

MINUTES REGULAR COUNCIL MEETING
REYNOLDSBURG CITY COUNCIL
June 22, 2009

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

Members of Council present: Barth Cotner, Donna Shirey, Ron Stake, Fred Deskins, Jr., Doug Joseph, Mel Clemens. Councilwoman Leslie Kelly was absent.

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

Minutes of the regular Council meeting held June 8, 2009 were approved without objection.

The agenda was approved.

Community Comments and Requests.

President Hills: I will note that I do have four speaker slips and if anyone else wants to speak, please turn in a slip afterwards; and I'll start with the No. 1, Charles G. McGrath, 1358 Rosehill Road, Reynoldsburg, Ohio 43068, citizen's comment. Mr. McGrath.

Mr. McGrath: Thank you, Mr. President. I guess my main intent here is, I live on Rosehill Road between Main Street and the High School and we've been undergoing a repair of the streets and the curbs and the gutters and the approaches. My comments are, I been thinking all along about this; they've been there about two months doing this work. They did a fantastic job.

So I've got to thank the Council, I've got to thank the Mayor, I've got to thank the Engineering Department. Whoever hired that company should get an award for it this year. They are outstanding. Their work didn't disturb anybody. They went out of their way to make sure we weren't inconvenienced in any way. They, I think they almost finished today, because I think they put the last cover asphalt down today. It looks wonderful. They replaced everything in there, the curbs, gutter and they did it so rapidly you couldn't believe it; and I, when they got, they had a bit of trouble the first couple of weeks and hit a lot of rain. The week they were close to our house, at the end down there close to Main Street, they told us, 'well, you won't be out of there, you won't be out of your house, or out of your driveway long'. He said if you want to get your cars out, get them out, you'll only be out a couple of days; and I said I've seen a lot of curbs and gutters going in in my life and, ah hah, so we pulled them out Wednesday afternoon or Monday afternoon. Thursday at Noon he said you can drive right back in now. We couldn't believe it! Everybody, at least around me that, you know, that live around in my immediate vicinity were praising them for the work, Kokosing Company. Very good. The employees come to work, they're neat and clean, they work all day - dirty when they go home maybe, but the work is just stupendous, and they're very kind to everybody they come in contact with, and they didn't mess up any more than they had to. If they had areas that had to be, like we had a hill they had to change a little bit on one of ours and they told us ahead of time what they were doing and why they were doing it.

So we're all very satisfied, and I'm satisfied, and I appreciate it. I spent a lot of years in

public service and I've seen a lot of projects in my life, and I don't think I've ever seen one that ran that smooth, and I appreciate it. Thank you.

Mr. Hills: Mr. McGrath, I sincerely appreciate your comments as I'm sure Administration and Engineering do also. It's a pleasure when we hear about something good.

Next speaker slip I have, Bruce Sowell, 2003 Baldwin Road, Reynoldsburg, Ohio. Topic says Church, Brice Road. Mr. Sowell.

Mr. Sowell: First of all I want to thank you for the opportunity to speak before Council again and the last time I was down here was something totally different. What spurred me to come to Council today was I had a copy of the, "*This Week Reynoldsburg*" and it said a resident objects to allowing a church in from a pool hall, and I got to thinking, it says that, I think it's about Ken Wright, well, Ken Wright speaks for Ken Wright. He didn't speak for me and a lot of people that I know in the neighborhood and based on the situation that's going on down in the area, I think we would pretty much welcome the church if it was, the way it was to come in. Now, he says that it shouldn't be in the process of seeing a lot of churches in a storefront. Why I have to tell you, a lot of great churches, especially that I knew about started in a storefront. Pastor Rob Parsley is one of them. He had a storefront down on Lancaster Avenue. Now with the former space that the church wanted to move in, I hope they figure out whatever issue that was, and then get that straight. That where they wanted to move in used to be a pool hall - it used to be a bar, it used to be a pizza place, several pizza places, and it used to be, so I think one part of it a house of worship at some point. I was pleased to see that Council up to that point had supported a move, for them to make to addition in there. A preacher by the name of Charles T. Clark saved my life twenty years ago and he was in a storefront church. He started his store, his church in a basement of his house. So with the addition of the church coming in the neighborhood, if they can help some of the people in the apartment complex, so that even if they helped a few, I think it would be a good thing for this community. This community when the going gets tough, it gets together. Point in question, what happened to Robert Wirtz. It started out, just a small groundswell; people coming in putting in a few dollars here and there, but you wouldn't think that many people in this community cared. So what I'm saying is that I realize the controversies that have been back and forth or stuff like that and that's not what Reynoldsburg is all about. Pastor Wright, I mean, Ken Wright, doesn't speak for what's in my heart. It says that when two or more people get together and they decide something that comes up for the common good of the community, I think we should welcome and embrace that; and if this Pastor, which I haven't met before, is willing to put his church right down in the middle of things and kind of help out, I think we should help him out to, with his vision I guess, of trying to help people in the community. I would prefer to see a church there rather than an empty storefront. You know, it's about what's, like I said, what's in one person's heart. So you know, like I said, when I read the story right here, I said, Mr. Wright doesn't speak for me. He doesn't speak for a lot of people. He might have spoken for himself, but he didn't speak for the people I know. So I would hope that whatever situation, when they do get it straightened out, that we do go forward and approve the expansion of the church. I see nothing wrong with it, and I live in that area, too. I just want to give you, let you guys know how I felt and what the, what Reynoldsburg is all about. Thank you.

Mr. Hills: Thank you for your comments, Mr. Sowell. Next speak, oh excuse me, Mr. Clemens.

Mr. Clemens: Yes, as Service Committee Chairman, I want you to understand, it's not being held because it's a church.

Mr. Sowell: Well, I know that.

Mr. Clemens: I mean, I just want to make that plain.

Mr. Sowell: Yeah, I know that.

Mr. Clemens: It's not being held because it's a church.

Mr. Sowell: I, that's why I came down here, because I knew, you know, I was reading the article in the paper and I knew that with the support around Council, and I don't think, and I read your comments, Mr. Clemens, that it's being held because of other matters or whatever came up, but as a resident who lives over there and I don't live in the Huber area, I live in the Eastshire part of it and it's split by Livingston Avenue, but as a community when we come together and we get things going great, then the community of Reynoldsburg shines. You know what I'm saying? And I also want to thank the Mayor for his, whenever I've been able to call and complain, to talk to him, he's helped me out so, you know, I've asked Pastor Reynolds to come in tonight. She is also, she also has a church in that area, and she has some comments and things that she would like to bring up, but at this point, like I said, I don't, I haven't met the minister. I don't know what he does, what he's done, but if he's willing to come in and take that opportunity to be a part of the community, we should welcome. That's all I'm saying.

Mr. Hills: Thank you Mr. Sowell for the comments. Next speaker slip I have is Pastor Reynolds. If you'd like to stand back there, it's fine and the topic it shows is Task Force. Is that correct? You can be either place. It looks like that mike may be missing back there. Is it?

Mrs. Frazier: No, it's there.

Mr. Hills: Okay.

Pastor Reynolds: First of all, I would like to say 'Good Evening' and thank you Mr. President and Council members. My name is Lejune Reynolds and I'm the Senior Pastor at We Touch and Agree Christian Ministries located at 6455 E. Livingston Avenue. I live on Farmsbury Drive and I've been a resident of Reynoldsburg for over ten years. I have children and grandchildren who have graduated, and are still attending the Reynoldsburg schools. The reason why I'm here this evening is because I would like to have more information about the Task Force here in Reynoldsburg, Ohio and would like to get involved with doing things to help our community to be a better and a greater community. One of my primary things is helping young people in finding projects and doing things to keep them involved. Our church, because of where it's located, we actually have a lot of dealings and contact with the people that are east of, I mean south of Livingston Avenue over where the High School is, in between the expressway. So my

concern basically is I would like to get more involved and perhaps some of the members of our church, so that we can help generate and work with the Task Force to bring about a lot of good projects for our young people. Thank you.

Mr. Hills: Thank you and I'm sure Pastor that probably, and I'll look to the Mayor first, like contact her through somebody in Administration, that you'll give her a call, or you can call him. Okay, thank you. Last speaker slip I have is Steven Baughn and a Code Compliance issue. Mr. Baughn.

Mr. Baughn: President Hills, members of Council, thank you very much for the opportunity to speak here tonight. My reason for coming here tonight is partially, I believe, contained in your packets that you should have received over the weekend concerning a code compliance issue with a, that involved both the Building Department and Zoning Officer, Mr. Domini, here in the city.

Starting back on March 23rd of this year, I had contacted the Code Compliance Department about a complaint, trying to clean up a residence next to me at 7368 E. Rich Street. The complaint dealt with everything from a pile of tires and some other debris in the yard, garage door panels, garage door rails, and what I call a contraption, that I believe what the city has referred to as a chain-link fence, consisting of sections of dog run which are tied together, held together with nylon tie wraps and secured in the ground with sections of steel rebar, again fastened together with nylon tie wraps. As I said, this started back on March 23rd. I believe there's a number of emails, photos, so on and so forth in those packets that I presented to the Council Office for your reading time.

Back around April 7th after this, I contacted the Code and Compliance Office two other times, leaving messages for a total of three times, asking for a call back advising the nature of the complaint. Never heard anything back. Following that, I hand carried a copy of the complaint and photos to the Safety/Service Director's Office. I did speak with Mrs. Boratyn. We exchanged some emails. To make a long story short, I was essentially told that there was nothing that really could be done with this, because although Mr. Domini didn't like chain-link fences, there was nothing that prohibited them. Now, I've lived here and worked in this city for a number of years, and I don't know of any other community in Central Ohio that would not only not allow something like this, but basically let it go that long. That fence is, as shown in those photos, in those packets, still is there today. This went on, as I said on April 7th, Mr. Hopper and Mr. Douglass from the Building Department stopped over to the resident there at 7368 E. Rich Street, spoke to him about it, and then came to my house, where I was informed there were some issues with my property. A number of these, one involved a box in the back yard, which is, in fact, a shipping crate for a radio antenna used for amateur radio purposes; in the end, the only issues there were, was some rotten wood on a woodpile and some broken pieces of lattice under the front porch, and I'm sure those are depicted there in the photos in that packet. Now at the time, I didn't receive a copy of Code complaint which you find in those packets. After I got my hands on a copy of the Property Maintenance Manual, and I've made copies of the pertinent sections there, it's required that a resident at least obtain a copy of the violation notice and you'll also see in there a public records request, which was filed, and that was at the point at which I first saw a copy of that violation notice for my address. I, you know, I took care of what Mr. Hopper wanted taken care of though even after looking at the Property Maintenance Code, the

issue of the woodpile under the section he addressed in the violation notice only deals with infested wood, or infestation, which there was none. I mean, this was wood that stayed out there in the weather too long and got rotten. As I said, I didn't know what the Code said at the point when he told me about it, I went ahead and cleaned it up and went from there. Took me a couple days, but we got it taken care of.

Meanwhile the other complaint went on concerning the residence next door. The only thing between March 23rd when this a, the original complaint was made to the Code Compliance Department, and May 23rd when Mr. Hopper finally got around to citing the resident there, was a pile of tires was moved. The sections of overhead garage door, the rails, this contraption that the city refers to as a chain-link fence - everything's still there. The resident there was cited into Mayor's Court on June 11th at which time he was given another two months to clean this place up. Now, I'm all for voluntary compliance, but I think I can safely say that if somebody calls the Police Department about an inoperative car, they're not given a month, or two months, or three months, or four months to get it moved. A reasonable time is just that. This, these violations could have been taken care of over a weekend and there are pertinent sections of the code which are addressed in those packets that very simply mandate the Zoning Officer could have simply sent a certified letter saying 'you're not in compliance with the code, take the thing down'. Instead, a fence permit was issued. Now on the fence permit itself, in various sections of the Code, I believe it's Section 1171, it says that the applicant for a fence permit will submit a document which outlines the materials, the dimensions and the manner of support used. Pursuant to that public records request, and the accompanying email from the Service Director's Office in there, I was told the document does not exist. So I guess that's one question. Why was the permit issued in the first place? Now either the document exists and it wasn't provided in the public records request or it simply doesn't exist, Mr. Domini decided arbitrarily to just issue a permit. I don't know the answer.

The last issue with all of this, and as I said again, I don't know of any other, I mean I get around the city every now and then and I don't know of any other thing in the city that even looks remotely similar to this a, this fence. It is not a chain-link fence. Anyone who's ever seen a chain-link fence knows there's a continuous top rail and line post. It's not held together with other fence post nylon tie wrapped together and it's not secured in the ground with nylon tie wraps. That does not meet any type of building code or any kind of construction standard on the face of this earth; and for this city to sit there and allow something like that and not take the actions that they're allowed to take by Code, is simply a farce.

But I guess other than that, there was one item that was not included in those packets and I guess this is another what you might call bone of contention, was, I was a little more than upset when I was confronted by my boss, the Chief of Police, saying that the Safety Director contacted him about this complaint. Now this complaint was filed as my, by myself, as an individual resident of this city. It had not one iota of anything to do with my employment with the city and I fail to understand. I was simply told by the Chief, that well, there were issues with my address. Now, I'm not sure what the purpose of that conversation was, if it was a joke, I don't see the humor in it. If it was some, you know, method or some means to try to intimidate me, I'm sorry, that doesn't work. I find that totally crossed the line and I believe the Safety/Service Director was way out-of-bounds going to the Chief about that matter.

What I'm asking Council here tonight, is that this matter be referred to the appropriate committee, be it Safety or Service, to further look into. I believe the packets you all have are

pretty complete. If you have any further questions or any other issues, I put my name and address and phone number on there and I'd look forward to hearing from anybody. I honestly believe you have to drive back behind this address and look at this thing to see for yourself and I think you'd be amazed that the city wouldn't just tell the guy, 'hey look, you've got nice sections of white vinyl privacy fence in your yard, put them up. Don't put up something like this'. This doesn't do anything for property values in this city, it doesn't do anything for the image of the city, and it certainly doesn't do anything for the quality of life of the residents that live around here. Thank you very much for your time tonight.

Mr. Hills: Okay. Hold on just a second, Mr. Baughn. Questions? Mr. Clemens.

Mr. Clemens: I did go by and talk to Steve. I did look at the situation and it looks like a dump. I don't know why they let it stand either, but I understand how they work sometimes. It shouldn't be allowed. Those are the kind of things we have Code Compliance for. I think those are the kind of things we should enforce.

Mr. Hills: Questions of anybody else? Councilman Stake.

Mr. Stake: President Hills, I did look into this issue, I think a couple of months ago when I was first alerted about it. I talked to Chet Hopper and Mrs. Boratyn about it and I was assured by both of them that it would be taken care of and it appears that nothing has been taken care of, so I would like to request that this be referred to the appropriate committee. I'd like to look into this, and I think all aspects of Code Enforcement at this time.

Mr. Hills: Questions or comments from other Council people? Generally, in something like this, certainly we always, not disagreeing with what you've had to say, now you've gone to some different areas that you'll deal with on your own, you've been here how many years, you haven't had a problem doing that yet.

Mr. Baughn: It's over thirty-one, Mr. President.

Mr. Hills: You've, I, you know how to handle your problems, I know that. So, but probably Service is the best, but I certainly would want to give Administration the opportunity to respond to these allegations. I don't know how many people got this packet, but it was my Father's Day reading 'til I got tired of it.

Mr. Baughn: It was dropped off to the Council Office, Mr. President.

Mr. Hills: Yeah, and it comes out to us. All Council people got it over the weekend. So we've had it, there isn't any doubt about it. I don't know who else did the packet go to Mrs. Frazier? Just Council, or?

Mrs. Frazier: Just Council.

Mr. Hills: So has the Mayor seen a copy? Has the City Attorney seen a copy?

Mrs. Frazier: No.

Mr. Baughn: I believe Mr. President, the Administration's probably seen everything that's in that packet....

Mr. Hills: Yeah, I would....

Mr. Baughn:and it was all, a lot of it was....

Mr. Hills:not disagree with that.

Mr. Baughn:in response to the public records request that I had to have filed to get....

Mr. Hills: But in the spirit of openness, which I always try to do, even people that don't like me say that they are all somewhat treated the same. They don't like me, but they are all treated the same. I think it's only appropriate that Administration have the opportunity to see this before they respond to it in committee. Now committee wouldn't be until June, I guess that'd be July what, July 6th and certainly if you'll make, be sure Mrs. Frazier that the City Attorney has a packet and the Mayor has a packet, and Mayor, you'll take care of getting it to whom you need to. A packet just as the ones that we saw and certainly at committee meeting, I think we would lean towards listening to what Administration's response is before anything else. Is there an agreement, disagreement with that from anybody on Council? You're welcome to be here, but...

Mr. Baughn: Oh, I will be. Thank you, Mr. President. I would like, I did forget one comment that I would like to make in closing, and I guess that's, and it was emphasized to me a couple times during this process that well, you know, we're trying to treat everybody equitably and everybody fairly and I don't have a problem with that at all. At no time did I ask for, nor did I ever expect any special treatment from anybody. The only thing that I ask for is nothing more than any other resident in this community would ask for and that was some type of reasonable response and effort to get the situation cleaned up, so....

Mr. Hills: And I certainly think that there's some allegations made and I have no reason to disbelieve what's in that packet and many of them are written documents from the city, but I think it's always appropriate to let that party that has, that you said has

Mr. Baughn: Sure, I understand.

Mr. Hills:wronged you to have the opportunity to say....

Mr. Baughn: I agree.

Mr. Hills:what piece of this is missing, that's why, it looks like we'll start on July 6th and hear what they have to say and we go on break in August, so as you all get started on this, we may be seeing you back in September too.

Mr. Baughn: That will be fine.

Mr. Hills: Any other questions, comments. Thank you very much.

Mr. Baughn: Thank you.

Mr. Hills: Is there anyone else who would like to address Council on an issue that's not on the agenda? I see two people coaxing each other. Neither one of them going to make the move, right. Okay.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT TO PURCHASE ROAD SALT AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Deskins moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 37-09 adopted.

ORDINANCE AUTHORIZING THE REYNOLDSBURG DIVISION OF POLICE TO APPLY FOR THE FY 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; AND ALSO AUTHORIZING ACCEPTANCE OF THE GRANT UPON RECEIPT; AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Deskins moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 38-09 adopted.

ORDINANCE MAKING SUPPLEMENTAL APPROPRIATION FOR SPECIAL COUNSEL ACCOUNT (CITY ATTORNEY'S OFFICE) AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Cotner seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 39-09 adopted.

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 7375 East Broad Street, Blacklick, Ohio 43004; from Unzoned to R-3; applicant, Wesley Hawk and Ann Lane (3.795 ac.)- -Clerk read ordinance by title for the first reading. Mr. Hills set a Public Hearing for July 13, 2009 at 7:00 p.m. in Council Chambers.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 913.04 "Specifications; Permit Fee"; and Subsections (a) and (b) of Section 913.05 "Bond for Improvement" OF CHAPTER 913 PRIVATE ROADWAYS- -Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE AUTHORIZING PURCHASE OF FX 30 VACUUM EXCAVATION SYSTEM

and T12S VAC TRAILER FOR WATER/WASTEWATER DEPARTMENT- - -Clerk read ordinance by title for the second reading. Item referred to Service Committee.

ORDINANCE ACCEPTING UNRECORDED DEED OF EASEMENT - SIDEWALK, FROM REYNOLDSBURG INVESTMENT COMPANY (0.041 ac.)- - -Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Joseph seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 40-09 adopted.

RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF REYNOLDSBURG OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010 AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mrs. Shirey seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Resolution No. 41-09 adopted.

ORDINANCE ESTABLISHING ACCOUNT IN THE SAFETY/SERVICE DEPARTMENT FOR USE IN CUTTING HIGH GRASS AND WEEDS FOR THE 2009 MOWING SEASON; AND TRANSFERRING FUNDS- - -Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Clemens seconded. Mr. Hills: Questions or comments? Yes, Mr. Stake.

Mr. Stake: Thank you President Hills. I believe last week in committee, I asked about the high weeds and grass at the Shoppes at East Broad Street. I have not heard an answer back on that yet. Can you, anybody tell me when that may be cut on those empty lots up there?

Acting Safety/Service Director Boratyn: Yes, Councilman Stake, I can. We talked to Mr. Giltz, who's the developer for the property. He said that he would have a bush hog out there to do it. We informed him if he doesn't have it out there, then we will cut it, at least cut all the parts that are by the road. We're going to be careful about trying to cut further in, because it's a construction site and we're not sure what's in there, but we are talking with him and he assured us he would have it cut; so if it's not cut by the end of the week, we will have part of it cut.

Mr. Stake: By the end of the week, if it's not cut by the road - how far back, you're going back to the other side of the pond or....

Mrs. Boratyn: Back far enough to where there's, you know it's back away from the road so there's no problems with sight, but we will get it cut. If they don't come out, then we'll get, we'll send our Parks people out with bigger equipment, be careful about what we're doing because we want to make sure we know what's on the site.

Mr. Stake: Okay, I would hope so. I would imagine the businesses that have located there are very unhappy with the high weeds and grass there and I would expect that we would do what we need to do there like we do throughout the rest of the city, so thank you very much.

Mrs. Boratyn: You're welcome.

Mr. Hills: Councilman Clemens.

Mr. Clemens: Yes, carry an umbrella with you Pam, in case that fountain's working, okay?

Mrs. Boratyn: We talked to them about the fountain, too.

Mr. Clemens: Okay.

Mr. Hills: We cut enough grass, maybe we'll see it, right? Any other questions or comments? With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 42-09 adopted.

Request by the President of Council for Executive Session to review collective bargaining strategy; and by the Mayor to consider the appointment and compensation of a public employee.- - Mr. Joseph moved to recess for Executive Session; Mr. Cotner seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed. Mr. Hills said those attending would be Clerk of Council, all elected officials, and Human Resources Director Megan Kish (for the first topic). Mr. Hills ask that Dustin Kohlhorst stay on call. Council recessed at 8:05 p.m.

Council reconvened at 8:55 p.m. With the roll called, members responding were: Mr. Cotner "Present"; Mrs. Shirey "Present"; Mr. Stake "Present"; Mr. Deskins "Present"; Mr. Joseph "Present"; Mr. Clemens "Present".

ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF DIRECTOR OF COMPUTER SYSTEMS; PROVIDING FOR PAY GRADE LEVEL; AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the one required reading. Mr. Hills said in order to pass the ordinance a motion was needed to waive the Committee referral rule. Mr. Clemens moved to waive the mandatory Committee referral and recommendation rule. Mr. Deskins seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Yea"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; mandatory Committee referral and recommendation rule waived.

Mr. Clemens moved adoption of the ordinance confirming the Mayor's appointment of Dustin Kohlhorst as Director of Computer Systems. Mr. Deskins seconded. With the roll called, members voted: Mr. Cotner "Yea"; Mrs. Shirey "Nay"; Mr. Stake "Yea"; Mr. Deskins "Yea"; Mr. Joseph "Yea"; Mr. Clemens "Yea". Motion passed; Ordinance No. 43-09 adopted. Mr. Hills congratulated Mr. Kohlhorst.

Meeting adjourned at 8:58 p.m.

William L. Hills, President of Council

Nancy C. Frazier, Clerk of Council