

SAFETY COMMITTEE MEETING MINUTES

April 6, 2009

Members of Safety Committee present: Ron Stake, Doug Joseph, Barth Cotner. Councilman Fred Deskins, Jr. was absent.

Other members of Council present: Donna Shirey, Leslie Kelly, Mel Clemens, Council President William L. Hills.

Vice Chairman Stake: I'll call the Safety Committee meeting to order at 7:30 p.m. Item 2 is approval of the agenda. Are there any changes to the agenda from members of the Safety Committee? I have one; I'd like to take Item 3 under "Other Legislation" - Discussion: Authorize purchase of three cruisers; appropriation of funds - I'd like to bring that up and make that Number 5. Any questions in regards to that? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 3 is the approval of the minutes of the March 16, 2009 Safety Committee Meeting. Are there any changes to those minutes? None being heard, they'll stand as submitted.

Item 4 - Discussion: Liquor Permit Request - TRFO - from DBRW Enterprises, Inc., dba The Well to Sellers Services, LLC dba Scottys, patio & volleyball court, 6222-24 E. Livingston Ave., Reynoldsburg, Ohio 43068. I believe Lieutenant O'Neill is here to address that, Lieutenant.

Lt. O'Neill: Thank you Chairman Stake. After our background investigation on the, the a, applicant, and out of this, and given the fact that's it's been operated as a liquor establishment in that building for probably well over twenty years, it doesn't look like it will have a negative impact on the community, and there's no reason to oppose or appeal the application.

Mr. Stake: Okay, thank you Lieutenant. Are there any questions from members of the Safety Committee for Lieutenant O'Neill, members of Council for Lieutenant? Okay, well, if there's no opposition to this then we'll send this back to the Clerk with no action.

Item 5 - Discussion: Authorize purchase of three cruisers; appropriation of funds and this came back from "Other Legislation". You received some information over the weekend in regards to a 2009 Recovery Act JAG Grant and what the Administration would like to do here is to use this Grant to purchase two cruisers I believe. I don't believe the Chief is here so Mrs. Boratyn, are you going to address this?

Mrs. Boratyn: Thank you Vice Chairman Stake, members of Council, good evening. Yes, we learned, the Chief learned about this opportunity to get some money from a JAG, Justice Assistance Grant, that would allow the City of Reynoldsburg to enter into an agreement with Franklin County to participate in this grant. We would receive \$63,838 in the JAG Funds. It's administered by the Franklin County Office of Homeland Security and Justice Programs and we have with us tonight Cathy Crandall, whose's the Director of that Program, and she lives here in Reynoldsburg. These funds, that have permitted use under the grant would be to, you're allowed to use these to purchase marked cruisers, so we can purchase two. So we had, we originally had legislation seeking to get appropriation to purchase three, but with this money, we can purchase

two, and it's 100% no local match funding.

Mr. Stake: Okay, so there'd be no cost to our, our General Fund in this. This would be a grant to buy and outfit I guess two cruisers, correct?

Mrs. Boratyn: Yes.

Mr. Stake: Okay, and you need approval of the Interlocal Agreement.....

Mrs. Boratyn: Yes.

Mr. Stake: And you need authorization for funding, correct?

Mrs. Boratyn: Well, we would need approval by Council to enter into this agreement, the Franklin County is the fiscal agent and administrator of the grant so we don't, we don't need to appropriate any, any money and that's.....the grant money would be available for us to draw down to pay for the cruisers so we would need legislation that would allow the Chief to order the two cruisers from the State Contract and then if we didn't have our grant money, we would have to get some money to buy them and then get reimbursed, but it's, it's very likely in my talking with Cathy, that we, that the money would be there, the grant money would be there and we would just send our vouchers to them and get the money and pay it. So there wouldn't have to be any appropriation.

Mr. Stake: Okay. Is the Auditor here? Mr. Harris, are you familiar with this and is this something that we're going to need to....

Mr. Harris: At this point, they're not looking for an appropriation. The cruisers, even if they order them now won't be in until September, October so there's no reason at this point that I can see that they're not, they won't have the money here. If they would, we would have to front it from the General Fund just like we have other things, and then be reimbursed through the grant, but maybe the nice lady that's here from the grant can tell you about that, but at this point, we won't get to, we will not get the cruisers, we would not have to pay for the cruisers until the cruisers are ready to be delivered and that's months down the road.

Mr. Stake: Okay, the only reason I'm asking the questions is because I heard earlier that we did need to approve funding so, Mrs. Frazier, are you okay with not, this then wouldn't have to go to Finance for approval for funding, because there wouldn't be any funding on our part?

Ms. Frazier: Well, you send it to Finance, because Finance authorizes that they're going to be paid for from here [grant]; that's the way you make the determination.

Mr. Stake: Okay, okay then we can do that. Okay, are there any questions for Mrs. Boratyn or the Auditor from members of the Safety Committee, members of Council; and you would like an emergency on this, correct?

Mrs. Boratyn: Yes we would, because Franklin County, there's a number of communities that are participating in this grant and they're out trying to get all of the communities to enter, to agree to enter into this, enter into the Local Agreement, because they need that to send into the Federal Government. So that's why we're in a, we're moving quickly on it.

Mr. Stake: All right, well then if there are no questions or comments from anybody on Council in regards to this, I'll make a motion that we send these to Council, to approve the Interlocal Agreement and also send to the Finance Committee, and then on to Council to authorize the funding through the JAG Grant, and for the two cruisers. Do I have a second? Seconded by Councilman Cotner. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes. Thank you.

Mrs. Boratyn: I thank you.

Mr. Stake: And that will end the Safety Committee at 7:37 p.m.

Safety Committee

- - -Nancy C. Frazier, Clerk of Council

April 6, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

SERVICE COMMITTEE MEETING MINUTES

April 6, 2009

Members of Service Committee present: Mel Clemens, Donna Shirey, Doug Joseph, Barth Cotner.

Other members of Council present: Ron Stake, Leslie Kelly, Council President William L. Hills. Councilman Fred Deskins, Jr. was absent.

Mr. Clemens: I'll call the Service Committee Meeting to order at 7:37 p.m.

The first item on the agenda is approval of agenda. I would like to add as Item 3a, pertaining to Taylor Chase and pertaining to Taylor Road Housing Partners and the Columbus Housing Partnership. Do I have a second? Seconded by Mrs. Shirey. Are there any other changes to the agenda? If not it'll stand approved.

Item 3 - Approval of minutes of the Service Committee Meeting held March 16, 2009. Are there any additions or deletions to the minutes? If not, they'll stand approved.

Item 3a - Item 3a has to do with Taylor Chase and the Taylor Road Housing Partners. What this pertains to is, they're requesting from the Columbus Housing Partnership, we got a letter; what they would like to do is change their zoning. Instead of having the condos for sale which they're zoned for, they would like to change it to low-income housing, low-income units for rent. I don't think that's a feasible thing to do for the City of Reynoldsburg and I think we have the Mayor standing up, and, Mayor McCloud.

Mayor McCloud: Thank you, Chairman Clemens, members of Council. Yes, a couple of developers have proposed Senior Housing Projects in the city by taking advantage of some tax credits offered through the Ohio Housing Finance Authority. The Administration is recommending that City Council submit a Statement of Objection on the Taylor Chase Development.

Mr. Clemens: Fine. We have to have it in I believe by the 18th.

Mr. Harris: I have no idea when you need it in, I just wanted to mention something else about this particular property before you consider it. There is a TIF on that particular property that one of the things it's going to be used for as it's billed out, is the payment of the sewer line that was run a year or so ago and whatever we would do that would effect the income coming in off of that, I think you should be very cautious about.

Mr. Clemens: Thank you Mr. Harris. Are there any other questions pertaining to this, or any conversation from City Council? President Hills.

Mr. Hills: Chairman Clemens, I would like to note and, this is one of the three, but this one, there is a zoning issue with, and so Council members will know, because we started getting some literature in our packets just this weekend but, if as a Legislative body, the letter says, if you intend to submit a Statement of Disapproval or Objection, you must submit a written statement that is signed by a majority of the voting members of the Legislative body governing your

jurisdiction. So I believe Ms. Frazier will draft up, at the direction of Councilman Clemens for passage next week just a statement saying, we're opposed, the zoning there is for condominium by owner and it's, so therefore they don't have the zoning for multi-unit rental in some just statement making the Housing Authority aware and so Council members would need to sign that next Monday night so that it could be returned by Certified Mail, return receipt requested, since it's official Government stuff.

Mr. Clemens: Thank you, President Hills. Are there any other comments or questions from members of the Committee, members of Council? If not, I'll make a motion that we send this to Council to have the approval of the letter that will be drafted by the Clerk of Council for next Monday night. Do I have a second? Seconded by Mr. Joseph. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Thank you.

Item 4 - ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (7305 East Main Street, proposed use - tattoo parlor); applicant, _____ - - - and I never did find out but I guess it's Mr. Morrison. - - -second reading 3-23-09. I do have two speaker slips on this that will be able to speak after we hear from the Attorney, Mr. Reynolds, or Mr. Morrison. They're representing the tattoo parlor and I don't see a big crowd rushing for it. I don't even see Mr. Reynolds or, is there anybody here that's, this is the final Committee meeting before it's recommended to Council. Yes Sir.

Mr. Craig: Yes, hello. My name is Michael Craig, I'm the owner of the property.

Mr. Clemens: Yes Sir.

Mr. Craig: I was just here to observe the presentation that I anticipated that Mr. Morrison was going to make. I'm not aware of why they're not here. I wrote a letter to City Council a few weeks ago showing my support for Mr. Morrison's effort to get this property. I didn't know if everyone was in receipt of that. I had not planned to testify tonight or give testimony.

Mr. Clemens: They, as you know, had asked for a two weeks postponement, a month or so ago so they could, somebody was going to be on vacation; and we set the date for, it was the last, two weeks ago at the, that would be the committee meeting that they would come back, they were represented and they knew quite well and full well that tonight was the meeting for the committee, that would be the final committee meeting.

Mr. Craig: I was under the understanding that the, that they had asked for a delay for the second reading to occur tonight. I think that they're under the understanding that this was the second reading.

Mr. Clemens: No they were here. We sent it, when they were here I mean, we sent it to Council for the second reading and there was no problem as far as that. I don't know whether anybody's outside or not. Since there's been no change as far as, and I have not heard from anybody, this will stand as the committee hearing. I do have two speaker forms. One's from Sharon Mills, I believe, is that correct?

Ms. Mills: Shannon Mills.

Mr. Clemens: Shannon Mills, I'm sorry.

Ms. Mills: Good Evening everyone. My name is Shannon Mills and I'm a Reynoldsburg business owner, and my business is located in the Historic area right here off East Main Street. I also own a couple of residential properties that are just a block off East Main in the Historic District. I'm here to voice my opinion against the business, or any business actually zoned as an adult establishment, specifically this one at 7305 East Main Street, being in the Historic area or any central area in Reynoldsburg. I feel that there are too many young Reynoldsburg residents around these areas with the schools, we've got the churches, we've got the parks, the pool, the play ground, the bike paths etc., for these types of businesses zoned this, to be in this central area. I also have a petition of 123 signatures against the Special Exception Use Permit for the tattoo parlor proposed at 7305 which has just been passed out. This petition was signed by Reynoldsburg residents and Reynoldsburg business owners who have concerns and are against the tattoo parlor being located at that location in Olde Reynoldsburg, and myself and the other petitioners would like the City Council members to take their concerns in consideration when reviewing and voting on this issue.

Mr. Clemens: Thank you Shannon. We appreciate it.

Ms. Mills: Thank you.

Mr. Clemens: The next speaker is the Reverend Jim Rhein. Please give you name, address and so forth please.

Pastor Rhein: Yes, Pastor Jim Rhein, 7552 Palmer Rd. SW, Reynoldsburg, Ohio. Chairman Clemens, members of Council, Mayor McCloud, thank you for the moment to speak. I understand this type of variance is the same type that would be applicable to a pornography shop or to a Gentlemen's Club, and my question, first of all to the Council, is this true, and if this being true, I would like to go on record personally on behalf of myself, my family and the Reynoldsburg United Methodist Church, which I'm on staff of, against this measure.

Mr. Clemens: Thank you Sir.

Mr. Rhein: Thank you.

Mr. Clemens: Are there any other people that would like to speak? Yes, Sir. Please give your name and address. Thank you.

Mr. Jones: Good Evening Mayor, members of Council, Chairman of the Committee. My name is Michael Jones. I reside at 312 Glenmoore Ct., Pataskala, Ohio. I'm a parishioner at New Antioch Bible Fellowship on Lancaster Road and if I'm not mistaken, I received a communication from my Pastor stating that asking our parishioners to come out and support, I mean not support, to oppose the variance, and I'm not sure if you have received a petition from

our church or not, but I'd like to state for the record that we are in strong opposition. There's a reason why that we have variances, there are reasons why we have zoning, and that is, you know, to preserve the values of the people who live, reside and use Reynoldsburg for a variety of purposes. Among ours mainly is to practice my faith and, yes it is, we are especially opposed to any adult use in the described distance between our church and the business in question. It is, it is a, since we live in a basically Judeo-Christian social moral Community and Nation, it is important, and I know that it is to you as members of Council, that the values of our community are upheld, and I appreciate the opportunity to speak before you this evening. Thank you.

Mr. Clemens: Thank you Mr. Jones. I do want to make it plain, this is a Special Exception Use Permit. The variance has been granted by the B&Z Commission, which Council can't do anything about. They changed it and gave them a variance, where they could ask for in this rezoning for the Special Exception Use Permit. That is what's before Council tonight. That's what we'd be working on. Thank you. Thank you. Is there anyone else who would like to speak. Any member, President Hills.

Mr. Hills: Chairman Clemens, I would like to clarify, and you're absolutely correct, in the minutes we approved tonight, and Mr. Craig may, and I'm not sure if he was here last meeting or not but, when you called this item, it was item 4 on the agenda, Attorney Jack Reynolds said, "Good Evening Council members, my name is Jack Reynolds. I am an Attorney with Smith and Hale. We're here this evening, basically we're still gathering information any concerns. We understand that you've got a third meeting, I think it's April 6th in front of all of you and we would like to do at that point in time, is come back in front of you as part of the process and make a full presentation to you concerning some of the comments that we've had from the community as well as from yourselves." We go on to say that, Mr. Reynolds says he knows the third reading is set for April 13th and you've said that it would be back to committee on April 6th so I certainly, their Attorney and the people there knew that it was for committee tonight, and for a third and final vote for third reading and vote on the 13th, and that's documented in the minutes that were approved tonight.

Mr. Clemens: Thank you President Hills. Are there any other comments from members of Council? Yes, Councilwoman.

Mrs. Kelly: I would like to thank those of you who came out and voiced your opinion today and for taking the time to be here; that's what this process is about and any time our community members and our business owners take the time to come out and let us know what they think, that helps us make better decisions, so thank you.

Mr. Clemens: Thank you Mrs. Kelly. Are there any other comments from members of Council? I do want to be fair about this situation, because it is the final committee meeting, and I'm glad you were here sir, and if you would contact the attorney or Mr. Morrison, or whoever you want to, it will be up for the final vote on Council next Monday night. Since everybody knew about this meeting, then I feel that the meeting is, unless anybody else has got any conversation pertaining to this, I would like to make a motion that we send this to Council for the third reading with a motion for disapproval of the Special Exception Use Permit. Seconded by Mrs. Shirey.

All those in favor say "Aye". (All voted "Aye") Opposed. (No response). This will go to Council for its third reading, with a motion for disapproval of the Special Exception Use Permit. With that, that ends the Service Committee Meeting at 7:47 p.m. Thank you.

Service Committee

- - -Nancy C. Frazier, Clerk of Council

April 6, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)

FINANCE COMMITTEE MEETING MINUTES

April 6, 2009

Members of Finance Committee present: Ron Stake, Mel Clemens, Leslie Kelly. Councilman Fred Deskins, Jr. was absent.

Other members of Council present: Doug Joseph, Barth Cotner, Donna Shirey, Council President William L. Hills.

Mr. Stake: I'll call to order the Finance Committee Meeting at 7:48 p.m.

Item 2 is approval of the agenda. Are there any changes to the agenda by members of the Finance Committee? I have one I'd like to make Item 3a - the authorization of the funding of the cruisers, two cruisers via the JAG Grant. All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 3 - Approval of minutes of Finance Committee meeting held March 16, 2009. Are there any questions or comments in regards to those minutes? None being heard, they'll stand as submitted.

Item 3a - Authorization of the funding of the cruisers via the JAG Grant. This came from the Safety Committee, and this would be funded through that grant. There's no cost to the city and also the city would be entering in, the Mayor would be entering into an agreement on this. Are there any questions or comments from members of the Finance Committee, members of Council? Then I'll make a motion that the Finance Committee approve and send on to Council the authorization for the funding of the cruisers via the JAG Grant. Seconded by Mrs. Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 4 - Discussion: Pay raises for Chapter 160 employees; and this does come from the Mayor.

Mayor McCloud: Thank you Chairman Stake. This is quite simply a request that Council authorize the City Auditor to increase pay for Chapter, for eligible Chapter 160 employees pursuant to the list that was attached to the, to the legislation. The funds were approved in the '09 Appropriation ordinance.

Mr. Stake: Thank you Mayor. Are there any questions or comments for the Mayor from members of Finance Committee. Councilman Clemens.

Mr. Clemens: No, I do think it's the proper thing to do, Mayor and I appreciate that. They're hard-working employees, and we do have our FOP that gets their increase, and I think we've always followed along; we do owe our other employees an increase and I appreciate your bringing it up.

Mr. Stake: Okay, thank you Councilman Clemens. Any other questions from members of the Finance Committee or members of Council? Mayor, you do want an emergency on this? Are there any concerns with that from any members of Council? Hearing none, then I'll make a motion that we authorize the City Auditor to increase the pay for the 160 employees according to

the attached list; this would be a 3% raise for all eligible employees retroactive to January 1st, 2009 and these funds were approved in the 2009 Appropriation ordinance; and send this on to Council with recommendation for adoption as an emergency. Seconded by Mr. Clemens. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Item 5 - ORDINANCE AUTHORIZING CITY AUDITOR TO MAKE REIMBURSEMENT FROM THE FEMA FUND TO THE STREET FUND; THE STORM WATER DRAINAGE FUND; AND TO THE GENERAL FUND, FOR THE SEPTEMBER WIND EVENT- - 1st rdg 3-23-09. And this comes from our Auditor, Mr. Harris.

Mr. Harris: Thank you, Chairman Stake. This is the money from the, we already received from FEMA for the wind event from last September. I did send everybody out a note that we have received another \$750, and the legislation will have to be amended to include that \$750, and this should be the last monies that we will get from that wind event, so as soon as those pass, we can get those reimbursed back to the funds from which the work was done.

Mr. Stake: Okay, and there's no hurry on this; this can go the regular route, correct?

Mr Harris: No, we're just going to go the three readings, and regular route.

Mr. Stake: Any questions or comments from members of Finance Committee, or members of Council? Then I'll make a motion that we send this item on for it's second reading, amending to add the additional \$750. Seconded by Mrs. Kelly. Any further discussion? All those in favor say "Aye". (All voted "Aye") Opposed. (No response). Motion passes.

Mr. Harris: Thank you.

Mr. Stake: I will adjourn the Finance Committee at 7:56 p.m.

Finance Committee

---Nancy C. Frazier, Clerk of Council

April 6, 2009

(Transcribed/S. Cochran, Ass't. Clerk of Council)