainment and sexually-oriented businesses; and

WHEREAS, adult entertainment and sexually-oriented businesses are protected by the First Amendment and the City seeks only to regulate where such businesses may be located in order to alleviate the secondary effects of such business, which studies have shown to include prostitution, drug trafficking, and violence; and

WHEREAS, the Zoning Code of the City of Reynoldsburg was recently amended to move adult oriented businesses as a permitted use from the Innovation District to the Community Commercial District (CC) to create further distance of such businesses from the Brice Road and

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone**

Livingston corridor where similar businesses have been found by the Franklin County Environmental Court to be nuisance properties on the Western side of Brice Road in the City of Columbus; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, STATE OF OHIO:

Section 1. That Chapter 795 be amended as set forth in EXHIBIT A., attached hereto, and made a part herein.

Section 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.

795.03 ESTABLISHMENT AND CLASSIFICATION OF BUSINESSES OR CLUBS REGULATED.

The establishment of an adult entertainment and/or sexually oriented business or club shall be permitted only in the Community Commercial Zone (CC), and shall be subject to the following restrictions. No person shall cause or permit the establishment of any of the following adult entertainment and/or sexually oriented businesses or clubs, as defined above, within 500 feet radius of another such business or club measured from the centerline of the front door of the establishment or within 500 feet radius of any building or use referred to in Section [795.02](#) (J), (K), (L), (M), (N) of this chapter measured from the centerline of the front door of the establishment, and are classified as follows:

- (1) Adult arcade;
- (2) Adult bookstore;
- (3) Adult cabaret;
- (4) Adult motel;
- (5) Adult motion picture theater;
- (6) Adult novelty store;
- (7) Adult theater;
- (8) Adult video store;
- (9) Massage parlor;
- (10) Sexual encounter establishment;
- (11) Escort agency;
- (12) Semi-nude model studio; or
- (13) Any business establishment or club, regardless of the title or classification, that can be identified as an adult entertainment and/or sexually oriented business or club pursuant to this chapter.

(Ord. 116-99. Passed 9-20-99)

795.04 MEASUREMENT OF DISTANCE.

- (a) As regarding Section [795.03](#) (a), distance between any two adult entertainment and/or sexually oriented business or club shall be measured by a 500 feet radius without regard to intervening structures, measured from the centerline of the front door of each business or club.
- (b) The distance between any adult entertainment and/or sexually oriented business or club and any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter shall be measured from the outermost wall of the structure or proposed structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel.

(Ord. 116-99. Passed 9-20-99)

795.05 LOCATION OF ADULT ENTERTAINMENT AND/OR SEXUALLY ORIENTED BUSINESSES OR CLUBS.

The City of Reynoldsburg's Zoning Ordinance hereby requires that adult entertainment and/or sexually oriented businesses or clubs shall be permitted only as provided in Section [795.03](#) in which use is listed as permissible. Permits for adult entertainment and/or sexually oriented businesses or clubs shall be required and governed by the procedures and policies specified in Section [795.08](#) et.seq. of this chapter. In addition, any adult entertainment and/or sexually oriented business or club shall be subject to the following provisions:

- (a) Whoever, violates any provision of this chapter, for which no other penalty is provided, is guilty of one of the following:
 - (1) If the offender has not been previously convicted of or pleaded guilty to a violation of this ordinance for which no other penalty is provided or of any provision of the Ohio Revised Code or of a municipal ordinance that is substantially similar to any such provision of this chapter, unless otherwise specified, a misdemeanor of the fourth degree;
 - (2) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one violation of any provision of this chapter, unless otherwise specified, a misdemeanor of the third degree;
 - (3) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of any provision of this chapter, unless otherwise specified, a misdemeanor of the first degree.
- (b) No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club except as provided in Section [795.03](#).
- (c) No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club within 500 feet measured from the outermost wall of the structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel
- (d) No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club within a 500 feet radius measured from the centerline of the front door of the establishment to the centerline of the front door of another such business or club; which will include any adult arcade, adult books store, adult video store, adult cabaret, adult motel, adult motion picture

theater, adult theater, massage parlor or any sexual encounter establishment, except as provided in Section [795.03\(b\)](#).

- (e) No person shall cause or permit the operation, establishment, or maintenance of more than one adult entertainment and/or sexually oriented business or club within the same building, structure, or portion thereof, except as provided in Section [795.03\(b\)](#), or causes the substantial enlargement of any adult entertainment and/or sexually oriented business or club in any building, structure or portion thereof containing another adult entertainment and/or sexually oriented business or club.
- (f) It is a defense to prosecution under this section if a person appearing in a state of nudity did so in a modeling class operated:
 - (1) By a proprietary school, licensed by the State of Ohio; a college, junior college, or university supported entirely or partly by taxation;
 - (2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
 - (3) In a structure:
 - A. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
 - B. Where, in order to participate in a class a student must enroll at least three days in advance of the class; and
 - C. Where no more than one semi-nude model is on the premises at any one time.

(Ord. 116-99. Passed 9-20-99)

795.06 REGULATIONS GOVERNING EXISTING ADULT ENTERTAINMENT AND/OR SEXUALLY ORIENTED BUSINESSES OR CLUBS.

- (a) Any adult entertainment and/or sexually oriented business or club lawfully operating on the effective date of [Chapter 795](#), or subject amendment thereto, that is in violation of Sections [795.03](#) and [795.05](#) of this division, shall be deemed an existing, non-conforming use. An existing, non-conforming use is governed by Chapter 1107 of the Planning and Zoning Code of the City of Reynoldsburg. Such existing, nonconforming uses shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two or more sexually oriented businesses or clubs are within a 500 feet radius measured from the centerline of the front door of the establishments of one another and otherwise in a permissible location, the adult entertainment and/or sexually oriented business or club which was first established and continually

operated at the particular location is the conforming use and the later established business(es) is non-conforming, except as provided in Section [795.03](#)(b).

- (b) An adult entertainment and/or sexually oriented business or club lawfully operating as conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of an adult entertainment and/or sexually oriented business or club permit and/or license of any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter within a 500 feet measured from the outermost wall of the structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section [795.02](#) (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel. This provision applies only to the renewal of a valid permit and/or license and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.
- (c) Any establishment subject to the provision of this section shall apply for the permit provided for by Section [795.10](#) within 30 days of the effective date of this chapter or any amendment subsequent thereto. Any establishment, existing prior to the effective date of this chapter, shall comply with the regulations pertaining to Sections [795.20](#), [795.22](#), and [795.32](#), within 60 days of the effective date of this chapter, and all other applicable permit regulations within 30 days of the effective date of this chapter.

795.09 PERMIT REQUIRED.

- (a) No adult entertainment and/or sexually oriented business or club shall be permitted to operate without a valid adult entertainment and/or sexually oriented business or club permit issued by the city for the particular type of business or club. No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club without said permit. Whoever violates this section shall be subject to the criminal penalties outlined in Section [795.05](#) and an injunction under Section [795.07](#).
- (b) The Mayor is responsible for granting, denying, revoking, renewing, suspending, and canceling sexually oriented business or club permits for a proposed or existing sexually oriented business or club pursuant to Sections [795.11](#), [795.14](#), [795.15](#), and [795.16](#). The Mayor is also responsible for ascertaining whether a proposed adult entertainment and/or sexually oriented business or club for which a permit is being applied for complies with all location requirements of Sections [795.03](#), [795.05](#) and [795.06](#) of this chapter, which includes any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter, and all applicable zoning laws and/or regulations now in effect or as amended or enacted subsequent to the effective date of this chapter in the city and the City Comprehensive Plan.

- (c) An application for a permit must be made on a form provided by the City of Reynoldsburg Development Department. Any person desiring to operate an adult entertainment and/or sexually oriented business or club shall file with the City of Reynoldsburg Development Department an original and two copies of a sworn permit application.
- (d) The completed application shall contain the following information and shall be accompanied by the following documents:
 - (1) If the applicant is:
 - A. An individual, the individual shall state his/her legal name and any alias and submit satisfactory proof that he/she is eighteen years of age;
 - B. A partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;
 - C. A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of Ohio, the names and capacity of all officers, directors and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process.
 - (2) If the applicant intends to operate the adult entertainment and/or sexually oriented business or club under a name other than that of the applicant; he must state:
 - A. The adult entertainment and/or sexually oriented business or club's fictitious name; and
 - B. Submit the required registration documents.
 - (3) Whether the applicant or any of the individuals listed pursuant to Section [795.09](#) of this chapter has, within the two or five year period as specified in Section [795.11](#) immediately preceding the date of the application, been convicted of a specified criminal act, and, if so, the specified criminal act involved, the date of conviction and the place of conviction.
 - (4) Whether the applicant or any of the other individuals pursuant to Section [795.09](#) and or licenses of this chapter has had a previous permit under ordinance or other similar sexually oriented business ordinances from another city or county denied, suspended or revoked, including the name and location of the adult entertainment and/or sexually oriented business or club for which the permit was denied, suspended or revoked, as well as the date of the denial,

suspension or revocation, and whether the applicant or any other individuals listed pursuant to Section [795.09](#) has been a partner in a partnership or an officer, director or principal stockholder of a corporation that is permitted under this chapter whose permit has previously been denied, suspended or revoked, including the name and location of the adult entertainment and/or sexually oriented business or club for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

- (5) Whether the applicant or any other individual listed pursuant to Section [795.09](#) holds any other permits and/or licenses under this chapter or other similar adult entertainment and/or sexually oriented business ordinance from another city or county and, if so, the names and locations of such other permitted businesses or clubs.
- (6) The single classification of permit for which the applicant is filing.
- (7) The location of the proposed adult entertainment and/or sexually oriented business or club, including a legal description of the property, street address and telephone number(s), if any.
- (8) The applicant's mailing address and residential address.
- (9) A photograph taken within 30 days of the date of application of the applicant(s).
- (10) The applicant's driver's license number, Social Security Number, and or his/her State or Federally issued Tax Identification Number.
- (11) The application shall be sworn to be true and correct by the applicant.
- (12) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business or club. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.
- (13) The applicant shall bear the cost of a current certificate and straight-line drawing prepared within 30 days prior to application by an Ohio registered land surveyor depicting the property lines and the structures containing any established existing uses regulated by this chapter within 500 feet of the property to be certified; the property lines of any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter within a 500 feet radius from the outermost wall of the structure or proposed structure of the sexually oriented business to the property line, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel any residentially zoned area or residential property. For purposes of this section, a use shall be considered existing or established if it is in existence at

the time an application is submitted. Section [795.03\(b\)](#) is excepted from this requirement.

- (14) If a person who wishes to operate an adult entertainment and/or sexually oriented business or club is an individual, he/she must sign the application for a permit as applicant. If a person who wishes to operate an adult entertainment and/or sexually oriented business or club is other than an individual, each individual who has a ten percent or greater interest in the business or club must sign the application for a permit as applicant. If a corporation is listed as owner of an adult entertainment and/or sexually oriented business or club or as the entity which wishes to operate such business or club, each individual having a ten percent or greater interest in the corporation must sign the application for a permit as applicant.
- (15) If a person wishes to operate an adult entertainment and/or sexually oriented business or club which shall exhibit on the premises films, video cassettes, or other video reproductions that depict specified sexual activities or specified anatomical areas, then said person shall comply with the application requirements stated at Section [795.20](#) et. seq.
- (g) Applicants for a permit under this section shall have a continuing duty to promptly supplement application information required by this section in the event that said information changes in any way from what is stated on the application. The failure to comply with said continuing duty within 30 days from the date of such change by supplementing the application on file with the Mayor, shall be grounds for suspension of a permit.
- (h) In the event that the Mayor determines or learns at any time that the applicant has improperly completed the application for a proposed adult entertainment and/or sexually oriented business or club, the Mayor shall promptly notify the applicant for such fact and allow the applicant ten days to properly complete the application. (The time period for granting or denying a permit shall be stayed during the period in which the applicant is allowed an opportunity to properly complete the application.)
- (i) The applicant must be qualified according to the provisions of this chapter and the premises must be inspected and found to be in compliance with health, fire and building codes and laws.
- (j) The applicant shall be required to pay a non-refundable application fee of \$500.00 at the time of filing an application under this section.
- (k) Prior to obtaining any permit or license to operate an adult entertainment and/or sexually oriented business or club defined in this chapter, and as part of any application for a permit under this section, the applicant shall obtain from the city or its designee a certification that the proposed location of such business or club

complies with the location requirements of Sections [795.02](#) (j), (k), (l), (m), (n), [795.05](#) and [795.06](#) of this chapter.

- (l) The fact that a person possesses other types of state or city permits and/or licenses does not exempt him/her from the requirements of obtaining an adult entertainment and/or sexually oriented business or club permit.
- (m) By applying for a permit under this chapter, the applicant shall be deemed to have consented to the provisions of this chapter and to the exercise by the Mayor, the Reynoldsburg Division of Police and all other city agencies charged with enforcing the laws, ordinances and codes applicable in the city of their respective responsibilities under this chapter.
- (n) The applicant shall be required to provide the city with the names of any and all employees who are required to be licensed pursuant to Section [795.19](#) of this chapter. This shall be a continuing requirement even after a permit is granted or renewed.

(Ord. 116-99. Passed 9-20-99)

795.03 ESTABLISHMENT AND CLASSIFICATION OF BUSINESSES OR CLUBS REGULATED.

~~—(a)—~~ The establishment of an adult entertainment and/or sexually oriented business or club shall be permitted only in the ~~specified General Industry and Community Service zones~~ Community Commercial Zone (CC), and shall be subject to the following restrictions. No person shall cause or permit the establishment of any of the following adult entertainment and/or sexually oriented businesses or clubs, as defined above, within 500 feet radius of another such business or club measured from the centerline of the front door of the establishment or within ~~350~~500 feet radius of any building or use referred to in Section 795.02 (J), (K), (L), (M), (N) of this chapter measured from the centerline of the front door of the establishment, and are classified as follows:

- (1) Adult arcade;
- (2) Adult bookstore;
- (3) Adult cabaret;
- (4) Adult motel;
- (5) Adult motion picture theater;
- (6) Adult novelty store;
- (7) Adult theater;
- (8) Adult video store;
- (9) Massage parlor;
- (10) Sexual encounter establishment;
- (11) Escort agency;
- (12) Semi-nude model studio; or
- (13) Any business establishment or club, regardless of the title or classification, that can be identified as an adult entertainment and/or sexually oriented business or club pursuant to this chapter.

~~—(b)— Nothing in this section prohibits the location by way of a Special Exceptions Use of non-performing "live" adult entertainment and/or sexually oriented business or club, e.g. adult bookstores, adult motion picture theaters, adult video stores within Community Commerce (CC) District. No person shall cause or permit the establishment of any adult bookstores, adult motion picture theaters, or adult video stores within 500 feet radius of another such business or club measured from the centerline of the front door of the establishment or within 350 feet radius of any building or use referred to in Section 795.02 (j), (k), (l), (m), (n) of this chapter.~~

(Ord. 116-99. Passed 9-20-99)

795.04 MEASUREMENT OF DISTANCE.

~~(a)~~—As regarding Section 795.03 (a), distance between any two adult entertainment and/or sexually oriented business or club shall be measured by a 500 feet radius without regard to intervening structures, measured from the centerline of the front door of each business or club.

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(b) The distance between any adult entertainment and/or sexually oriented business or club and any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter shall ~~also be measured in a 350 foot radius, from the outermost wall of the structure or proposed structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening structures or objects, or any other intervening structure or object that is not a building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter.~~

(Ord. 116-99. Passed 9-20-99)

795.05 LOCATION OF ADULT ENTERTAINMENT AND/OR SEXUALLY ORIENTED BUSINESSES OR CLUBS.

The City of Reynoldsburg's Zoning Ordinance hereby requires that adult entertainment and/or sexually oriented businesses or clubs shall be permitted only as provided in Section [795.03](#) in which use is listed as permissible. Permits for adult entertainment and/or sexually oriented businesses or clubs shall be required and governed by the procedures and policies specified in Section [795.08](#) et.seq. of this chapter. In addition, any adult entertainment and/or sexually oriented business or club shall be subject to the following provisions:

(a) ~~—(a)~~ Whoever, violates any provision of this chapter, for which no other penalty is provided, is guilty of one of the following:

(1) ~~—(1)~~ If the offender has not been previously convicted of or pleaded guilty to a violation of this ordinance for which no other penalty is provided or of any provision of the Ohio Revised Code or of a municipal ordinance that is substantially similar to any such provision of this chapter, unless otherwise specified, a misdemeanor of the fourth degree;

(2) ~~—(2)~~ If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one violation of any provision of this chapter, unless otherwise specified, a misdemeanor of the third degree;

(3) ~~—(3)~~ If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of any provision of this chapter, unless otherwise specified, a misdemeanor of the first degree.

(b) ~~—(b)~~ No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club except as provided in Section [795.03](#).

(c) ~~—(c)~~ No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club within ~~350~~500 feet ~~radius~~ measured ~~from the outermost wall of the structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening~~

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~~structures or objects, regardless of any customary or common route or path of~~
~~no person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club within a 500 feet radius measured from the centerline of the front door of the establishment to the centerline of the front door of another such business or club; which will include any adult arcade, adult books store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor or any sexual encounter establishment, except as provided in Section 795.03(b).~~

(d) ~~—(d)~~ No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club within a 500 feet radius measured from the centerline of the front door of the establishment to the centerline of the front door of another such business or club; which will include any adult arcade, adult books store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor or any sexual encounter establishment, except as provided in Section 795.03(b).

(e) ~~—(e)~~ No person shall cause or permit the operation, establishment, or maintenance of more than one adult entertainment and/or sexually oriented business or club within the same building, structure, or portion thereof, except as provided in Section 795.03(b), or causes the substantial enlargement of any adult entertainment and/or sexually oriented business or club in any building, structure or portion thereof containing another adult entertainment and/or sexually oriented business or club.

(f) ~~—(f)~~ It is a defense to prosecution under this section if a person appearing in a state of nudity did so in a modeling class operated:

(1) ~~—(1)~~ By a proprietary school, licensed by the State of Ohio; a college, junior college, or university supported entirely or partly by taxation;

(2) ~~—(2)~~ By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

(3) ~~—(3)~~ In a structure:

A. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and

B. Where, in order to participate in a class a student must enroll at least three days in advance of the class; and

C. Where no more than one semi-nude model is on the premises at any one time.

(Ord. 116-99. Passed 9-20-99)

795.06 REGULATIONS GOVERNING EXISTING ADULT ENTERTAINMENT AND/OR SEXUALLY ORIENTED BUSINESSES OR CLUBS.

(a) ~~—(a)~~ Any adult entertainment and/or sexually oriented business or club lawfully operating on the effective date of Chapter 795, or subject amendment thereto, that is in violation of Sections 795.03 and 795.05 of this division, shall be deemed an existing, non-conforming use. An existing, non-conforming use is governed by ~~R.C.~~

(b) —(e)—An adult entertainment and/or sexually oriented business or club lawfully operating as conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of an adult entertainment and/or sexually oriented business or club permit and/or license of any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter within a ~~350~~[500](#) feet measured from the outermost wall of the structure of the sexually oriented business that is nearest to the property line of any building or use referred to in Section 795.02 (j), (k), (l), (m), and (n) of this Chapter, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common practice or custom of the community.

(c) —(e)—Any establishment subject to the provision of this section shall apply for the permit provided for by Section [795.10](#) within 30 days of the effective date of this chapter or any amendment subsequent thereto. Any establishment, existing prior to the effective date of this chapter, shall comply with the regulations pertaining to Sections [795.20](#), [795.22](#), and [795.32](#), within 60 days of the effective date of this chapter, and all other applicable permit regulations within 30 days of the effective date of this chapter.

~~(a) — (a)~~ No adult entertainment and/or sexually oriented business or club shall be permitted to operate without a valid adult entertainment and/or sexually oriented business or club permit issued by the city for the particular type of business or club. No person shall operate or cause to be operated an adult entertainment and/or sexually oriented business or club without said permit. Whoever violates this section shall be subject to the criminal penalties outlined in Section [795.05](#) and an injunction under Section [795.07](#).

~~(b) — (b)~~ The Mayor is responsible for granting, denying, revoking, renewing, suspending, and canceling sexually oriented business or club permits for a proposed or existing sexually oriented business or club pursuant to Sections [795.11](#), [795.14](#), [795.15](#), and [795.16](#). The Mayor is also responsible for ascertaining whether a

proposed adult entertainment and/or sexually oriented business or club for which a permit is being applied for complies with all location requirements of Sections [795.03](#), [795.05](#) and [795.06](#) of this chapter, which includes any building or use referred to in Section [795.02](#) (j), (k), (l), (m), (n) of this chapter, and all applicable zoning laws and/or regulations now in effect or as amended or enacted subsequent to the effective date of this chapter in the city and the City Comprehensive Plan.

~~(c)~~ ~~(e)~~—An application for a permit must be made on a form provided by the City of Reynoldsburg ~~Building-Development~~ Department. Any person desiring to operate an adult entertainment and/or sexually oriented business or club shall file with the City of Reynoldsburg ~~Building-Development~~ Department an original and two copies of a sworn permit application.

~~(d)~~ ~~(d)~~—The completed application shall contain the following information and shall be accompanied by the following documents:

~~(1)~~ ~~(1)~~—If the applicant is:

~~A.~~ ~~A.~~—An individual, the individual shall state his/her legal name and any alias and submit satisfactory proof that he/she is eighteen years of age;

~~B.~~ ~~B.~~—A partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;

~~C.~~ ~~C.~~—A corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of Ohio, the names and capacity of all officers, directors and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process.

~~(2)~~ ~~(2)~~—If the applicant intends to operate the adult entertainment and/or sexually oriented business or club under a name other than that of the applicant; he must state:

~~A.~~ ~~A.~~—The adult entertainment and/or sexually oriented business or club's fictitious name; and

~~B.~~ ~~B.~~—Submit the required registration documents.

~~(3)~~ ~~(3)~~—Whether the applicant or any of the individuals listed pursuant to Section [795.09](#) of this chapter has, within the two or five year period as specified in Section [795.11](#) immediately preceding the date of the application, been convicted of a specified criminal act, and, if so, the specified criminal act involved, the date of conviction and the place of conviction.

- ~~(4)~~ ~~(4)~~ Whether the applicant or any of the other individuals pursuant to Section [795.09](#) and or licenses of this chapter has had a previous permit under ordinance or other similar sexually oriented business ordinances from another city or county denied, suspended or revoked, including the name and location of the adult entertainment and/or sexually oriented business or club for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant or any other individuals listed pursuant to Section [795.09](#) has been a partner in a partnership or an officer, director or principal stockholder of a corporation that is permitted under this chapter whose permit has previously been denied, suspended or revoked, including the name and location of the adult entertainment and/or sexually oriented business or club for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.
- ~~(5)~~ ~~(5)~~ Whether the applicant or any other individual listed pursuant to Section [795.09](#) holds any other permits and/or licenses under this chapter or other similar adult entertainment and/or sexually oriented business ordinance from another city or county and, if so, the names and locations of such other permitted businesses or clubs.
- ~~(6)~~ ~~(6)~~ The single classification of permit for which the applicant is filing.
- ~~(7)~~ ~~(7)~~ The location of the proposed adult entertainment and/or sexually oriented business or club, including a legal description of the property, street address and telephone number(s), if any.
- ~~(8)~~ ~~(8)~~ The applicant's mailing address and residential address.
- ~~(9)~~ ~~(9)~~ A photograph taken within 30 days of the date of application of the applicant(s).
- ~~(10)~~ ~~(10)~~ The applicant's driver's license number, Social Security Number, and or his/her State or Federally issued Tax Identification Number.
- ~~(11)~~ ~~(11)~~ The application shall be sworn to be true and correct by the applicant.
- statement of total floor space occupied by the business or club. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.
- ~~(13)~~ ~~(13)~~ The applicant shall bear the cost of a current certificate and straight-line drawing prepared within 30 days prior to application by an Ohio registered land surveyor depicting the property lines and the structures containing any established existing uses regulated by this chapter within 500 feet of the property to be certified; the property lines of any building or use referred to in Section [795.02](#) (j),

(k), (l), (m), (n) of this chapter within a ~~350~~500 feet radius ~~from the outermost wall of the structure or proposed structure of the sexually oriented business to the property line, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel to the structure or proposed structure of the sexually oriented business.~~ from the outermost wall of the structure or proposed structure of the sexually oriented business to the property line, along the shortest possible course, without regard to intervening structures or objects, regardless of any customary or common route or path of travel to the structure or proposed structure of the sexually oriented business. For this section, a use shall be considered existing or established if it is in existence at the time an application is submitted. Section 795.03(b) is excepted from this requirement.

- ~~(14).~~ ~~(14)~~—If a person who wishes to operate an adult entertainment and/or sexually oriented business or club is an individual, he/she must sign the application for a permit as applicant. If a person who wishes to operate an adult entertainment and/or sexually oriented business or club is other than an individual, each individual who has a ten percent or greater interest in the business or club must sign the application for a permit as applicant. If a corporation is listed as owner of an adult entertainment and/or sexually oriented business or club or as the entity which wishes to operate such business or club, each individual having a ten percent or greater interest in the corporation must sign the application for a permit as applicant.
- ~~(15).~~ ~~(15)~~—If a person wishes to operate an adult entertainment and/or sexually oriented business or club which shall exhibit on the premises films, video cassettes, or other video reproductions that depict specified sexual activities or specified anatomical areas, then said person shall comply with the application requirements stated at Section [795.20](#) et. seq.
- ~~(g).~~ ~~(g)~~—Applicants for a permit under this section shall have a continuing duty to promptly supplement application information required by this section in the event that said information changes in any way from what is stated on the application. The failure to comply with said continuing duty within 30 days from the date of such change by supplementing the application on file with the Mayor, shall be grounds for suspension of a permit.
- ~~(h).~~ ~~(h)~~—In the event that the Mayor determines or learns at any time that the applicant has improperly completed the application for a proposed adult entertainment and/or sexually oriented business or club, the Mayor shall promptly notify the applicant for such fact and allow the applicant ten days to properly complete the application. (The time period for granting or denying a permit shall be stayed during the period in which the applicant is allowed an opportunity to properly complete the application.)
- ~~(i).~~ ~~(i)~~—The applicant must be qualified according to the provisions of this chapter and the premises must be inspected and found to be in compliance with health, fire and building codes and laws.
- ~~(j).~~ ~~(j)~~—The applicant shall be required to pay a non-refundable application fee of \$500.00 at the time of filing an application under this section.

- ~~(k)~~ ~~—(k)~~ Prior to obtaining any permit or license to operate an adult entertainment and/or sexually oriented business or club defined in this chapter, and as part of any application for a permit under this section, the applicant shall obtain from the city or its designee a certification that the proposed location of such business or club complies with the location requirements of Sections [795.02](#) (j), (k), (l), (m), (n), [795.05](#) and [795.06](#) of this chapter.
- ~~(l)~~ ~~—(l)~~ The fact that a person possesses other types of state or city permits and/or licenses does not exempt him/her from the requirements of obtaining an adult entertainment and/or sexually oriented business or club permit.
- ~~(m)~~ ~~—(m)~~ By applying for a permit under this chapter, the applicant shall be deemed to have consented to the provisions of this chapter and to the exercise by the Mayor, the Reynoldsburg Division of Police and all other city agencies charged with enforcing the laws, ordinances and codes applicable in the city of their respective responsibilities under this chapter.
- ~~(n)~~ ~~—(n)~~ The applicant shall be required to provide the city with the names of any and all employees who are required to be licensed pursuant to Section [795.19](#) of this chapter. This shall be a continuing requirement even after a permit is granted or renewed.

(Ord. 116-99. Passed 9-20-99)

795.11 ISSUANCE OF PERMIT.

- ~~(a)~~ ~~—(a)~~ Subsequent to payment of the annual permit fee, the Mayor shall grant or deny an application for a permit within 60 days from the date of its proper filing. Upon the expiration of the 60th day, unless the applicant requests and is granted a reasonable extension of time, the applicant shall be permitted to begin operating the business or club for which the permit is sought, unless and until the Mayor notifies the applicant of the denial of the application and states the reason(s) for that denial.
- ~~(b)~~ ~~—(b)~~ Grant of Application for Permit.
- ~~(1)~~ ~~—(1)~~ The Mayor shall grant the application unless one or more of the criteria set forth in division (c) below is present.
- ~~(2)~~ ~~—(2)~~ The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the adult entertainment and/or sexually oriented business or club. The permit shall indicate that the adult entertainment and/or sexually oriented business or club whether permitted or not may be subject to prohibitions against Public Nudity

and Indecency pursuant to the United States Supreme Court decision in *Barnes v. Glen Theater, Inc.*, 501 U.S. 560 (1991). The permit shall be posted in a conspicuous place at or near the entrance to the adult entertainment and/or sexually oriented business or club so that it can be read easily at any time.

~~(c)~~ ~~—(e)~~ Denial of Application for Permit.

~~(1)~~ ~~—(1)~~ The Mayor shall deny the application for any of the following reasons:

- ~~A.~~ ~~—A.~~ An applicant is under eighteen years of age;
- ~~B.~~ ~~—B.~~ An applicant or applicant's spouse is overdue on his/her payment to the city of taxes, fees, fines, or penalties assessed against him/her or imposed upon him/her in relation to an adult entertainment and/or sexually oriented business or club;
- ~~C.~~ ~~—C.~~ An applicant is residing with a person who has been denied a permit by the city to operate an adult entertainment and/or sexually oriented business or club within the preceding 12 months, or residing with a person whose permit to operate an adult entertainment and/or sexually oriented business or club has been revoked within the preceding 12 months;
- ~~D.~~ ~~—D.~~ An applicant has failed to provide information required by this section or permit application for the issuance of the permit or has falsely answered a question or request for information on the application form;
- ~~E.~~ ~~—E.~~ The premises to be used for the adult entertainment and/or sexually oriented business or club has not been approved as being in compliance with health, fire and building codes by the department or agency responsible under law for investigating said compliance;
- ~~F.~~ ~~—F.~~ The application or permit fees required by this chapter have not been paid;
- ~~G.~~ ~~—G.~~ An applicant of the proposed business or club is in violation of, or is not in compliance with, any of the provisions of this chapter including but not limited to the zoning location requirements for an adult entertainment and/or sexually oriented business or club under Sections [795.02](#) (j), (k), (l), (m), (n), [795.03](#), [795.05](#) and [795.06](#);
- ~~H.~~ ~~—H.~~ The granting of the application would violate a statute, ordinance, or court order;
- ~~I.~~ ~~—I.~~ The applicant has a permit under this chapter which has been suspended or revoked;
- ~~J.~~ ~~—J.~~ An applicant has been convicted of a "specified criminal" act for which:

~~1.~~ ~~1.~~ Less than two years have elapsed since the date of conviction or the date of release from confinement, whichever is the later date, if the conviction is of a misdemeanor offense for the "specified criminal" acts which are sexual crimes against children, sexual abuse, rape or crimes connected with another adult entertainment and/or sexually oriented business or club including but not limited to distribution of materials which are obscene and harmful to minors, prostitution, pandering, or tax violations;

~~2.~~ ~~2.~~ Less than five years have elapsed since the date of conviction or the date of release from confinement, whichever is the later date, if the conviction is of a felony offense; for the "specified criminal" acts which are sexual crimes against children, sexual abuse, rape or crimes connected with another adult entertainment and/or sexually oriented business or club including but not limited to distribution of materials which are obscene and harmful to minors, prostitution, pandering, or tax violations;

~~3.~~ ~~3.~~ Less than five years have elapsed since the date of conviction or the date of release from confinement, whichever is the later date, if the convictions are of two or more misdemeanor offenses for "specified criminal" acts which are sexual crimes against children, sexual abuse, rape or crimes connected with another adult entertainment and/or sexually oriented business or club including but not limited to distribution of materials which are obscene and harmful to minors, prostitution, pandering, or tax violations; offense occurring within any 24 month period;

~~4.~~ ~~4.~~ The fact that a conviction is being appealed shall have no effect on disqualification of the applicant;

~~5.~~ ~~5.~~ An applicant who has been convicted of the above "specified criminal" acts may qualify for an adult entertainment and/or sexually oriented business or club permit only when the time period required above in Section [795.11\(j\)](#) has elapsed.

~~K.~~ ~~K.~~ An applicant knowingly has in his or her employ, an employee who does not have a valid license as required in Section [795.19](#) of this chapter.

~~(2)~~ ~~(2)~~ If the Mayor denies the application, the Mayor shall notify the applicant of the denial and state the reason(s) for the denial.

~~(3)~~ ~~(3)~~ If a person applies for a permit for a particular location within a period of 12 months from the date of a denial of a previous application for a permit at the location, and there has not been an intervening change in the circumstances which could reasonably be expected to lead to a different decision regarding the former reasons for denial, the application shall be denied.

(Ord. 116-99. Passed 9-20-99)

795.16 REVOCATION OF PERMIT.

- (a) ~~—(a)~~ The Mayor shall revoke a permit if a cause of suspension in Section [795.15](#) of this chapter occurs and the permit has been suspended within the preceding 12 months.
- (b) ~~—(b)~~ The Mayor shall revoke a permit upon determining that:
- (1) ~~—(1)~~ A permittee gave false or misleading information in the material submitted during the application process that tended to enhance the applicant's opportunity for obtaining a permit; or
 - (2) ~~—(2)~~ A permittee or an employee has knowingly allowed possession, use or sale of controlled substances in or on the premises; or
 - (3) ~~—(3)~~ A permittee or an employee has knowingly allowed prostitution on the premises; or
 - (4) ~~—(4)~~ A permittee or an employee knowingly operated the adult entertainment and/or sexually oriented business or club during a period of time when the permittee's permit was suspended; or
 - (5) ~~—(5)~~ A permittee has been convicted of a "specified criminal" act for which the time period required in Section [795.11](#) of this chapter has not elapsed; or
 - (6) ~~—(6)~~ On two or more occasions within a 12 month period, a person or persons committed an offense, occurring in or on the permitted premises, constituting a "specified criminal" act for which a conviction has been obtained, and the person or persons were employees of the adult entertainment and/or sexually oriented business or club at the time the offenses Were committed. The fact that a conviction is being appealed shall have no effect on the revocation of the permit; or
 - (7) ~~—(7)~~ A permittee is convicted of tax violations for any taxes or fees related to adult entertainment and/or sexually oriented business or club; or
 - (8) ~~—(8)~~ A permittee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or any other specified sexual activities to occur in or on the permitted premises; or
 - (9) ~~—(9)~~ A permittee has been operating more than one adult entertainment and/or sexually oriented business or club under a single roof except as provided in Section [795.03](#)(b).
- (c) ~~—(c)~~ When the Mayor revokes a permit, the revocation shall continue for one year and the permittee shall not be issued an adult entertainment and/or

sexually oriented business or club permit for one year from the date revocation became effective. If, subsequent to revocation, the Mayor finds that the basis for revocation under Section [795.16](#) of this chapter has been corrected, the applicant shall be granted a permit if at least 90 days have elapsed since the date revocation became effective. If the permit was revoked under Section [795.16](#) of this chapter, an applicant may not be granted another permit until the number of years required under Section [795.16](#) have elapsed.

~~(d)~~ ~~—(d)~~ Permittee agrees to pay the city \$1000.00 for each day permittee operates businesses or club under a revoked permit.

(Ord. 116-99. Passed 9-20-99)

Street/Stormwater Department**Keith Kundtz****614-322-5800 Phone****ORDINANCE REQUEST**

DATE: **January 25, 2021**

TO: **Public Service and Transportation Committee**

RE: **ODOT 2021/22 WINTER SALT CONTRACT**

Approval:

Completed Joe Begeny	Pending Chris Shook	Completed Stephen Cicak
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This ordinance allows the Mayor to enter in to contract with ODOT for the 2021/2022 salt bid.

**AN ORDINANCE AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT
PURCHASING CONTRACT**

WHEREAS, the City of Reynoldsburg, Franklin County (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and

Street/Stormwater Department

Keith Kundtz

614-322-5800 Phone

d. The Political Subdivision hereby requests through this participation agrees to purchase Sodium Chloride (road salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov [<mailto:Contracts.Purchasing@dot.ohio.gov>](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, COUNTIES OF FRANKLIN, LICKING, and FAIRFIELD, STATE OF OHIO that:

SECTION 1. That the Mayor hereby is granted authority in the name of the City of Reynoldsburg to participate in the Ohio Department of Transportation Annual Winter Contract and providing that funding has been authorized in the Budget.

SECTION 2. That the Mayor is hereby authorized to agree in the name of the City of Reynoldsburg to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the Mayor is hereby authorized to agree in the name of the City of Reynoldsburg to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Reynoldsburg participates, for items it receives pursuant to the contract.

Street/Stormwater Department**Keith Kundtz****614-322-5800 Phone**

SECTION 4. This Ordinance is hereby adopted by Council and shall be in effect at the earliest date allowed by law following the signature by the Mayor.

Street/Stormwater Department**Keith Kundtz****614-322-5800 Phone****ORDINANCE REQUEST**

DATE: **January 25, 2021**

TO: **Public Safety, Law and Courts Committee**

RE: Truck with Equipment Purchase

Approval:

Completed Joe Begeny	Pending Chris Shook	Completed Stephen Cicak
-------------------------	------------------------	----------------------------

Emergency/Suspension: Emergency

Reason For Emergency: Financial needs of the City's government

I would like two readings and pass as an emergency to be able to order the truck and put it into service as soon as possible.

Per Chapter 175 competitive bidding is not required:

(E) As an alternative to competitive bidding, the mayor shall have the authority to obtain goods and/or services for which funds have been previously appropriated through cooperative purchasing programs without further legislative authorization. As part of any cooperative purchasing program, the Mayor may agree that the City will be bound by contract terms and conditions prescribed by the program, including, without limitations, payment of a reasonable fee by the City to cover administrative costs incurred by the program officials as a result of purchases by the City or as a prerequisite to maintaining membership in the program. The Mayor may also agree that the City will pay the vendor directly for goods or services received by the City.

Authorize the Mayor to enter into contract with Byers Chevrolet/Ford/Chrysler, Dodge, Jeep, Ram, 5887 N. Meadows Dr., Grove City OH 43123 to purchase one (1) Ford F350

Columbus contract # RFQ015892

Street/Stormwater Department

Keith Kundtz

614-322-5800 Phone

The funds are appropriated in the Street Department 2021 budget; account #260-268-5632 Total cost not to exceed \$50,000.

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A FORD TRUCK AND RELATED EQUIPMENT FOR THE STREET DEPARTMENT, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY

WHEREAS; the Street Department Superintendent has determined that the City needs to purchase an additional 4X4 truck and snow plow; and

WHEREAS; the vehicle and equipment will be purchased through the Columbus Ohio purchasing contract; and

WHEREAS; the purchase price of the truck was included in the 2021 budget and will not exceed the budgeted amount of \$50,000.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the Mayor be and is hereby authorized to purchase from Byers Chevrolet/Ford/Chrysler, Dodge, Jeep, Ram to purchase one (1) Ford F 350
Columbus contract # RFQ015892

SECTION 2. That the purchase price is not to exceed \$50,000 total with funds approved in the 2021 Budget coming from account #260-268-5632.

SECTION 3. That this Ordinance is deemed to be an emergency measure necessary for the financial needs of the City's government. W

Therefore upon adoption by Council, this Ordinance shall be in effect immediately upon signature by the Mayor.

Water and Wastewater Department

Paul Hellman

614-322-4500 Phone

ORDINANCE REQUEST

DATE: **January 25, 2021**

TO: **Public Service and Transportation Committee**

RE: I would like two readings and pass as an emergency to be able to order the truck and put it into service as soon as possible.

Per Chapter 175 competitive bidding is replaced with state bid pricing

(E) As an alternative to competitive bidding, the mayor shall have the authority to obtain goods and/or services for which funds have been previously appropriated through cooperative purchasing programs without further legislative authorization. As part of any cooperative purchasing program, the Mayor may agree that the City will be bound by contract terms and conditions prescribed by the program, including, without limitations, payment of a reasonable fee by the City to cover administrative costs incurred by the program officials as a result of purchases by the City or as a prerequisite to maintaining membership in the program. The Mayor may also agree that the City will pay the vendor directly for goods or services received by the City.

Authorize the Mayor to enter into contract with George Byers and Son Ford Dealership at 427 S. Hamilton Rd, Columbus, Ohio 43213 to purchase one (1) Ford F350 under Columbus contract # RFQ015892

The funds are appropriated in the Water and Wastewater Departments 2021 budget; account #710.735.5632 & 720.736.5632 total cost not to exceed \$60,000.

Approval:

Completed Joe Begeny	Pending Chris Shook	Completed Stephen Cicak
-------------------------	------------------------	----------------------------

Emergency/Suspension: Emergency

Water and Wastewater Department

Paul Hellman

614-322-4500 Phone

Reason For Emergency: Financial needs of the City's government

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A FORD TRUCK AND RELATED EQUIPMENT FOR THE STREET DEPARTMENT, APPROPRIATING FUNDS, AND DECLARING AN EMERGENCY

WHEREAS; the Water and Wastewater Department Superintendent has determined that the City needs to purchase an additional 4X4 truck; and

WHEREAS; the vehicle and equipment will be purchased through the Columbus Ohio purchasing contract; and

WHEREAS; the purchase price of the truck was included in the 2021 budget and will not exceed the budgeted amount of \$60,000.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the Mayor be and is hereby authorized to purchase from George Byers & Sons Inc. Ford Dealership to purchase one (1) Ford F350 under Columbus contract # RFQ015892.

SECTION 2. That the purchase price is not to exceed \$60,000 total with funds approved in the 2021 Budget coming from accounts #710.735.5632 (\$30,000) & 720.736.5632 (\$30,000).

SECTION 3. This will include budget price work to be performed by Kaffenbarger and Ziebart for undercoat, logos and overhead safety lighting and utility bed tool box.

SECTION 4. That this Ordinance is deemed to be an emergency measure necessary for the financial needs of the City's government. Therefore upon adoption by Council, this Ordinance shall be in effect immediately upon signature by the Mayor.

CONTRACT: FIRM OFFER FOR SALE

In consideration of one (1) dollar received by George Byers Sons Inc., "Contractor," Contractor hereby offers to sell to City of Columbus, "Buyer", who shall have until June 30, 2023 to exercise this option to purchase, at the price and on the terms set forth in the bid proposal which includes: Advertisement for Bids, (RFQ015892), Information to Bidders, Contract: Firm Offer for Sale and specifications set forth in RFQ015892, all of which are incorporated and agreed to by both parties as if fully rewritten herein. Buyer may exercise this option without limitation to the number of times or quantity purchase(s) provided that the total purchase(s) do not exceed twice the estimated quantity or dollar amount set forth in the proposal.

Should the City exercise its option, the contractor agrees with the City of Columbus to furnish and deliver, at their own cost and expense, all the equipment, machinery and supplies set forth in Item(s) No. Items# 1-51; 63-92; 94-101 and catalog in the proposal filed by the Contractor with the Buyer's Purchasing Office on July 16, 2020 in response to advertisement of bids for Light Duty Trucks, RFQ015892, according to specifications and plans therefore, thereto attached and for the prices set forth in said proposal.

IN WITNESS WHEREOF, the contractor and the City of Columbus have hereunto set their hands on this _____ day of _____, 20____.

George Byers Sons Inc.


Signature

City of Columbus, Ohio
Purchasing Office

Finance & Management Director as authorized by

Ordinance No. _____
Passed _____

Attachment: GeorgeByersFordQuote (Purchase Truck Water and Sewer Department)

VIRTC1DP

EH

CNGP530

VEHICLE ORDER CONFIRMATION

01/15/21 13:09:22

Dealer: F47065

Page: 1 of 2

2021 F-SERIES SD

Order No: 0000 Priority: D2 Ord FIN: QC317 Order Type: 5B Price Level: 115

Ord PEP: 610A Cust/Flt Name: REYNOLDSBURG PO Number:

	RETAIL	DLR INV		RETAIL	DLR INV
X3B F350 4X4 S/C	\$41080	\$39026.00	TRAILER TOW PKG		
164" WHEELBASE			FLEET SPCL ADJ	NC	(575.00)
Z1 OXFORD WHITE			18B PLAT RUNNING BD	445	405.00
A VNYL 40/20/40			10800# GVWR PKG		
S MEDIUM EARTH GR			41P SKID PLATES	100	91.00
610A PREF EQUIP PKG			425 50 STATE EMISS	NC	NC
.XL TRIM			43B BACKGLASS DEF	60	54.00
572 .AIR CONDITIONER	NC	NC	43C 110V/400W OUTLT	175	160.00
.AMFM/MP3/CLK					
996 .6.2L EFI V8 ENG	NC	NC	TOTAL BASE AND OPTIONS	45455	39913.56
44G 10-SPD AUTOMATC	NC	NC	TOTAL	45455	39913.56
TD8 .LT245 BSW AS 17			AGREEMENT		459.00
X37 3.73 REG AXLE	NC	NC	CONCESSION		<7,000.00>
90L PWR EQUIP GROUP	865	787.00			
JOB #1 BUILD					
			TOTAL		\$ 33,372.00

F1=Help

F2=Return to Order

F4=Submit

F5=Add to Library

S006 - MORE DATA IS AVAILABLE.

* FINAL 2021 ORDER DATE IS 2/18/21

Attachment: GeorgeByersFordQuote (Purchase Truck Water and Sewer Department)

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

ORDINANCE REQUEST

DATE: **January 25, 2021**

TO: **Finance and Administration Committee**

RE: **Then & Now for Codification Bill**

Approval:

Completed Joe Begeny	Pending Chris Shook	Completed Stephen Cicak
-------------------------	------------------------	----------------------------

Emergency/Suspension: Emergency

Reason For Emergency: Financial needs of the City's government

The Clerk of Council began the codification process in 2020 with the expectation that the process would not be completed until early 2021. A bill for \$6,483.75 was received in 2021 (December 31, 2020 invoice date) for the work completed in 2020. The PO for this work was not carry-overed, evidently causing the need for the Then & Now legislation requiring the certification of the Auditor. These funds were included in the 2021 budget, which was approved and certified by the Auditor and Council in December, 2020.

AN ORDINANCE TO APPROVE PAYMENT OF SERVICES PERFORMED IN PRIOR YEAR, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Revised Cod 5705.41(D) states:

(D)(1) Except as otherwise provided in division (D)(2) of this section and section 5705.44 <<https://codes.ohio.gov/orc/5705.44>> of the Revised Code, make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an

Clerk of Council

Mollie Prasher

7232 East Main Street

Reynoldsburg OH 43068

614-322-6836 Phone

appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every such contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon. If no certificate is furnished as required, upon receipt by the taxing authority of the subdivision or taxing unit of a certificate of the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, such taxing authority may authorize the drawing of a warrant in payment of amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days after the taxing authority receives such certificate; provided that, if the amount involved is less than one hundred dollars in the case of counties or three thousand dollars in the case of all other subdivisions or taxing units, the fiscal officer may authorize it to be paid without such affirmation of the taxing authority of the subdivision or taxing unit, if such expenditure is otherwise valid; and

WHEREAS, ORC 5705.41(D) becomes applicable for the City of Reynoldsburg when amounts are above \$3,000.00.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That in accordance with ORC 5705.41(D) the following payment for services performed in the prior year shall be and is hereby approved:

Vendor	American Legal Publishing Corporation
Description	Preliminary Work on Codification
Invoice Date	December 31, 2020
Invoice Number	#5874 and #5928
Amount	\$6,483.75
Purchase Order No.	2021-00000257
Account	110.571.5339

SECTION 2. That this Ordinance is deemed to be an emergency measure necessary for the

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

financial needs of the City in order to pay invoices and ORC 5705.41(D) requires that this Ordinance be passed within thirty days of its presentation to City Council. Therefore, upon adoption by Council, this Ordinance shall be in effect immediately upon signature by the Mayor.

AUDITOR'S CERTIFICATION

"Then and Now"

Section 5705.41 (D) of the Ohio Revised Code states that, when a purchase of goods and services is made prior to the Auditor's certification of available funds, the Auditor shall prepare a certificate stating that funds were available at the time of the purchase and are still available at the time of receipt of the invoice for such purpose. The certificate shall be presented to City Council for its consideration of approval. Resulting legislation shall be passed within 30 days from receipt of the Auditor's certificate.

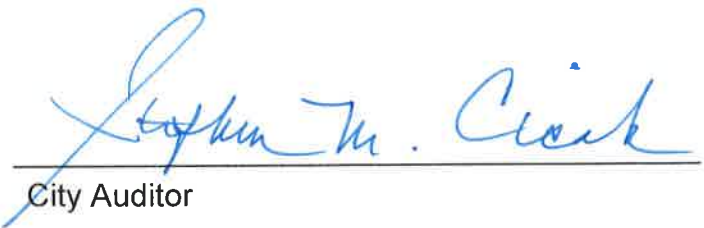
I do hereby certify that the amount of \$ 6,483.75 has been
appropriated and was available in the treasury at the date of purchase _____
and is still available as of _____ for the following purchase:

Purchase Order # 2021-0257 Date of Invoice 12/31/2020

Vendor American Legal Publishing Corp

Description Editing Reynoldsburg Code and Editing Internet Code

Invoice # 5874 and 5928 Account # 110.571.5339


City Auditor

1.13.2021
Date

Attachment: Codification Then and Now Exhibit (Then & Now for Codification Bill)

Ship To

City of Reynoldsburg-City Council
7232 E. Main Street
REYNOLDSBURG, OH 43068

Bill To

City of Reynoldsburg-City Council
7232 E. Main Street
REYNOLDSBURG, OH 43068

10.g.a

Purchase Order
No. 2021-00000257

DATE 01/04/2021

VENDOR 221 - AMERICAN LEGAL PUBLISHING



Contact

AMERICAN LEGAL PUBLISHING CORP
ONE WEST FOURTH STREET
3RD FLOOR
CINCINNATI, OH 45202

PURCHASE ORDER NUMBER MUST APPEAR ON
ALL INVOICES, SHIPPERS, BILL OF LADING AND
CORRESPONDENCE

DELIVER BY
SHIP VIA
FREIGHT TERMS
PAGE 1 of 1
ORIGINATOR: Mollie Prasher

REFERENCE

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	Each	Miscellaneous Contracts - Floor Mats - codification 110.571.5339 - Misc Contract Services 10,000.00	10,000.0000	\$10,000.00
#5874		editing Reynoldsburg code	5,850.00	12/31/20
#5928		editing internet code	633.75	12/31/20
TOTAL DUE				\$10,000.00

AUDITOR'S CERTIFICATE

I certify that funds for the above encumbrance have been
appropriated and are in the treasury free from any obligation.

Stephen M. Cicak

Special Instructions

Mollie Prasher
1/11/2021

Attachment: Codification Then and Now Exhibit (Then & Now for Codification Bill)



AMERICAN LEGAL
Publishing Corporation

525 Vine Street, Ste. 310
Cincinnati, OH 45202
1-800-445-5588

Invoice Date

Invoice No.

Ship Date

12/31/2020

5874

12/31/2020

INVOICE

Billing Address:

City of Reynoldsburg
Mollie Prasher, Clerk of Council
7232 E Main St.
Reynoldsburg, OH 43068 USA

Terms:	Upon Receipt	Customer ID:	03135	Ship Via:		P.O. #:	
--------	--------------	--------------	-------	-----------	--	---------	--

Qty. Ordered	Description	Unit Price	Amount
1	December 2020 S-12 Editing	5,850.00	5,850.00T
** NEW REMIT TO ADDRESS** 525 Vine Street, Ste. 310 Cincinnati, OH 45202		Sales Tax (0.0%)	\$0.00
		Total	\$5,850.00

You can now pay your invoice online! Please visit our direct link:
<https://www.amlegal.com/product-category/invoices/>

Attachment: Codification Then and Now Exhibit (Then & Now for Codification Bill)



AMERICAN LEGAL
Publishing Corporation

525 Vine Street, Ste. 310
Cincinnati, OH 45202
1-800-445-5588

Invoice Date

12/31/2020

Invoice No.

5928

Ship Date

12/31/2020

INVOICE

Billing Address:

City of Reynoldsburg
Mollie Prasher, Clerk of Council
7232 E Main St.
Reynoldsburg, OH 43068 USA

Terms:	Upon Receipt	Customer ID:	03135	Ship Via:		P.O. #:	
--------	--------------	--------------	-------	-----------	--	---------	--

Qty. Ordered	Description	Unit Price	Amount
1	December 2020 S-12 Folio/Internet Editing	633.75	633.75T
** NEW REMIT TO ADDRESS** 525 Vine Street, Ste. 310 Cincinnati, OH 45202		Sales Tax (0.0%)	\$0.00
		Total	\$633.75
		You can now pay your invoice online! Please visit our direct link: https://www.amlegal.com/product-category/invoices/	

Attachment: Codification Then and Now Exhibit (Then & Now for Codification Bill)

Parks & Recreation Dept.**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6879 Phone****ORDINANCE REQUEST**

DATE: **January 25, 2021**

TO: **Development, Parks and Recreation Committee**

RE: **Irrigation Service Contract for 2021-2022**

Approval:

Completed Joe Begeny	Skipped Chris Shook	Completed Stephen Cicak
-------------------------	------------------------	----------------------------

Ordinance Authorizing Mayor to Enter into Contract for 2021 and 2022 Irrigation Services Contract with Environmental Management, 8220 Industrial Parkway Plain City 43064 for a total of \$36,000.00 broken down as follows:

Year 1= \$18,000.00

Year 2= \$18,000.00

Funds have been appropriated into the 2021 Parks and Recreation Budget.

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
FOR THE 2021-2022 IRRIGATION SERVICE CONTRACT AND APPROPRIATING
FUNDS THEREFOR**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into contract with Environmental Management for 2021 through 2022 for the irrigation service contract in an amount not to exceed \$18,000 for 2021 and \$18,000 for 2022.

Parks & Recreation Dept.**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6879 Phone**

SECTION 2. That to fund the services provided in Section 1, the Parks & Recreation Department requests that \$18,000.00 from the Unappropriated General Fund be and is hereby appropriated to Account 110.340.5339 - Miscellaneous Contract Services for the years 2021 and 2022

SECTION 3. That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.

Parks & Recreation Dept.**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6879 Phone****ORDINANCE REQUEST****DATE: January 25, 2021****TO: Development, Parks and Recreation Committee****RE: Landscape Services for Streetscape 2021-2022**

Approval:

Completed Joe Begeny	Skipped Chris Shook	Completed Stephen Cicak
-------------------------	------------------------	----------------------------

Ordinance authorizing the Mayor to enter into contract with Yard Solutions, Inc. 4830 Hendron Road Groveport, OH 43125 for the Landscape Services Contract for Streetscape for 2021 and 2022 for a total of \$179,661.82, break down as follows:

2021 \$89,830.91

2022 \$89,830.91

These funds have been appropriated into the 2021 Parks and Recreation Budget.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE 2021-2022 LANDSCAPE SERVICE CONTRACT AND APPROPRIATING FUNDS THEREFOR

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into contract with Yard Solutions for 2021 through 2022 for the landscape service contract in an amount not to exceed \$89,830.91 for 2021 and \$89,830.91 for 2022.

Parks & Recreation Dept.**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6879 Phone**

SECTION 2. That to fund the services provided in Section 1, the Parks & Recreation Department requests that \$89,830.91 in 2021 and \$89,830.91 for 2022 from the Unappropriated General Fund be and is hereby appropriated to Account 110.340.5339 - Miscellaneous Contract Services.

SECTION 3. That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.

Donna Bauman 
 Director, Parks and Recreation
 614-322-6806
 dbauman@ci.reynoldsburg.oh.us



MEMORANDUM

DATE December 16, 2020

TO: Reynoldsburg City Council

CC: Mayor Joe Begeny, City Auditor Stephen Cicak, City Attorney Chris Shook

RE 2021-2022 Streetscape Landscape Contract

Please see attached the bids from Yard Solutions, Inc. and Grass Groomers, Inc. The recommendation from the Parks and Recreation Department is to accept the bid received from Yard Solutions, Inc. The Main Street corridor is the most visible entranceway into our City.

Yard Solutions, Inc. is higher than Grass Groomers, Inc. by \$4,194.91 per year. This total includes both alternate bid items and the bid amount for the landscape.

Our recommendation is based on the following:

- We are still in the recovery phase from previous years of mismanagement of the contract. Yard Solutions has made great strides in improving the appearance and health of our plants, shrubs and trees.
- Due to the costs associated with insecticides we are of the opinion that Grass Groomers, Inc. did not adequately price the material needed to stay on top of and in some cases ahead of the scale insect. This includes removal and preventative treatment.
- History has shown us that taking the lowest bidder for the landscape contract has proven to be a disservice to maintaining a healthy and attractive landscape.
- Yard Solutions, Inc. submitted a completed bid book including work experience/references. Grass Groomers, Inc. did not submit a completed bid book, they submitted four (4) pages; no work experience/references.
- Yard Solutions, Inc. submitted detailed information on each different bid specification; which allows us to know they took into account the details of our specific project.

It is our recommendation to City Council to accept the two year bid for 2021 and 2022 for landscaping services for Streetscape submitted by Yard Solutions, Inc. in the amount of \$179,661.82 (\$89,830.91 per year). This includes the alternate bid items. This service has been included in the Parks and Recreation 2021 budget.

If you have any questions, please feel free to contact me at ext. 6879.

Thank you.

BID SCHEDULE

Yard Solutions, Inc

The undersigned having carefully considered the terms and conditions of the Contract Documents for the City of Reynoldsburg Contract Landscape Services for Seasons 2021 and 2022, does hereby offer to perform such services on behalf of the CITY, of the type and quality in the manner described, and subject to and in accordance with the terms set forth in the Contract Documents at the rates herein set forth. Prices per ITEM are to be expressed in figures. ITEM TOTALS are to be expressed in figures and in words. **Words take precedence over figures:**

BID: Please indicate the **COST PER SEASON** and **TOTAL** for each **ITEM** listed below:

	2021	2022
Fertilization	\$ 4938.75	\$ 4938.75
Insect and disease control	\$ 11644.50	\$ 11644.50
Weed control-general	\$ 15137.72	\$ 15137.72
Weed control on sidewalks and pavers	\$ 3129.79	\$ 3129.79
Mulching	\$ 22240.25	\$ 22240.25
Turf Maintenance	\$ 13367.94	\$ 13367.94
Annual and perennial maintenance	\$ 4867.70	\$ 4867.70
Tree and shrub pruning	\$ 9571.20	\$ 9571.20

Total \$ 84,897.85 (In Figures) \$ 84,897.85 (In Figures)

2021-2022 Total Bid Main Street \$ 169,795.50 (In Figures)
169,795.70

One hundred sixty-nine thousand seven hundred ninety-five dollars and fifty cent
(In Words)

Add Alternate-A (Memorial Plaza) \$ 7,788.90 (In Figures) (TWO-YEAR TOTAL)

Seven thousand seven hundred eighty-eight dollars and ninety cent
(In Words)

Add Alternate-B (Bioswale at Reynoldsburg Community Center YMCA) \$ 2,077.22 (In Figures)

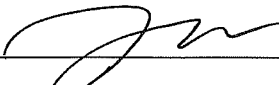
Two thousand seventy-seven dollars and twenty-two cents
(In Words)

(TWO-YEAR TOTAL)

CONTRACTOR COMPANY NAME: (Type/ Print) YARD SOLUTIONS

NAME OF REPRESENTATIVE: (Type/Print) JAYNA HOLEHOUSE

TITLE: (Type /Print) ACCOUNT MANAGER

SIGNATURE OF REPRESENTATIVE: 

ADDRESS: 4830 HENDRON RD PHONE NUMBER: 614-496-7775

GROVEPORT OH 43215 FAX NUMBER: 614-836-8210

DATE SIGNED: _____

GrassGroomers, Inc

BID SCHEDULE

The undersigned having carefully considered the terms and conditions of the Contract Documents for the City of Reynoldsburg Contract Landscape Services for Seasons 2021 and 2022, does hereby offer to perform such services on behalf of the CITY, of the type and quality in the manner described, and subject to and in accordance with the terms set forth in the Contract Documents at the rates herein set forth. Prices per ITEM are to be expressed in figures. ITEM TOTALS are to be expressed in figures and in words. **Words take precedence over figures:**

BID: Please indicate the **COST PER SEASON** and **TOTAL** for each **ITEM** listed below:

	2021	2022
Fertilization	\$ 9,586	\$ 9,586
Insect and disease control	\$ INC.	\$ INC.
Weed control-general	\$ 18,782	\$ 18,782
Weed control on sidewalks and pavers	\$ 504	\$ 504
Mulching	\$ 19,751	\$ 19,751
Turf Maintenance	\$ 16,451	\$ 16,451
Annual and perennial maintenance	\$ 7,358	\$ 7,358
Tree and shrub pruning	\$ 5,501	\$ 5,501
Total	\$ 77,933 (In Figures)	\$ 77,933 (In Figures)

2021-2022 Total Bid Main Street \$ 155,866 (In Figures)

ONE Hundred Fifty Five Thousand, Eight Hundred Sixty Six
(In Words)

Add Alternate-A (Memorial Plaza) \$ 4,819 (In Figures)

Four Thousand Eight Hundred Nineteen Per Season
(In Words)

Add Alternate-B (Bioswale at Reynoldsburg Community Center YMCA) \$ 2,884 (In Figures)

Two Thousand Eight Hundred Eighty Four Per Season
(In Words)

CONTRACTOR COMPANY NAME: (Type/Print) Grass Groomers Inc.

NAME OF REPRESENTATIVE: (Type/Print) Bryan Taylor

TITLE: (Type/Print) Business Director

SIGNATURE OF REPRESENTATIVE: 

ADDRESS: 7017 Americana Parkway PHONE NUMBER: 614. 759. 7033

Reynoldsburg, OH 43068 FAX NUMBER: 614. 866. 9643

DATE SIGNED: 12-10-2020

Development Department

Emily Wheeler

7232 E. Main Street

Reynoldsburg OHIO 43068

614-322-6829 Phone

ORDINANCE REQUEST

DATE: January 25, 2021

TO: Development, Parks and Recreation Committee

RE: Spring Hill Farm Development Plat Approval

Approval:

Completed Joe Begeny	Skipped Chris Shook	Stephen Cicak
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An Ordinance to Approve the Final Plat Plan for the Spring Hill Farm Development

WHEREAS, Matt Kirk of EMH&T, has submitted the Spring Hill Farm final plat consisting of 22.225 acres for approval; and

WHEREAS, the Planning Commission met on May 7, 2020, reviewed and approved the preliminary development plan for Spring Hill Farm.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1: That the final plat for Spring Hill Farm, particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Reynoldsburg, and in Sections 5 and 6, Township 16, Range 20, Refugee Lands, containing 22.225 acres of land, more or less, said 22.225 acres being comprised of a part of that tract of land conveyed to M/I HOMES OF CENTRAL OHIO, LLC.

Development Department**Emily Wheeler****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6829 Phone**

SECTION 2: That the City Engineer has certified Spring Hill Farm will meet all requirements of storm water and design requirements.

SECTION 3: That said the final plats for Spring Hill Farm are attached to this Ordinance as Exhibit A and are made a part herein.

SECTION 4: That upon adoption by Council, this Ordinance shall be in effect thirty days following signature by the Mayor.



CITY OF REYNOLDSBURG
Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

Application/Case#:

Date Submitted:

Fee Amount:

☒ Paid: check
00239

LAND SUBDIVISION/PLAT APPLICATION

II. PROPERTY INFORMATION

Property Address/Name of Plat:

SPRINGHILL FARM SECTION 1

Description of Location:

704 WALLONER ROAD

Parcel ID#(s):

060-009329

Number of Lots:

56

Present Zoning:

SR

Present Use:

VACANT

Complete Where Applicable:

Engineer/Surveyor: FMHT - MATT KIRK

Builder/Developer: M/S HOMES OF CENTRAL OHIO, LLC

III. PROPERTY OWNER OF RECORD

Property Owner Name(s):

M/S HOMES OF CENTRAL OHIO, LLC

Property Owner Address(s):

4131 WORTH AVENUE, SUITE 310, COLUMBUS, OHIO, 43219

IV. APPLICANT INFORMATION

Applicant Name:

FMHT - MATT KIRK

Applicant Address:

5500 NEW ALBANY ROAD, COLUMBUS, OHIO, 43054

Applicant Phone Number:

614-775-4131

Applicant Email:

MKIRK@FMHT.COM

I. PROJECT TYPE



Subdivision Without Plat
(\$150 Residential/\$250 Non-Residential)



Preliminary Plat
(\$750 + \$50 per lot)



Final Plat
(\$750 + \$50 per lot)



Plat Modification/Vacation
(\$500)

56 lots

Applicant Signature: Matt Kirk

Date: 9 Nov 20

By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner.

OFFICE USE ONLY

Additional Notes:

Zoning Information

- ☐ Historic District
☐ CC Overlay

Planning Com. Meeting

- Date: 12/3/2020
☐ Approved as Submitted
☐ Approved w/ Conditions
☐ Tabled
☐ Denied

City Council Meeting Date:

- ☐ Approved as Submitted
☐ Approved w/ Conditions
☐ Tabled
☐ Denied

P&Z Admin.: _____ Date: _____

Clerk of Council: _____ Date: _____

Attachment: Spring Hill Plat Approval Application (Spring Hill Development Plat Approval)

SPRING HILL FARM SECTION 1

Situated in the State of Ohio, County of Franklin, City of Reynoldsburg, and in Sections 5 and 6, Township 16, Range 20, Refugee Lands, containing 22.225 acres of land, more or less, said 22.225 acres being comprised of a part of that tract of land conveyed to **M/I HOMES OF CENTRAL OHIO, LLC**, by deed of record in Instrument Number _____, Recorder's Office, Franklin County, Ohio.

The undersigned, **M/I HOMES OF CENTRAL OHIO, LLC**, an Ohio limited liability company, by **TIMOTHY C. HALL JR.**, Area President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"SPRING HILL FARM SECTION 1"**, a subdivision containing Lots numbered 1 to 56, both inclusive, and areas designated as Reserve "A", Reserve "B", Reserve "C" and Reserve "D", does hereby accept this plat of same and dedicates to public use, as such, all of Clark Drive, Marilyn Court and Oldham Drive shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement", for the construction, operation and maintenance of all public and quasi public utilities above and beneath the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Reynoldsburg City Engineer. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes as expressed herein.

In Witness Whereof, **TIMOTHY C. HALL JR.**, Area President of **M/I HOMES OF CENTRAL OHIO, LLC**, has hereunto set his hand this ____ day of ____, 20 ____.

Signed and Acknowledged
In the presence of: **M/I HOMES OF CENTRAL OHIO, LLC**

By **TIMOTHY C. HALL JR.**,
Area President

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **TIMOTHY C. HALL JR.**, Area President of **M/I HOMES OF CENTRAL OHIO, LLC**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **M/I HOMES OF CENTRAL OHIO, LLC**, for the uses and purposes expressed herein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this ____ day of _____, 20 ____.

My commission expires _____
Notary Public, _____ State of Ohio

Approved this ____ day of _____, 20 ____.
Chairman, Planning Commission
Reynoldsburg, Ohio

Approved this ____ day of _____, 20 ____.
City Engineer and Director of Public Service
Reynoldsburg, Ohio

Approved and accepted this ____ day of _____, 20 ___, by Ordinance No. _____ wherein all of Clark Drive, Marilyn Court and Oldham Drive shown dedicated hereon are accepted as such by the Council for the City of Reynoldsburg, Ohio.

City Clerk, Reynoldsburg, Ohio Mayor Reynoldsburg, Ohio

Transferred this ____ day of _____, 20 ____.
Auditor, Franklin County, Ohio

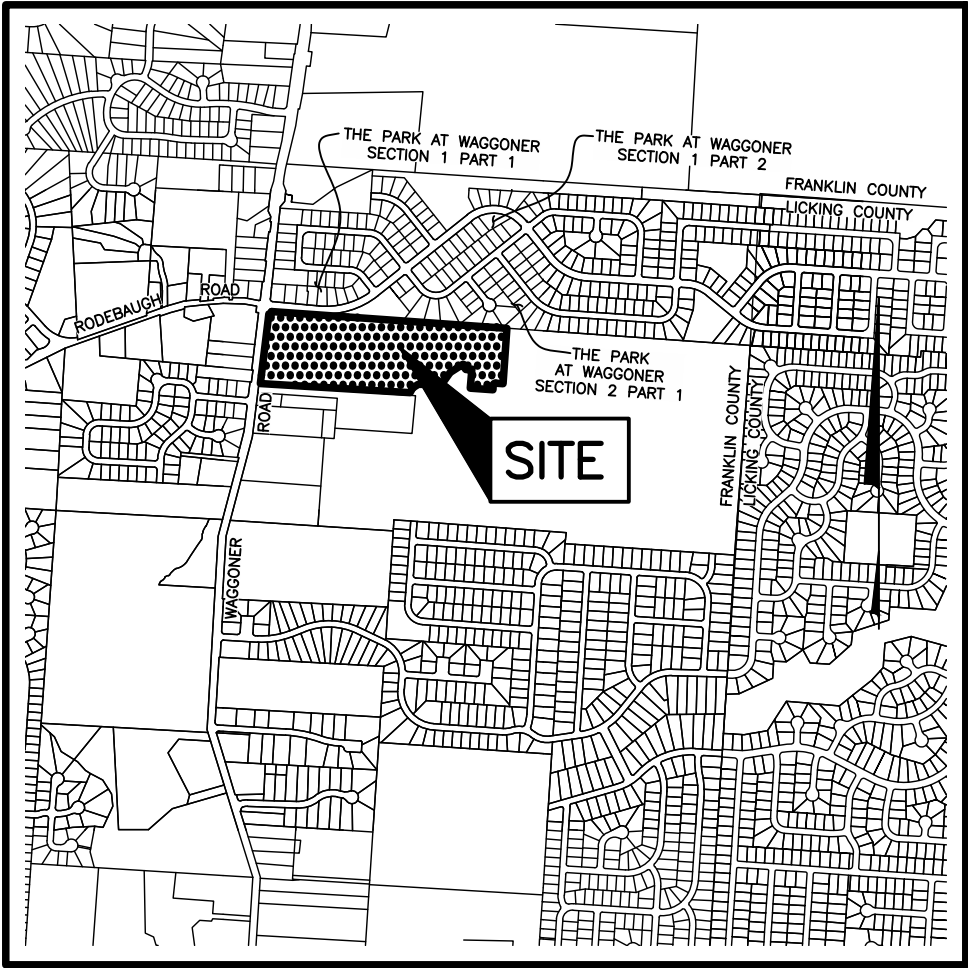
Deputy Auditor, Franklin County, Ohio

Filed for record this ____ day of _____, 20 ____ at _____ M. Fee \$_____
Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of _____, 20 ____.
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments FRANK 48, GLENREST and FCGS 4408 RESET.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inches long, solid iron pins, are to be set to monument the points indicated, are to be set with the top end flush with the surface of the ground, and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED
BY

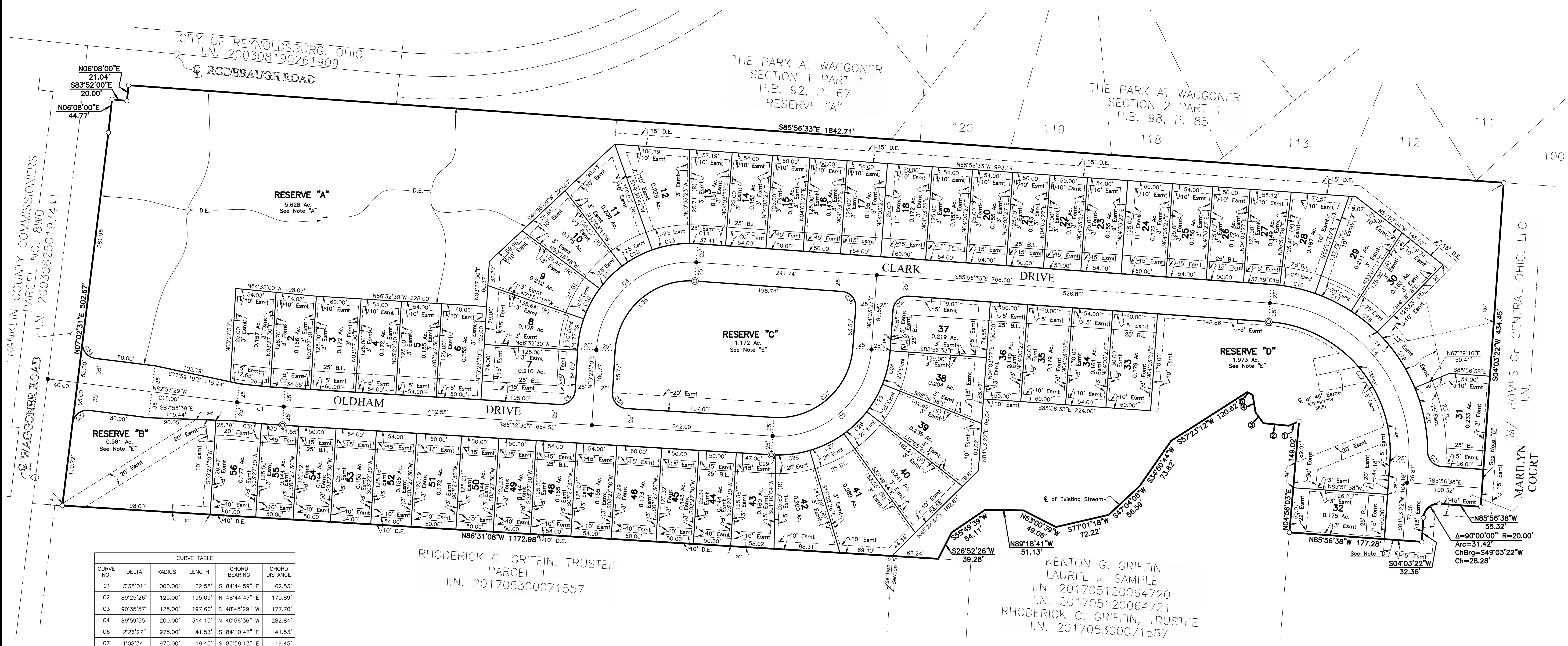


We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ⊙ = Permanent Marker (See Survey Data)

By _____ Date _____
Professional Surveyor No. 7865

SPRING HILL FARM SECTION 1



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	3°35'01"	1000.00'	62.55'	S 84°44'59" E	62.53'
C2	89°25'26"	125.00'	195.09'	N 48°44'47" E	175.89'
C3	90°35'57"	125.00'	197.66'	S 48°45'29" W	177.70'
C4	89°59'55"	200.00'	314.15'	N 40°56'36" W	282.84'
C6	2°26'27"	975.00'	41.53'	S 84°10'42" E	41.53'
C7	1°08'34"	975.00'	19.45'	S 85°58'13" E	19.45'
C8	90°00'00"	20.00'	31.42'	N 48°27'30" E	28.28'
C9	15°41'12"	150.00'	41.07'	S 11°18'06" W	40.94'
C10	17°32'29"	150.00'	45.92'	S 27°54'57" W	45.74'
C11	16°15'37"	150.00'	42.57'	S 44°49'00" W	42.43'
C12	17°32'29"	150.00'	45.92'	S 61°43'03" W	45.74'
C13	19°27'19"	150.00'	50.93'	S 80°12'57" W	50.69'
C14	4°06'50"	150.00'	10.77'	N 87°59'58" W	10.77'
C15	2°55'59"	225.00'	11.52'	N 84°28'33" W	11.52'
C16	12°19'41"	225.00'	48.41'	N 76°50'43" W	48.32'
C17	13°42'04"	225.00'	53.80'	N 63°49'51" W	53.68'
C18	11°25'16"	225.00'	44.85'	N 51°16'10" W	44.78'
C19	23°02'43"	225.00'	90.50'	N 34°02'11" W	89.89'
C20	22°18'45"	225.00'	87.62'	N 11°21'27" W	87.07'
C21	85°44'34"	20.00'	29.93'	S 43°04'21" E	27.21'
C22	89°59'55"	175.00'	274.88'	N 40°56'36" W	247.48'
C23	90°00'00"	20.00'	31.42'	S 49°03'27" W	28.28'
C24	17°35'35"	150.00'	46.06'	N 12°51'15" E	45.88'
C25	16°15'37"	150.00'	42.57'	N 29°46'51" E	42.43'
C26	16°15'37"	150.00'	42.57'	N 46°02'28" E	42.43'
C27	19°27'19"	150.00'	50.93'	N 63°53'55" E	50.69'
C28	17°32'29"	150.00'	45.92'	N 82°23'49" E	45.74'
C29	2°17'26"	150.00'	6.00'	S 87°41'13" E	6.00'
C30	1°35'25"	1025.00'	28.45'	S 85°44'47" E	28.45'
C31	1°59'36"	1025.00'	35.66'	S 83°57'17" E	35.66'
C32	9°00'00"	20.00'	31.42'	S 52°02'31" W	28.28'
C33	9°00'00"	20.00'	31.42'	S 37°57'29" E	28.28'
C34	9°00'00"	20.00'	31.42'	S 41°32'30" E	28.28'

NOTE "A": All of Spring Hill Farm Section 1 is within Zone X (Areas determined to be outside 0.2% annual chance floodplain) as delineated on FEMA Flood Insurance Rate Map, for Franklin County, Ohio and Incorporated Areas, map number 39049C0356K with effective date of June 17, 2008.

NOTE "B" - ACREAGE BREAKDOWN:

Total acreage	22.225 Ac.
Reserves "A", "B", "C" and "D"	9.334 Ac.
Acreage in lots	9.661 Ac.
Acreage in public rights-of-way	3.230 Ac.

NOTE "C" - ACREAGE BREAKDOWN: Spring Hill Farm Section 1 is out of the following Franklin County Parcel Number:

Parcel Number 060-009329	22.225 Ac.
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NOTE "D": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "E" - RESERVES "A", "B", "C" AND "D": Reserves "A", "B", "C" and "D", as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee simple titles to the lots in the Spring Hill farm subdivisions for the purpose of open space.

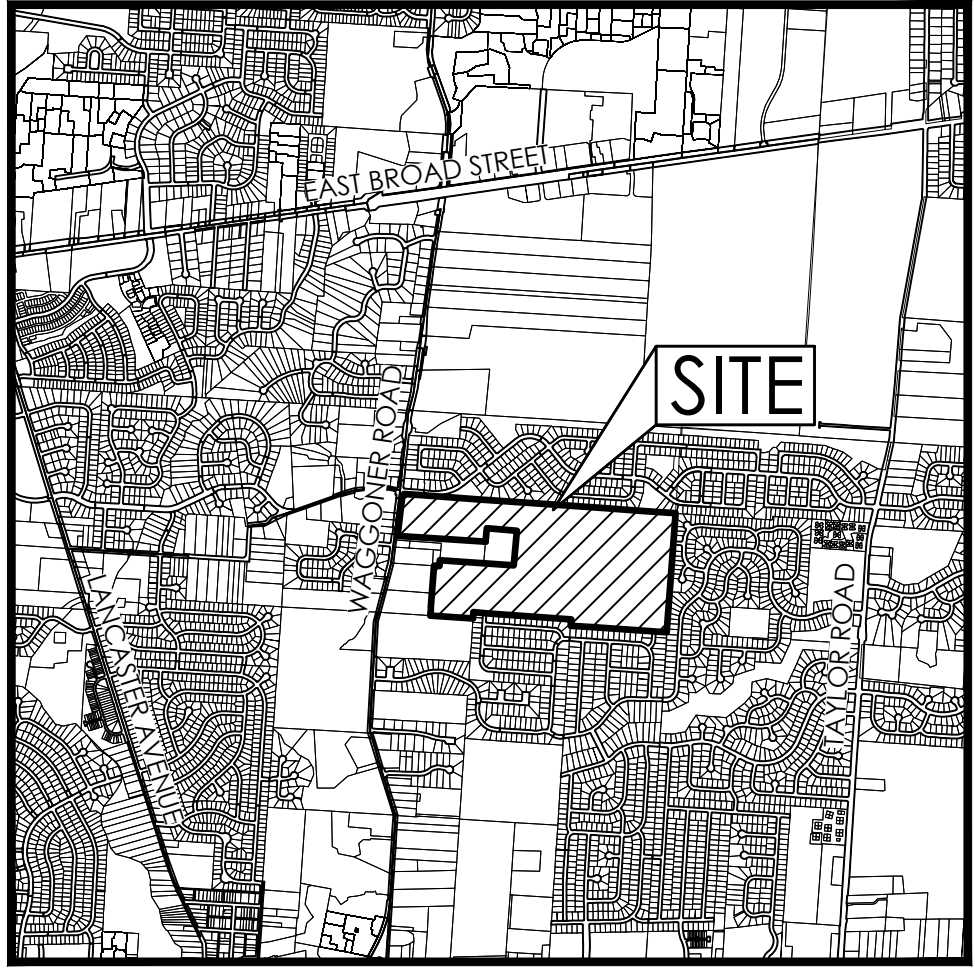
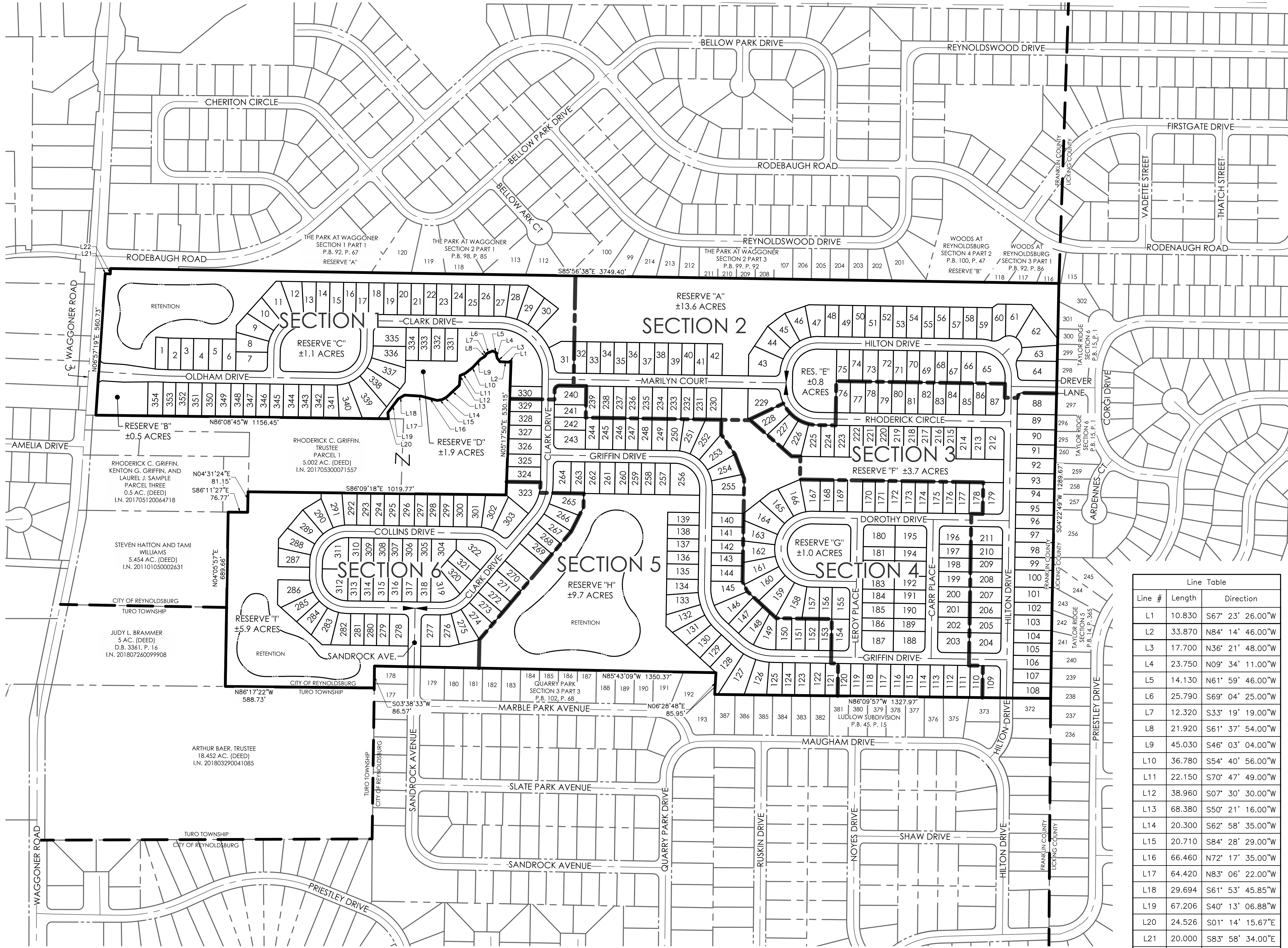
NOTE "F": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Spring Hill Farm Section 1, or any part thereof, can be acquired by a competent examination of the then current public records, including those in the Franklin County Recorder's Office.



Line Type Legend	
	Existing Property Line
	Existing R/W Line
	Existing R/W Centerline
	Existing Easement Line
	Proposed Subdivision Boundary Line
	Proposed Lot Line
	Proposed R/W Line
	Proposed R/W Centerline
	Proposed Easement Line

- ① S67°23'26"W 15.01'
- ② N84°14'46"W 33.87'
- ③ N36°21'49"W 17.70'
- ④ N09°34'11"W 23.75'
- ⑤ N61°58'47"W 8.25'



LOCATION MAP
NO SCALE

SITE STATISTICS:

TOTAL ACREAGE:	±118.2 ACRES
TOTAL NUMBER OF LOTS:	354
50' X 125' LOTS:	120 LOTS
54' X 125' LOTS:	134 LOTS
60' X 125' LOTS:	100 LOTS
TOTAL GROSS DENSITY:	±3.00 LOTS/ACRE
TOTAL OPEN SPACE PROVIDED:	±38.2 ACRES (32.3%)
RESERVE "A":	±13.6 ACRES
RESERVE "B":	±0.5 ACRES
RESERVE "C":	±1.1 ACRES
RESERVE "D":	±1.9 ACRES
RESERVE "E":	±0.8 ACRES
RESERVE "F":	±3.7 ACRES
RESERVE "G":	±1.0 ACRES
RESERVE "H":	±9.7 ACRES
RESERVE "I":	±5.9 ACRES
ZONING:	SR (SUBURBAN RESIDENTIAL)
SCHOOL DISTRICT:	CITY OF REYNOLDSBURG

DESIGN STANDARDS :

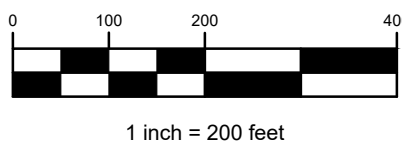
MINIMUM LOT AREA:	
50' WIDE LOTS:	6,000 SQ. FT.
54' WIDE LOTS:	6,750 SQ. FT.
60' WIDE LOTS:	7,200 SQ. FT.
MINIMUM LOT WIDTH:	
(AT THE BUILDING LINE)	50 FT, 54 FT & 60 FT
SETBACKS:	
MINIMUM FRONT YARD:	25 FT.
(AT THE BUILDING LINE)	
MINIMUM SIDE YARD:	5 FT EACH SIDE (10 FT. TOTAL)
MINIMUM REAR YARD:	30 FT.
MAXIMUM BUILDING HEIGHT:	35 FT.

NOTES:

- NOTE "A": ALL OF SPRING HILL FARM IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 39049C0356K, EFFECTIVE DATE JUNE 17, 2008.
- NOTE "B": 5' SIDEWALKS SHALL BE PROVIDED PARALLEL AND ON BOTH SIDES OF THE ROADS WITHIN THE PROPOSED RIGHT OF WAY.
- NOTE "C": RESERVES "A"-"I" OPEN SPACES / STORMWATER FACILITIES SHALL BE OWNED AND MAINTAINED BY THE SPRING HILL FARM HOMEOWNERS ASSOCIATION.
- NOTE "D": ALL CONTOURS SHOWN HEREON ARE SET AT TWO FOOT INTERVALS.
- NOTE "E": ALL EXISTING BUILDINGS WILL BE REMOVED PRIOR TO DEVELOPMENT.

Line Table		
Line #	Length	Direction
L1	10.830	S67° 23' 26.00"W
L2	33.870	N84° 14' 46.00"W
L3	17.700	N36° 21' 48.00"W
L4	23.750	N09° 34' 11.00"W
L5	14.130	N61° 59' 46.00"W
L6	25.790	S69° 04' 25.00"W
L7	12.320	S33° 19' 19.00"W
L8	21.920	S61° 37' 54.00"W
L9	45.030	S46° 03' 04.00"W
L10	36.780	S54° 40' 56.00"W
L11	22.150	S70° 47' 49.00"W
L12	38.960	S07° 30' 30.00"W
L13	68.380	S50° 21' 16.00"W
L14	20.300	S62° 58' 35.00"W
L15	20.710	S84° 28' 29.00"W
L16	66.460	N72° 17' 35.00"W
L17	64.420	N83° 06' 22.00"W
L18	29.694	S61° 53' 45.85"W
L19	67.206	S40° 13' 06.88"W
L20	24.526	S01° 14' 15.67"E
L21	20.000	S83° 58' 34.00"E
L22	21.410	N05° 53' 49.00"E

GRAPHIC SCALE



J:\2019\171\Draw\04\Revised\Preliminary Plat\1 Index Plan.dwg, Last Saved By: sathana, 4/23/2020 10:52 AM

REVISIONS	
DATE	DESCRIPTION

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43254
Phone: 614.775.4500 Fax: 614.775.3648
emht.com

MI HOMES
Move Up
mihomes.com
3 Easton Oval Loop
Columbus, Ohio 43219
Phone: (614) 392-7720

CITY OF REYNOLDSBURG, FRANKLIN COUNTY, OHIO
PRELIMINARY PLAT
FOR
SPRING HILL FARM
INDEX PLAN

LOCATED IN:
SECTIONS 5 AND 6, TOWNSHIP 16, RANGE 20
REFUGEE LANDS
CITY OF REYNOLDSBURG, COUNTY OF FRANKLIN, STATE OF OHIO

Date	Job No.
APRIL 27, 2020	20191171
Scale	Sheet
1"=200'	1/12



MINUTES

PLANNING COMMISSION THURSDAY, DECEMBER 3, 2020 6:00 PM

**PLACE: COUNCIL CHAMBERS
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068**

A. CALL TO ORDER

PRESENT: Cullinan (Remote), Zollars (Remote), Hicks (Remote), Furst (Remote), Benner (Remote)
ABSENT:

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – November 5, 2020

Minutes Stand Approved

3. APPROVAL OF AGENDA

Agenda Stands Approved

4. SWEARING IN OF SPEAKERS

Speakers for the evening were sworn in by Mr. Zollars.

B. PUBLIC COMMENT

None

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. Application # 2020-5514; 704 Waggoner Road; Applicant Matt Kirk (EMH&T); Final Plat (Spring Hill Farm)

Mr. Zollars: So let's go to new business application. 2020-5514. Can you set this up for us, please?

Ms. Wheeler: Yeah, this is just the final plot for the Spring Hill Farm subdivision that planning commission had already approved the preliminary plat. This is specifically for Section one. What I have up on the screen now visualizes how they're dividing the different sections. As I said, section one is up here in the top corner here and then I'll pull up the specific subdivision plat here.

Mr. Bowsher: It should be no, there is no change from the preliminary plat that was before you guys to the final plan. No, no changes.

Mr. Zollars: OK, so there's really nothing to discuss?

Mr. Hicks: I just had Mr. Chairman. Just one quick comment. I think when this came before us for major sight plan, my biggest concern was traffic. I think that after talking about it and the unfortunate circumstances of how this project ties into Waggoner Road and sort of the limited available options of being able to get that curb cut and the Waggoner road, my biggest concern was that we were creating another intersection there that didn't create a true four way intersection, which would be ideal, and Waggoner, which has all kinds of traffic problems. So I think it's unfortunate that there wasn't a way, I think with a condition that we put forth in the meeting was that the location of the curb cut had to be approved by the city's engineer in regards to traffic and picking the safest location. After talking with staff, it appears the city has achieved that. I know it's not an ideal situation, but we are dealing here with an infill property with a lot of decisions that have been made in the past on where curb cuts and other communities have tied in and where they step out. I think there's a lot of positives to this development. And even in regards to traffic. This community ties into three or four other locations and other communities that will help hopefully relieve some traffic congestion at some of the other intersections along Waggoner Road and provide better connectivity for some of those neighbors that have always been sort of waiting for the next phase of development where those road connections will come in. So I just I hope everybody here on Planning Commission is cognizant that proper planning and new communities is really important, that these intersections and the public improvement aspect of it is what we really, really have to focus on. And unfortunately, Reynoldsburg, we just have a lot of areas that don't connect well. We've got a lot of dead end streets, things like that. Which we'd like to avoid but understanding all that, I mean, I don't see any reason why the staff and the applicant haven't achieved those conditions that we set in our last time we reviewed this proposal.

Mr. Zollars: Emily, staff, I should say, so we are currently unable to tie this into Rodebaugh, so it's going to be jagged, there's going to be a stop sign at Rodebaugh, a red light at Rodebaugh and then another entrance, what, a couple hundred yards away, correct? That's what we're approving?

Mr. Bowsher: Yes. That's what you approved when we did the Planning Commission. You're not really approving that. We've already approved that. And then the goal was to allow the city engineer to make sure that it was safe. All the approval is tonight is based off of an ORC code that states that you are agreeing that these plats meet what you have intended and you're accepting these plats into the city of Reynoldsburg, as stated here, and then this will go on to city council for a final plat. It's just something we have to do, but it really has nothing to do with the specifics of the development. It's more so you're talking about these parcels, these fifty six parcels right here. We'll have this probably come up six more times as they start to develop it through. And they may try to do and combine sections together on how fast this gets developed and build out. And with the second hottest real estate market in the country right now, we'll probably have another one here come maybe even two next year as well as we go through this development.

Mr. Zollars: So with that information, if there's no questions or no further comments, I'd entertain a motion.

Mr. Hicks: I'd like to move that we approve the plat application as submitted.

Mr. Furst: I'll Second.

Mr. Zollars: Can we get the roll call on it, please?

Ms. Wheeler: Mr. Benner. Yes. Mr. Cullinan.

Mr. Bowsher: Tyler says, yes. He can't get on the microphone, he put it in the chat for the record.

Ms. Wheeler: Mr. Furst. Yes. Mr. Hicks. Yes. Mr. Zollars. Yes.

RESULT:	APPROVED PENDING COUNCIL REVIEW [UNANIMOUS]	Next: 12/14/2020
	6:30 PM	
AYES:	Cullinan, Zollars, Hicks, Furst, Benner	

2. Zoning Code Text Amendments

Mr. Zollars: OK, very good. The second item on the agenda is the zoning code, text amendments. Mr. Bowsher, you mentioned a couple of things before the call started. Is there something specific we want to address? Or. Mr. Hicks, you wanted to have something reviewed as well, or have those been done, Mr. Hicks?

Mr. Hicks: Yeah, I had emailed staff before the meeting. I appreciate the hard work that's been put into the zoning code. We have a new zoning code. And for everyone you know that's just watching at Facebook, I'm sorry, we can't have an actual in-person meeting tonight. But as we were developing the comprehensive plan and the zoning code, there was always an intention that we were going to have to at some point once you started living with the new code to make adjustments in order to make everything work. I appreciate the hard work the staff has put into making these changes and the red lines. And I appreciate the way that it was presented to us. I had a few minor critiques and changes. One was some of the permitted uses within the community commercial area, which, from what I understand, those changes have been made. I had some comments in regards to commercial vehicle parking, parking on the street, recreational vehicle parking, and where those are permitted to be located on someone's lot and also some comments and questions in regards to design guidelines on window trims and things like that. So it's my understanding and reviewed language that those first three changes have been adopted. I don't think that we've been able to adopt my last request for some reasons, I think we just need some more time to be able to work through something like that. I think I just want to stress that as we've adopted the new code, we've made these changes and sort of calibrations to things to be able to fix some stuff that were just unforeseen

complications with it. I think it's a great step forward again for Reynoldsburg. And then as we make that next step, I think we always need to be thinking about how we're going to make this better. I think implementing some common sense, additional design guidelines for some of the development will be necessary at some point. I think we'll have to have more conversations about how we handle issues like that. There's there some issues that we've talked about and ask as we're developing this whole thing. An issue that was brought to my attention today, again, was, you know, there's communities like Huber that are primarily all single story that have some rebuild houses, houses that have burned down and be rebuilt, that we've been challenged in trying to figure out how to actually regulate, to make sure that they conform with the rest of the community. And how we handle situations like that, I think maybe isn't quite as addressed as we could be in the code at this point. So I think that's it for my comments. I think those bigger issues were addressed and the changes and red lines that were sent, which is good. But one thing I think that next step we need to be thinking about is maintaining a minimum level of quality for any new development, whether it's a redevelopment of an old parcel or a new community, to ensure that it is an adequate and good quality product in those locations going forward.

Mr. Zollars: Very good. OK, I agree. Thanks, Hicks. Anyone else from the commission or from staff want to add to or elaborate on any of the activities to this point?

Ms. Wheeler: Yeah, I mean, I was going to propose going through each section, just putting up the red line text and then just doing a quick overview of what was changed. If we want to do that.

Mr. Zollars: I don't really feel like going through one hundred pages, quite frankly, if we can keep it at a higher level.

Mr. Bowsher: Maybe let us go through the overall and if there's something that we want to talk about, we can dove into that Id that fair? I think it's important to something overall and then let us read through real quick.

Mr. Zollars: OK.

Mr. Bowsher: So kind of starting from the top, obviously, we had some Brice and East Maine district and also the east main street also, basically our insight districts, the majority of this was removing the maximum side yard and the maximum rear, amending maximum density, and then obviously adding and changing some of the uses. We made some of those changes to correspond with; to better suit the uses that we expect to be there and the ones that we are happy with. Then also, I think it was interesting because clearly this zoning is the Brice and Main is the Kmart center. And clearly, we had a Walgreens, the one that came in there, needed to get some variances. I think those variances were already there, but I think we needed to limit some of them. And so that was a good test case as we were sort of moving

through that. So that's kind of what we have pretty cut and dry on that one. Suburban residential obviously changing some of the permitted and conditional uses, mainly the school, amending the accessory building location and then removing garage design standards, the specific one. And I think a lot of this kind of came up when we discussed it at BZBA last time about the one covered and one uncovered parking spaces to change to just two off street parking spaces. Granted, we see this the majority of the time and the Huber neighborhoods. Additionally, talking about where that garage location would be. We did have it needed to be six feet behind the front building facade. That didn't seem realistic. So we had to change that. Then we move that to the garage requirements later on in the common regulations where it stands at. Moving on, residential medium, we amended the maximum building height that was the main change for this one, and then the community commercial obviously not put here is the changes that Steven had requested. But the majority of these were the permitted and conditional uses and making sure they're in line with what we expect to have in this community commercial zone. We see this as a current CC district, very suburban, but also moving into more of a mixed use district and allowing a various office park food service, big box retail, small medical and overnight lodging hotel, and motel. Moving on, we went to the innovation, we made some changes to this. This is obviously down on the Brice area as well as L brands and the Ohio Agricultural Department out on Main Street. This was just better aligning the uses and what we desire to have in those areas, adding in some ones that got missed, like medical office, things of that nature, and then bringing some of the conditional uses that we do want permitted. We don't want to make people have to jump through uses for things such as like a visual art center or something like that. So just changing some of those and then changing some of the permitted uses for ones that maybe are less desirable, like the vehicular sales, a shooting range and things of that nature to more of a conditional. So we have a little bit more teeth as we're starting to review applications. We don't want to allow just a slew of bad uses in the city without us having an extra layer of protection. Signs, there was a lot of redundancies, these changes were to better align what we're seeing out there, we were putting on secondary uses which weren't in line with what we actually wanted. And so we got rid of those and we went into a little bit more detail. We can allow Emily to do this, but this was sort of her brainchild. She deals with this every single day. So this was better aligning to what was the intended purpose of the sign portion of the code. Obviously, the accessory structures, we talked about the garage design standards, so those changes and then they got added into this section. Landscaping a buffering the submittal of the landscaping plant and a tree survey and then zoning certificate now required for additional pervious surface, just better aligning to what we're seeing. Supplementary use conditions, traffic study for drive thru establishments at the discretion of Planning Commission or BZBA, and then zoning permit not required for a roof mounted solar panels. Nonconformity's, discontinuation timeline to three months, so this basically means that if there is a use that is a non-conforming use inside of the district instead of the two years that they did have, it will be changed to three months. So it can only sit vacant for tops of three months before a use could go in there or it reverts and they lose the non-conforming clause and they do have to then

conform for any future use there. It's a good protection, especially as we start to change some of these uses that does not meet the context of the comprehensive plan and where the city is moving forward. So it's really to get those uses phased out in a much more aggressive fashion.

Mr. Zollars: Andrew, could you please give us an example of what this might be?

Mr. Bowsher: Yeah, so I think where we're going to see this the majority of the time is in the innovation area along Brice Road. So as we're trying to bring different businesses there, we need to get rid of some of the smaller retail type establishments that no longer belong there and fit that needs of what that corridor and what we envision as the corridor. So instead of allowing a user to come in time and time again and continue to sign new leases and not getting really what we want, we're limiting the opportunity of vacancies inside that building to sit there and then a new user to come in and still be a non-conforming use. At this stage, it means it can only sit there vacant without that use being activated for three months before it gets reverted to the new portion of the code.

Mr. Zollars: Thank you.

Mr. Bowsher: Zoning certificate, this was something that city attorney Shook wanted added in there, utilizing our property maintenance code and violations and making sure that better aligns to how we function as the city and giving us a bit more teeth and making sure that it's not just Emily reviewing all that, but our code enforcement team that's reviewing zoning violations and property maintenance violations. Then the site plan and design review, we wanted to better align what we were taking a look at, when somebody submit something, we've actually changed it. It was just too close when we were talking about just a standard site plan and a major site plan. So we went back to the minor site plan and a major site plan. And then that minor site plan is basically anything that's less than five thousand square feet. Some of those and we've outlined to better align to what Emily and myself actually need to review and to check mark boxes before it gets put on the planning commission. And we're not asking for site civil type drawings just yet. So we need to do better, align with what we were asking for. So landscape concept plan, transportation and parking plan, current zoning of the parcels, location of buildings and structures, location of existing water, body streams, drainage ditches, the dimensions of the property line parcels and adjoining right away and then a standard site. So all these things we look for, it's always what we've had. We just don't want to overdo it. And then of course, once we get into the major site plan, we can ask for additional things if Emily finds it necessary, as well as planning commission. Then the major site plan. The biggest difference is minor site plan can be reviewed in house being less than five thousand square feet in size. Major site plan is anything over five thousand square feet, whether it's residential or commercial. Minor site plan is only commercial property. But what we don't want is somebody that wants to build a single family home that has to submit twenty thousand dollars in design when really we're just trying to review the architectural details of the home as well as the

site plan, so wanted to make sure that we weren't overstepping on something of that nature. Certificate of appropriateness, we had it on 30 days that didn't align to actually what we needed. So it's a 14 days prior to the Planning Commission meeting and the certificate of appropriateness, as everyone knows now, is mainly just in the old Reynoldsburg districts, the two districts there, both neighborhood and commercial.

Mr. Hicks: Do you guys have the updated language for the commercial vehicle and RV thing, might just be good to touch on that? Thank you.

Mr. Bowsher: Chris, since you wrote that, you want to touch on this one?

Mr. Shook: Yes, so at the request of Commissioner Hicks, we took a look at the commercial vehicle parking restrictions in residential districts. We went ahead and decided that we would permit dual axle trucks in that district that are less than fourteen thousand pounds as long as they are parked on the lot. So the way that I structured it was to change the language so that trucks having dual tires on one or more axles or having more than two axles will still be prohibited on residential streets, but will be permitted if they are parked in the driveway in a residential district as long as they are under 14 thousand pounds. In addition, we looked at the RV language, if you want to scroll down a little bit to that. We changed up the RV language to make it easier for residents to be able to have an RV on their lot in the City of Reynoldsburg. Quite frankly, it would have been impossible for the city to effectively enforce the code as it was constructed before. So what we've done is we do allow a residential vehicle to be parked in a residential district as long as it's in an enclosed structure and we allow at least one or a maximum of one recreational vehicle located outside an enclosed structure in a residential district as long as it's parked in the driveway, as long as it's three feet from the front right of way, and as long as it's three feet from an adjacent property. We have some other restrictions in there as well that were already included in there. But what we wanted to do was we wanted to make it easier for residents in the City of Reynoldsburg to be able to own and possess on their lot a recreational vehicle. It would have been impossible for us to enforce it the way that it was previously written.

Mr. Bowsher: Thanks, Chris. There was a question that came through just as related, not to this specific one, but Mrs. Sarah Reed brought up. The question was she said, Stephen Hicks, that's a great point, drove through Retton today and my husband and I noted the two story house cited in the midst of the one to one and a half story brick homes that did stick out a bit. How would the new zoning code help us in the future? In fact, that was one thing that was correct when it was in there. Unfortunately, the old zoning code a long time ago for that whole area allowed for two and a half story buildings. Yes. Not in line with what that area is. And that's how they have that basement and makes it look like its two and a half stories. So we limited the building height. That's something that we're not changing and we're keeping it in there. So it's only a maximum of two stories, not necessarily next to that house, but in the Huber neighborhood as you get closer to Main Street, there are

two story homes in the Huber area and that is where it conforms to. So we have a height standard. So that home, if they were to come back and try to rebuild that as of today, it couldn't happen again.

Mr. Hicks: If they ever finish it?

Mr. Bowsher: Correct.

Mr. Furst: Mr. Chairman, if you will, I am kind of sympathetic to Mr. Hicks comments regarding the minimum quality standards. I know with modern building construction, one of the nightmare type scenarios that we're ideally looking to avoid when we've talked about things like minimum trim requirements and things like that, is that wall of vinyl sort of look where if there's very minimal trim and just something to cover the cuts in the vinyl or virtually no trim at all? I personally think that's a very unattractive look and that's not doing anything to sell the property. I think you're increasing the risk for maintenance issues further on down the line. And, you know, certainly we don't want to set ourselves up for a scenario where you might put in a product today and 10, 20, 30 years from now, if it falls into disrepair, I think if you have a much more esthetically pleasing product, something that seems more complete, not just that's had some corners cut for the sake of keeping it to a bare minimum price point, then you avoid some of that scenario. So I know that someone has brought up that Mr. Benner wanted to have a discussion about the architectural design standards. I think Mr. Hicks concern kind of corner stone's nicely with that discussion. I'd like to talk about that now if we could.

Mr. Zollars: Yeah, go ahead.

Mr. Benner: Yes. Mr. Hicks and I were able to talk a little bit this afternoon. I'm assuming everyone received his email with the changes that he wanted to have included in this amendment. And I'm sure you all have your various opinions. I guess what Mr. Hicks and I were able to agree to today is that design standards are probably going forward, a very important part of what we're doing here as planning commission, especially with the increase in development that's happening here in Reynoldsburg. I'm not sure it's such that we can discuss it this evening and that it makes this particular change. You know, in the weeks that we've been meeting to make these amendments, the one thing that's come up constantly is that this is a huge living document that is going to require that it be looked after and possibly changed over time. We could be back in six months. We could be back in a year. I think architectural standards like we're discussing will require more time than we have this evening to come up with. A three inch trim, I drove the city today just to look at some of what's out there. And, you know, you have you have brick structure with absolutely no trim around any window. You have stone and stucco, sometimes without trims around the windows. On the other hand, all vinyl with just J channel running right up to the edge of the windows in the hole there certainly is unattractive. I think my reply in the email to Mr. Hicks was that that's absolutely the most unattractive two story home with no trim whatsoever. Just a wall of vinyl is not

something that we probably want. But just saying three inch trim on all windows and doors, I think is a little arbitrary, not something that we could really do quickly. I think it does merit more discussion, more thought, maybe another committee. I don't know. I just don't think that we can make that this evening.

Mr. Bowsher: I think that makes a lot of sense. It's something interesting. I was talking to an ex council member today and kind of brought this up. And I talked with Emily about it as well. You know this document. Yes, we have to have it. A living document. There's a lot to it and things like that. I think that we've done some great work and kudos to the individuals that helped us. It wasn't just staff, but there was members of council. There was two planning commissioners that are here tonight, both Alex and Keith, and input from everyone, the mayor included. And obviously Attorney Shook. I want to note that the next phase of this is updating our development handbook, and I think that's where I'm trying to get to, is maybe the architectural designs as we get into real tough specifics, probably need to change to called the developers handbook because it's more of a document that's based in details; architecture, engineering. Talks about specific ready mixes for streetscape, things of that nature. You know, potentially maybe that's something where that could live in that we then give to a developer after it's done and saying if it we're going to say across the board, we're looking for these things. Maybe it's something that we can get back together on as we start to update that, because we do mention that here in the zoning code that that's the next phase as it gets in the site civil drawing that those are things that they need to have included. It's just something to discuss. But it's a thought.

Mr. Zollars: Very good, good discussion. I have a question on particularly on the, I can't zoom down. Whatever section we're currently looking on the parking on the streets and the part with two vehicles, what is the enforcement procedure and what are those timelines? Is that in here somewhere?

Mr. Shook: So the enforcement mechanism is going to be in Section 1109 and we did change significantly the enforcement section to provide a little bit more detail about what that process would be and who would have the power to enforce the code. Previously, it was just the planning and zoning administrators so it put all of that responsibility on Emily. So we rephrase that so it would be the planning and zoning administrator or the designee in this case. And in these kinds of cases, that designee would be one of our code officials. What they do is that they observe a violation out on the street. And we've had several of these kinds of violations this year. They issue a notice of violation to the property owner with a recommended corrective action to take and a time line for the owner to take that corrective action. If they don't take that corrective action within that timeline, then we cite them in the mayor's court. Unfortunately, our previous code wasn't all that specific about what penalties we could necessarily enforce. It was before the changes that we put in here today. All we had was a maximum fine of two hundred fifty dollars for any zoning code violation. So we wanted to put a little bit more teeth into that. Now with the changes that are being proposed to the commission tonight, it would give us the

ability to be able to impose daily fines, fines of up to a thousand dollars, the ability of the city to seek penalties of civil forfeiture for zoning code violations. Not that we would necessarily ever intend to go that deep with it, but the intent of those penalty provisions is to be coercive, to motivate people to comply with the code. So we have we have some significant enforcement mechanisms in place with these changes.

Mr. Zollars: Thanks for sharing that. What else you have, Mr. Bowsher?

Mr. Bowsher: I believe that was it for the changes. Emily, was there anything on another page that I missed? As you were scrolling through, I can't remember where we left off. I apologize.

Ms. Wheeler: Nope, that was the end of the summary documents.

Mr. Bowsher: OK, thank you.

Mr. Hicks: On the technical question would be the action of this party tonight would be to recommend approval to council of the updated zoning changes. Is that correct?

Mr. Shook: That is correct. So if we have changes that need to be reflected here on the record that are different than what's been presented to the commission in the packet, we'll need a motion to amend so that those changes can be reflected. So that would include the changes in the community commercial district that take multi-family housing and make that a conditional use of the changes in the parking restrictions for commercial vehicles and for recreational vehicles. Then there's one other change that I noted that we had discussed that wasn't included in the package. I would ask for a motion to amend to reflect this changes that adult oriented businesses. We're going to be removed as a use in the innovation district and placed as a use in the community commercial district. Just to go into some detail in the minutes about that, as several members of this commission may be aware on the Columbus side of Brice Road, we have had adult oriented businesses that have created several problems in that corridor, including drug trafficking, prostitution, violent crime. The City of Columbus has had to shut down two of those facilities in that area. The one thing we don't want is for those kinds of businesses to be a permitted use on our side of that street to make that problem even worse.

Mr. Zollars: Very good. Perfect. So did any of you commissioners get those amendments? I would care to put that into a motion.

Mr. Hicks: All right, I'll try. Mr. Chairman, I'd like to make a motion to amend the proposed changes to the zoning code and include the following amendments. First, I'd like to include the amendment of the community commercial code, removing the multifamily uses from permitted to conditional. Secondly, I would like to amend the code in regards to On-street parking and parking for commercial vehicles with the proposed language. Thirdly, I would like to amend the recreational vehicle parking

and storage requirements in the code. And fourth, I would like to amend the removal of adult oriented businesses from the innovation zone to the community commercial zone as a use.

Mr. Zollars: Does that cover everything, Mr. Shook?

Mr. Shook: Thank you.

Mr. Zollars: Very good. Thank you, Mr. Hicks. There's a first. How about a second?

Mr. Benner: Second.

Mr. Zollars: Thank you very much. OK, we get roll call on those?

Mr. Hicks: And we're voting on just those amendments and then we'll vote on the entire code, correct?

Unknown: Yes.

Mr. Zollars: All right, Emily, we have a first and second, so if you could call the vote on those amendments, please.

Ms. Wheeler: Yes. Mr. Benner. Yes. Mr. Cullinan. Yes. Mr. Furst. Yes. Mr. Hicks. Yes. Mr. Zollars. Yes.

Mr. Zollars: Very good. Thank you very much on that and for staff and Chris and everybody explaining and detailing that out for us.

Mr. Furst: Mr. Chairman. If you don't mind, I move that we recommend the changes for approval by City Council.

Mr. Benner: Second.

Mr. Zollars: Can we get the roll call on that, please?

Mr. Benner. Yes. Mr. Cullinan. Yes. Mr. Furst. Yes. Mr. Hicks. Yes. Mr. Zollars. Yes.

E. OTHER BUSINESS

None

F. ADJOURNMENT

Chairman

Planning and Zoning Administrator