

GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA

January 04, 2016

6:30 p.m.

Organizational Meeting

Call to Order

Appointment of Council President

*Appointment of Clerk of Council
Administer Oath of Office*

Seating Arrangement

Assignment of Committees

Declare Clerk of Council Designee for Council on Open Records Certification

Acceptance of Rules of Council

Adjournment

**GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA**

January 04, 2016

6:30 Organ. Meeting

7:00 – Reg. Meet.

Presentations:

FINANCE: Mr. Bennett

Ordinance C-95-15 Amend Section 161.09 of the Codified Ordinances titled Fringe Benefits. Second reading and public hearing.

Resolution CR-01-16 Approving the Projects and Funding Amounts for the Racetrack Redevelopment Fund Grant.

SAFETY: Mr. Davis

Ordinance C-99-15 Amend Section 1135.09(b)(12)k titled Special Use Permits. Second reading and public hearing.

LANDS: Ms. Klemack-McGraw

Ordinance C-100-15 Approve a Special Use Permit for a Drive-Thru Window for Jimmy Johns Sandwiches located at 3041 Turnberry Court. Second reading and public hearing.

Ordinance C-101-15 Approve a Special Use Permit for Outdoor Seating for Buckeye Parkway Retail Center located at 4145 Buckeye Parkway. Second reading and public hearing.

Ordinance C-01-16 Repeal and Replace Chapter 903 of the Codified Ordinances titled Parks. First reading.

Ordinance C-02-16 Vacate a 20" Sanitary Sewer Easement located South of I-270 and West of Gantz Road. First reading.

Resolution CR-66-15 Approve the Development Plan for Holton Park located North of Orders Road and West of Haughn Road.

Resolution CR-02-16 Appeal the decision of the Board of Zoning Appeals Granting a Variance for a Fence for the Buckeye Ranch located at 5665 Hoover Road.

ON FILE: Minutes of: 12/21 - Council Meeting; 12/21/15 - BZA

Date: 12/01/15
Introduced By: Mr. Bennett
Committee: Finance
Originated By: Mr. Turner
Approved: Mr. Boso
Emergency: 30 Days: XX
Current Expense: _____

*Postponed
to 1-04*

No.: C-95-15
1st Reading: 12/07/15
Public Notice: 12/10/15
2nd Reading: 12/21/15
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-95-15

AN ORDINANCE TO AMEND SECTION 161.09 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO TITLED FRINGE BENEFITS

WHEREAS, City employees currently pay 10% of the monthly premiums for medical, vision, and dental coverage; and

WHEREAS, the last change to the City's insurance premiums was enacted in 2002, Ordinance C-108-02, and became effective on January 1, 2003; and

WHEREAS, according to the 2014 Ohio State Employment Relations Board (SERB) Annual Report ("Report"), on average in the Columbus region, a public employee pays 13.3% for single coverage and 14.7% for family coverage; and

WHEREAS, a State of Ohio employee pays 15% for single coverage and 15.8% for family coverage; and

WHEREAS, the Report indicates that monthly premiums increased "for all jurisdictions by 4% to 6.2%."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 161.09(g)(1) is hereby amended to read:

(g) Payment for Coverage.

(1) The City shall pay ~~ninety~~ **eighty-five** percent of the monthly premiums for medical coverage, vision coverage and dental coverage. All participants shall pay ~~ten~~ **fifteen** percent of the monthly premiums for such coverage. The amounts paid by an eligible employee, as defined in Section 161.01(e), for medical coverage, vision coverage and dental coverage will be deducted from the employee's gross salary for tax purposes as permitted by law.

SECTION 2. This ordinance shall take effect on July 1, 2016.

Ted A. Berry, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Date: 12/29/15
Introduced By: Mr. Bennett
Committee: Finance
Originated By: Mr. Boso
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No. : CR-01-16
1st Reading: 01/04/16
Public Notice: 0 / /16
2nd Reading: 0 / /16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-01-16

A RESOLUTION APPROVING THE PROJECTS AND FUNDING AMOUNTS FOR THE RACETRACK REDEVELOPMENT FUND GRANT

WHEREAS, in 2012 the State of Ohio established a Racetrack Facility Community Economic Redevelopment Fund to assist in the redevelopment of abandoned race track facility, and the City is eligible to receive up to Three Million Dollars from the Fund to assist in the redevelopment of the abandoned track facility and defined project area; and

WHEREAS, Ordinance C-27-15 established a Racetrack Redevelopment Committee which is required to submit grant requests to be funded; and

WHEREAS, Resolution CR-33-15 approved three projects totaling \$2,405,350.00 from the Fund; and

WHEREAS, on December 15, 2015, the Racetrack Redevelopment Committee unanimously recommended the following projects and amounts which will exhaust the funds available to the City:

1. \$162,848.00 for surveying and engineering for the design of the Columbus Street extension west of Broadway.
2. \$431,802.00 to fund improvements to the intersection of Southwest Boulevard and Broadway.

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

SECTION 1. This Council hereby approves the projects and amounts recommended by the Racetrack Redevelopment Committee.

SECTION 2. Per CR-29-15, the City Administrator is hereby authorized to execute any and all necessary documents under the approved Grant Agreement, as approved to legal form by the Director of Law.

SECTION 3. The resolution shall take effect at the earliest opportunity afforded by law.

Ted A. Berry, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Date: 12-15-15
Introduced By: Mr. Davis
Committee: Safety
Originated By: Mr. Berry
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: C-99-15
1st Reading: 12/21/15
Public Notice: 12/24/15
2nd Reading: 01/04/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-99-15

AN ORDINANCE TO AMEND SECTION 1135.09(b)(12)k TITLED SPECIAL USE PERMITS

WHEREAS, a Special Use Permit is required under Section 1135.09(b)(12)k for *Pet Shops for the selling, grooming or training of animals, except boarding of animals overnight or for longer periods of time*; and

WHEREAS, the selling of dogs is included in this definition; and

WHEREAS, it is desirable to exclude the selling of dogs in pet stores to provide for safer, more healthy dogs for the residents of Grove City to obtain.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 1135.09(b)(12)k is hereby amended to read:

Pet Shops for the selling, grooming or training of animals, except boarding of animals overnight or for longer periods of time. The sale of dogs shall only be permitted as part of a non-profit adoption agency or rescue operation.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:
Effective:

Richard L. Stage, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.

Stephen J. Smith, Director of Law

Date: 12/15/15
Introduced By: Ms. K-McGraw
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-100-16
1st Reading: 12/21/15
Public Notice: 12/24/15
2nd Reading: 01/04/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-100-15

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR A DRIVE THRU FOR JIMMY JOHN SANDWICHES LOCATED AT 3041 TURNBERRY COURT

WHEREAS, Jimmy Johns Sandwiches, applicant, has submitted a request for a Special Use Permit for a Drive Thru located at 3041 Turnberry Ct.; and

WHEREAS, on December 8, 2011, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

1. A 4' wide landscape island shall be installed on the north side of the drive-thru lane to separate the drive-thru lane from the primary drive aisle. The applicant shall work with the Urban Forester to select appropriate landscaping within this landscape island;
2. Pavement markings shall be added to identify the drive-thru lane on the east side of the structure. All markings shall be white;
3. The menu board shall be placed on a brick base matching the brick on the primary structure;
4. Landscaping shall be installed around the base of the menu board and speaker;
5. The existing red bollards shall be painted black.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1j is hereby issued to the Jimmy Johns Sandwiches located at 3041 Turnberry Court, contingent upon the stipulations set by Planning Commission.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 12/15/15
Introduced By: Ms. K-McGraw
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-101-16
1st Reading: 12/21/15
Public Notice: 12/24/15
2nd Reading: 01/04/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-101-15

AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR OUTDOOR SEATING FOR BUCKEYE PARKWAY RETAIL CENTER LOCATED AT 4145 BUCKEYE PARKWAY

WHEREAS, Mulan LLC, property owner, has submitted a request for a Special Use Permit for Outdoor Seating at the Buckeye Parkway Retail Center located at 4145 Buckeye Parkway; and

WHEREAS, on December 8, 2011, the Planning Commission of the City of Grove City recommended the approval of a Special Use Permit at this location, with the following stipulations:

1. Plans shall be updated to show the location of proposed planters;
2. The applicant shall work with the Urban Forester to select appropriate plantings for the landscape planters.

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

SECTION 1. A Special Use Permit, under Section 1135.09b(12)A1s is hereby issued to the Buckeye Parkway Retail Center located at 4145 Buckeye Parkway, contingent upon the stipulations set by Planning Commission.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 12/29/15
Introduced By: _____
Committee: Lands
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days: X
Current Expense: _____

No. : C-01-16
1st Reading: 01/04/16
Public Notice: 01/07/16
2nd Reading: 01/19/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-01-16

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 903 TITLED PARKS

WHEREAS, it is necessary for the City to update the Park provisions in the Code; and

WHEREAS, the City has completed a comprehensive review of Chapter 903; and

WHEREAS, the last comprehensive review of Chapter 903 occurred in 1999.

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

SECTION 1. Chapter 903 titled Parks is hereby repealed and replaced as attached hereto in Exhibit "A".

SECTION 5. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

Stephen J. Smith, Director of Law

C-01-16
Exhibit "A"
CHAPTER 903

Parks

- | | |
|---|--|
| 903.01 Definitions | 903.17 Dumping, defacement, destruction, removal or disturbance of property, equipment or natural features |
| 903.02 Hours of operation | 903.18 Gambling |
| 903.03 Fees for use of shelter house/pavilions | 903.19 Climbing of fences, shelters and other structures |
| 903.04 Traffic; off-road vehicles | 903.20 Hunting/trapping/collecting or molesting wildlife |
| 903.05 Intoxication | 903.21 Solicitation |
| 903.06 Pets | 903.22 Enforcement |
| 903.07 Horseback riding | 903.23 Additional rules and regulations |
| 903.08 Camping | 903.24 Metal detecting |
| 903.09 Swimming, wading and boating | 903.25 Aerosol paint cans and hazardous materials |
| 903.10 Golf | 903.26 Erecting and attaching signs |
| 903.11 Public address devices, radios, amplified sound, and musical instruments | 903.27 Inflatable amusement devices |
| 903.12 Engine powered miniature models, unmanned aircraft systems, and toys | 903.28 Smoking prohibition; smoke free zones |
| 903.13 Snowmobiles/sledding/skiing & ice skating | 903.99 Penalty |
| 903.14 Fires | |
| 903.15 Indecent language – lewd conduct | |
| 903.16 Fireworks, firearms & weapons | |

CROSS REFERENCES

- Park Board – see CHTR., Art. IV, 4.03; ADM. 157.01 et seq.
Power to regulate vehicle speed in parks – see Ohio R.C. 4511.07
Department of Parks and Recreation – see ADM. 145.01 et seq.
Disorderly conduct and peace disturbance – see GEN. OFF. 509.01 et seq.
Provisions for drug control – see GEN. OFF. 513.01 et seq.
Provisions for liquor control – see GEN. OFF. 529.01 et seq.
Destruction of trees – see GEN. OFF. 541.06
Animals – see GEN. OFF. 505.01 et seq.

903.01 DEFINITIONS.

As used in this chapter:

- (a) "Animal or animals" means and includes, but is not limited to, quadrupeds, birds, fish, reptiles, amphibians, crustaceans, mollusks and insects.
- (b) "City-owned property" means any real property and public parkland owned by the City, not including easements held or used by the City.
- (c) "Director" means the Director of Parks and Recreation as defined in Section 145.02 of the Codified Ordinances and his/her designee.
- (d) "Fish or fishing" means taking or attempting to take fish by any method, and all other acts such as placing, setting, drawing or using any device commonly used to fish whether resulting in such taking or not.
- (e) "Geocaching" means the recreational hunting for and finding of a hidden object by means of GPS coordinates posted on a website.
- (f) "Inflatable" means an amusement device, used to bounce or otherwise play on that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by tensioning from internal air pressure.

- (g) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power.
- (h) "Officer" means any Division of Police Officer.
- (i) "Park" means any public land, controlled or operated by the Parks and Recreation Department of the City of Grove City, Ohio, for recreational open space or similar and related purposes.
- (j) "Park waters" means any lake, pond, reservoir, stream, pool, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial, located in or adjoining a park.
- (k) "Person" means any individual, company, partnership, corporation or association or any combination of individuals, or any employee, agent or officer thereof.
- (l) "Public parks leased or owned by the City" shall mean any place or area within Grove City upon which the public is invited or upon which the public is permitted and where children gather for play, including more limited areas used by the public such as restrooms, shelter houses and pavilions.
- (m) "Recreational trail" means a public trail that is used for hiking, bicycling, ski touring, canoeing, or other nonmotorized form of recreational travel that interconnects City parks, wildlife areas, nature preserves, scenic rivers, or other places of scenic or historic interest.
- (n) "Smoke" means burning, including the inhaling or exhaling of any lighted cigar, cigarette, pipe, weed, plant, electronic cigarette or cigar, vaporizer or other burning substance.
- (o) "Smoke Free Zone" means an area located within a public park leased or owned by the City, which has been designated by the City as smoke free, including, but not limited to, playgrounds, restrooms, shelter houses and/or pavilions or other areas as may be determined by City Council from time to time.
- (p) "Smoking materials" means any cigar, cigarette, pipe, weed, plant, or other smoking equipment in any form.
- (q) "Vehicle" means every conveyance with wheels, treads, or other means of locomotion power.

903.02 HOURS OF OPERATION.

No person, except in an emergency or with a special permit issued by the Director, shall enter, remain in, stop or park a motor vehicle in the park except during the hours designated by the Director. Such hours shall be conspicuously posted at the entrance to each park.

903.03 FEES FOR USE OF PARK FACILITIES.

(a) A fee may be charged for the reserved use of park facilities and, if required, shall be payable at the time of reservation.

(b) The Director shall establish rules, regulations and procedures for the reservation and use of park facilities.

(c) The Director shall approve the use of any food truck or vending device at any park facility.

903.04 TRAFFIC; OFF-ROAD VEHICLES.

(a) No person shall drive or operate any motorized vehicle within a park, except on and within the streets or roadways provided for such vehicle or if done in compliance with the American with Disabilities Act.

(b) No person shall operate a vehicle in excess of fifteen (15) miles per hour.

(c) No person shall operate farm machinery or construction equipment or drive a truck, tractor or other vehicle, which is at the time used for transportation of goods or materials, over any park street, roadway or path without a permit from the Director.

(d) No person shall clean, wash or repair any vehicle in or upon the parking lot and/or park.

(e) Vehicles in parks in violation of these rules and regulations may be removed or cause to be removed to a location, in or outside of a park, where they may be kept until the owner or owner's

representative obtains an order from the Director releasing such vehicle to the owner or owner's representative. The City shall not be responsible for any fee, charge or damage arising from such impoundment.

903.05 INTOXICATION.

(a) No person in a park shall be intoxicated or be under the influence of any intoxicating liquor or alcoholic beverage, pursuant to Section 529.01 of the Codified Ordinances.

(b) No person shall use, consume, carry or bring any intoxicating liquor, alcoholic beverage in or upon any park.

903.06 PETS.

(a) No person shall bring to a park any pet, except domestic dogs or cats which must be controlled at all times and secured to a leash not more than six (6) feet in length, pursuant to Section 505.01(d) of the Codified Ordinances. This prohibition shall not apply to any dogs in a designated City Dog Park off-leash area or at any City sponsored event where it is specifically authorized.

(b) Persons shall clean up after their dog(s) and must carry a device for this purpose, pursuant to Section 505.09(a) of the Codified Ordinances.

903.07 HORSEBACK RIDING.

No person shall ride or bring into a park any horse, mule or pony without a written permit from the Director.

903.08 CAMPING.

No person shall maintain a tent, camper or other temporary sleeping place within a park without a written permit from the Director.

903.09 SWIMMING, BATHING, WADING AND BOATING.

Wading, swimming, bathing, boating or entering into any of the lakes, ponds, reservoirs, quarries, fountains or any other water repository is strictly prohibited without the express permission of the Director, except within those recreational facilities designated for such purposes by the Director.

903.10 GOLF.

No person shall hit a golf ball or practice golf except in areas designated by the Director.

903.11 PUBLIC ADDRESS DEVICES, RADIOS, AMPLIFIED SOUND, AND MUSICAL INSTRUMENTS.

No person shall cause a public address device, radio, amplified sound or any musical instrument or device to be used in a park at a volume audible beyond his/her immediate area without a specific written permit from the Director.

903.12 ENGINE POWERED MINIATURE MODELS, UNMANNED AIRCRAFT SYSTEMS AND TOYS.

No mechanical and/or motorized miniature models or toy airplanes, unmanned aircraft systems, chemically powered rockets, boats, cars, sirens, or other noise making devices are permitted to be launched, landed or operated within the confines of a park, except in areas designated by the Director.

903.13 SNOWMOBILES, SLEDDING, SKIING AND ICE SKATING.

No person shall operate a motorized vehicle which is designed to travel on snow or ice-covered surfaces within a park other than in areas designated by the Director as snowmobile areas. Sledding, skiing and ice skating are prohibited except in areas designated for that purpose by the Director.

903.14 FIRES.

- (a) No person shall start or maintain a fire except in a place or at a site designated for this purpose.
- (b) No person shall start a fire in a park except for small fires for cooking in park grills and privately owned grills in a place or at a site designated for this purpose.
- (c) Fires permitted in (a) and (b) above shall comply with Section 1513.03(b) of the Codified Ordinances.
- (d) No person in a park shall build a fire at a time period when the Director has prohibited the building of fires.

903.15 INDECENT LANGUAGE – LEWD CONDUCT.

No person shall use any abusive, profane or indecent language or engage in any lewd or obscene conduct or any other conduct that may annoy others.

903.16 FIREWORKS AND WEAPONS.

(a) No person, other than law enforcement officers, shall carry an air or gas gun, a bow, crowbar or other missile throwing device within a park, or discharge any firearms, fireworks, explosive substances, or air or gas guns into or over a park or bring into a park any switchblade, hunting knife, dagger, metal knuckles, slingshots, or other weapon. This prohibition shall not apply to any knife with a blade shorter than three (3) inches in length.

(b) The foregoing provisions of this section do not apply to firearms as defined by Ohio R.C. 2923.11, and nothing in this section shall be construed as a limitation on an individual's right to keep and bear arms under Federal or State law.

903.17 DUMPING, DEFACEMENT, DESTRUCTION, REMOVAL OR DISTURBANCE OF PROPERTY, EQUIPMENT, OR NATURAL FEATURES.

(a) No person shall dump within a park any material of any kind, including, but not limited to, earth, stones, concrete, wood, paper, rubbish, tin cans, bottles, discarded household articles, tree trimmings or grass clippings.

(b) No person shall injure, deface, destroy, disturb, or remove any part of a building sign, equipment or other property of a park, nor shall any tree, flower, shrub or other vegetation, or fruit or seed thereof, or rock or mineral be removed, injured, destroyed or disturbed, pursuant to Section 541.07 of the Codified Ordinances.

(c) Geocaches for geocaching may be placed in the park subject to prior permission of the Director and compliance with subsection (b).

903.18 GAMBLING.

No person shall engage in, promote, solicit or procure participants for any game which is played for money or other thing of value, or engage in any form of gambling or game of chance within a park.

903.19 CLIMBING ON FENCES, SHELTERS AND OTHER STRUCTURES.

No person shall climb, walk, stand or sit upon any fences, shelters, poles, fountains, walls or other structures within a park.

903.20 HUNTING, TRAPPING, OR COLLECTING WILDLIFE.

No person shall hunt, collect, pursue with dogs, trap or in any way molest any wild bird or other animal, or rob or molest any nest or den, or take the eggs or young of any bird or other animal found within a park, pursuant to Section 505.11 of the Codified Ordinances.

903.21 SOLICITATION.

No person shall sell, beg, hock, peddle, offer or solicit for sale any goods or merchandise within a park without the applicable licenses and written permission of the Director.

903.22 ENFORCEMENT.

(a) No person shall fail or refuse to comply with any posted restrictions or directives or with any reasonable order relating to this Chapter, or with any order lawfully given by an Officer, Director.

(b) Officer and/or Director may order any person violating any provisions of these rules and regulations to leave the park. No person shall fail to obey such an order.

903.23 ADDITIONAL RULES AND REGULATIONS.

The Director shall make and enforce such additional rules and regulations as are necessary for the proper management of parks and their facilities.

903.24 METAL DETECTING.

No person in a park shall have in their possession, operate or use any metal detector of any kind or form.

903.25 AEROSOL PAINT CANS AND HAZARDOUS MATERIALS.

No person in a park except an Officer and/or Director shall carry on or about his or her person any hazardous materials including a container capable of propelling paint or other hazardous material by means of a gaseous or liquid charge without having first obtained written permission from the Director. Personal protection devices such as mace, pepper spray, or similar devices may be excluded from this provision provided they are used only in the appropriate situation for their intended purpose.

903.26 ERECTING AND ATTACHING SIGNS.

No person in a park shall erect a sign or attach a sign to property owned or controlled by the City, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind or sign other than a permanent sign on a vehicle without a permit from the Director.

903.27 INFLATABLE AMUSEMENT DEVICES.

(a) No person shall provide an inflatable in City parks without prior approval from the Director, proof of insurance with the City named as an additional insured, a map of where the inflatable will be erected and compliance with Ohio Administrative Code 901:9-1-06.1.

(b) Use of inflatable amusement devices other than by owners are prohibited in City parks.

903.28 SMOKING PROHIBITION; SMOKE FREE ZONES.

(a) It shall be unlawful to smoke or carry lighted cigarettes, pipes, cigars, other tobacco products or smoking materials within all areas of public parks leased or owned by the City, which have been wholly designated as smoke free zones.

(b) Strict liability is intended for a violation of this section.

903.99 PENALTY.

(a) Whoever violates any provision set forth in Section 903.02 through 903.04, 903.06 through 903.11, 903.15, 903.19, 903.20, 903.24 and 903.28 shall be guilty of a minor misdemeanor for the first offense and guilty of a misdemeanor in the fourth degree for any subsequent offense within a twelve (12) month period.

(b) Whoever violates any provision of Section 903.05 and 903.17(b) shall be guilty of a misdemeanor of the fourth degree for the first offense and guilty of a misdemeanor in the third degree for any subsequent offense within a twelve (12) month period.

(c) Whoever violates any provision of Section 903.21 shall be guilty of a misdemeanor of the second degree for the first offense and guilty of a misdemeanor in the first degree for any subsequent offense within a twelve (12) month period.

(d) Whoever violates any provision of Section 903.12 through 903.14, 903.16, 903.17(a), 903.18 and 903.25 shall be guilty of a misdemeanor of the first degree.

(e) In addition to the penalties set forth above, violations of this Chapter may result in the following penalties:

- (1) 1st offense – 30 days banned from the park
- (2) 2nd offense – 60 days banned from the park
- (3) 3rd offense – 1 year banned from the park
- (4) 4th offense – banned for life.

Date: 12/29/15
Introduced By: _____
Committee: Lands
Originated By: Ms. Kelly
Approved: Mr. Boso
Emergency: 30 Days: X
Current Expense: _____

No.: C-02-16
1st Reading: 01/04/16
Public Notice: 01/07/16
2nd Reading: 01/19/16
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-02-16

AN ORDINANCE TO VACATE A 20' SANITARY SEWER EASEMENT LOCATED SOUTH OF I-270 AND WEST OF GANTZ ROAD

WHEREAS, the City granted a sanitary sewer easement as part of the 2006 Development Plan for Gantz Meadows that was never constructed; and

WHEREAS, this property had received approval for development as The Village at Gantz Meadows; and

WHEREAS, a similar easement was vacated under Ord. C-87-15; and

WHEREAS, this easement is no longer needed and needs to be vacated for the new development known as The Village at Gantz Meadows; and

WHEREAS, the City's Consulting Engineer has reviewed this request and finds no objection to the vacation of this sanitary sewer easement.

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

SECTION 1. The existing 20' sanitary sewer easement depicted and described in Exhibit "A" is hereby vacated.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

C-02-16
EXHIBIT "A"

200607060131475
Pg. 5 \$52.00 T20060049577
07/06/2006 9:46AM MLTHOMAS R CL
Robert G. Montgomery
Franklin County Recorder

DEED OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS that, The Village at Gantz Meadows, LLC, an Ohio Limited Liability Company, (hereinafter called "Grantor"), in consideration of One Dollar (\$1.00) and other good and valuable consideration to it paid by the CITY OF GROVE CITY, OHIO, an Ohio Municipal Corporation ("Grantee" herein), the receipt of which is hereby acknowledged, does hereby GRANT and RELEASE to the CITY OF GROVE CITY, OHIO, its successors and assigns, the perpetual non-exclusive right and easement in, through, over and under the following described real estate for the purpose of constructing, operating, installing, maintaining, inspecting, repairing, removing, renewing and replacing a sanitary sewer, and appurtenances thereto, together with the right of access to said easement area for said purpose.

Being that strip of land situated in the State of Ohio, County of Franklin, City of Grove City, and described on "Exhibit A" attached hereto and made a part hereof.
Prior Instrument reference: Instr. No. 2006030080044135

The granting of this easement does not preclude the use of said easement area by storm sewer, water line, gas, telephone, electric or television cable facilities.

The Deed of Easement is executed, granted and delivered by Grantor, for itself and its successors and assigns, and accepted by Grantee, for itself and its successors and assigns, upon the following condition, to wit:

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property improvements in, along and over the premises herein described so long as the same are constructed so as not to impair the strength of or interfere with the use and maintenance of the facilities herein provided for.

CONVEYANCE TAX
EXEMPT
[Signature]
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

TRANSFER
NOT NECESSARY
JUL 06 2006
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

TO HAVE AND TO HOLD, said premises unto said Grantee, the CITY OF GROVE CITY, OHIO, its successors and assigns forever, for the uses and purposes hereinabove described.

IN WITNESS WHEREOF, The Village at Gantz Meadows, LLC, has hereunto set their hands this 27th ^{June} day of ~~May~~, 2006.

Signed and acknowledged:

The Village at Gantz Meadows, LLC
by Village Communities, LLC

By [Signature]
Donald R Kenney
Managing Member

STATE OF OHIO
COUNTY OF FRANKLIN,

BE IT REMEMBERED, that on this 27th ^{June} day of ~~May~~, 2006, before me, the subscriber,

a Notary Public in and for said State and County, personally came the above named, Donald R. Kenney, ^{MANAGING} ~~MEMBER~~ of The Village at Gantz Meadows, LLC., Grantor in the foregoing instrument, who acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of said Village at Gantz Meadows, LLC., an Ohio Limited Liability, for the uses and purposes hereinbefore mentioned, and who under penalty of perjury in violation of Section 2921.11 of the Revised Code represented to me to be said person.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year first aforesaid.

[Signature]
Notary Public

This instrument was prepared by:
Thomas R. Clark, Attorney at Law
3083 Columbus Street
Grove City, Ohio 43123



SUSAN K. FRANKÉ
Notary Public, State of Ohio
My Commission Expires 08/11/07



Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 - Columbus, Ohio 43240
Phone 614.540.6633 - Fax 614.540.6638
CHICAGO, IL. • CINCINNATI, OH • EXPORT, PA. • INDIANAPOLIS IN.
NASHVILLE, TN. • PITTSBURGH, PA. • ST. LOUIS, MO.

"EXHIBIT A"
DESCRIPTION OF A 20' SANITARY SEWER EASEMENT
0.345 ACRE TRACT
LOCATED SOUTH OF INTERSTATE 270
WEST OF GANTZ ROAD
CITY OF GROVE CITY, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, City of Grove City, Virginia Military Survey Number 6839, and being part of a 5.159 acre tract conveyed to the Village at Gantz Meadows, LLC, by deed of record in Instrument Number 200603080044135, all records herein are from the Recorder's Office, Franklin County, Ohio, said 20' Sanitary Sewer Easement, 0.345 acre tract being more particularly described as follows:

BEGINNING FOR REFERENCE, at a southwest corner of said 5.159 acre tract and the southeast corner of a 3.892 acre tract conveyed to the Village at Gantz Meadows, LLC, by deed of record in Instrument Number 200603080044133, and being on the relocated centerline of Home Road as shown on the right-of-way plans for Interstate 270, named FRA 270-6.09S;

Thence North 07°07'01" East, a distance of 39.91 feet, along the common line of said 5.159 acre tract and said 3.892 acre tract, to a point of the proposed northerly right-of-way line of said Home Road;

Thence South 82°02'35" East, a distance of 13.55 feet, along the proposed northerly right-of-way line of said Home Road, to the **TRUE POINT OF BEGINNING**;

Thence with the following three (3) courses and distances across said 5.159 acre tract;

1. North 11°11'14" East, a distance of 48.26 feet, to a point;
2. North 00°15'13" West, a distance of 58.86 feet, to a point;
3. North 24°22'29" West, a distance of 16.46 feet, to a point;

Thence North 07°07'01" East, a distance of 27.56 feet, along the common line of said 5.159 acre tract and said 3.892 acre tract, to a point;

Thence with the following eleven (11) courses and distances across said 5.159 acre tract;

1. South 47°36'10" East, a distance of 15.43 feet, to a point;
2. South 23°30'59" East, a distance of 29.99 feet, to a point;

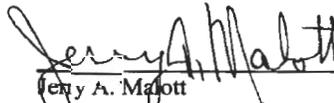
3. South 00°15'13" East, a distance of 53.72 feet, to a point;
4. North 87°02'22" East, a distance of 166.87 feet, to a point;
5. North 14°33'52" East, a distance of 308.60 feet, to a point;
6. North 29°42'45" West, a distance of 108.47 feet, to a point;
7. North 60°17'15" East, a distance of 20.00 feet, to a point;
8. South 29°42'45" East, a distance of 116.61 feet, to a point;
9. South 14°33'52" West, a distance of 331.40 feet, to a point;
10. South 87°02'22" West, a distance of 184.22 feet, to a point;
11. South 11°11'14" West, a distance of 40.34 feet, to a point;

Thence North 82°02'35" West, a distance of 20.03 feet, along the proposed northerly right-of-way line of said Home Road, to the **TRUE POINT OF BEGINNING**, containing 0.345 acres, more or less.

The bearings shown above are determined between Franklin County Monuments FCGS 4432 and FCGS 4428 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment), which said monuments having a bearing of North 02°25'45" East between them.



Civil & Environmental Consultants, Inc.


Jerry A. Malott 3-15-06
Registered Surveyor No. S-5963 Date



Civil & Environmental Consultants, Inc.

8740 Orion Place, Suite 100 Columbus, Oh. 43240
(614) 540-6633 (888)598-6808 FAX(614)540-6638

CHICAGO, IL. · CINCINNATI, OH. · EXPORT, PA · INDIANAPOLIS, IN.
NASHVILLE, TN. · PITTSBURGH, PA. · ST. LOUIS, MO.

20' Sanitary Sewer Easement

THE VILLAGE AT GANTZ MEADOWS LLC
3.892 ACRES
INSTR. 200603080044133

THE VILLAGE AT GANTZ MEADOWS LLC
5.159 ACRES
INSTR. 200603080044135

Line Table

| Line | Bearing | Distance |
|------|---------------|----------|
| L1 | N 07°07'01" E | 39.51' |
| L2 | S 82°02'35" E | 13.55' |
| L3 | N 11°11'14" E | 48.26' |
| L4 | N 00°15'13" W | 58.86' |
| L5 | N 24°22'28" W | 16.46' |
| L6 | N 07°07'01" E | 27.56' |
| L7 | S 47°36'10" E | 15.43' |
| L8 | S 23°30'59" E | 29.99' |
| L9 | S 00°15'13" E | 53.72' |
| L10 | N 87°02'22" E | 166.87' |
| L11 | N 14°33'52" E | 308.60' |
| L12 | N 28°42'45" W | 108.47' |
| L13 | N 60°17'15" E | 20.00' |
| L14 | S 28°42'45" E | 116.61' |
| L15 | S 14°33'52" W | 331.40' |
| L16 | S 87°02'22" W | 184.22' |
| L17 | S 11°11'14" W | 40.34' |
| L18 | N 82°02'35" W | 20.03' |

Situate

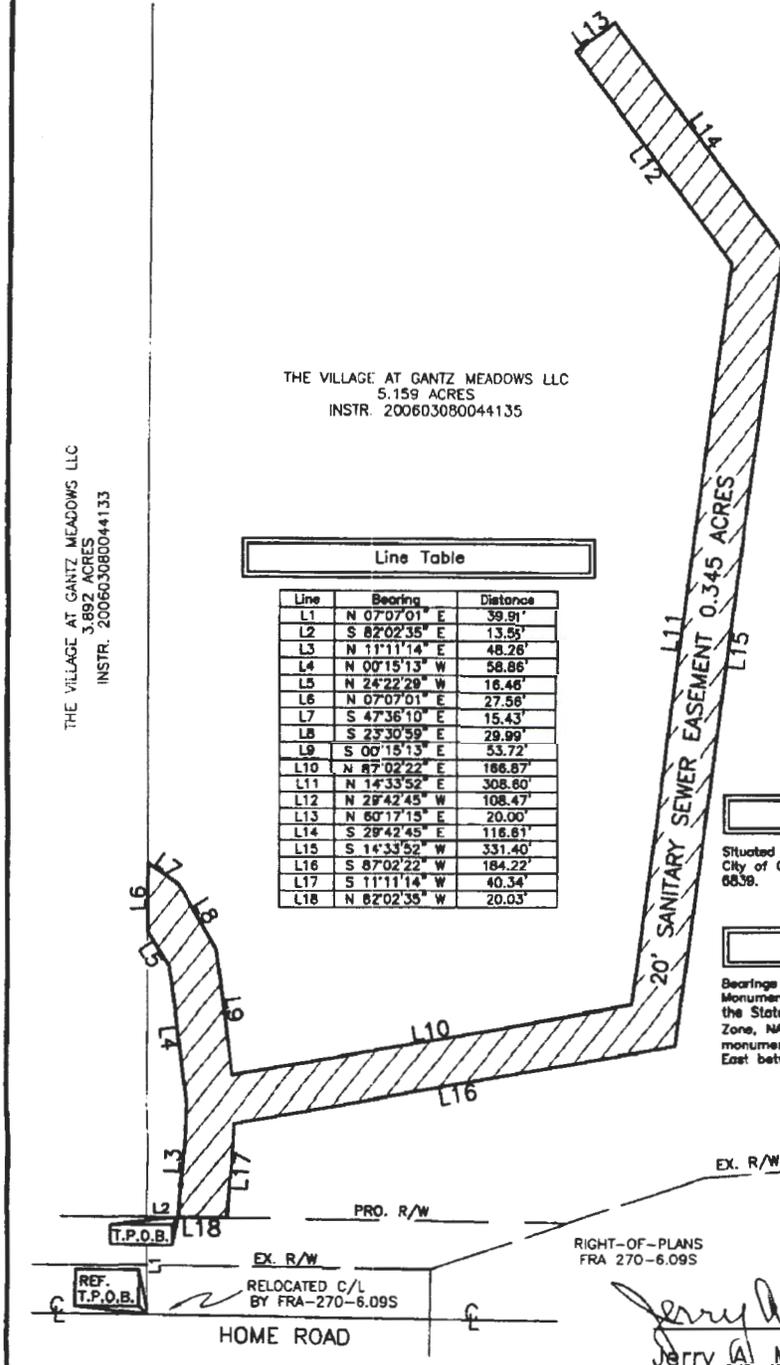
Situated in the State of Ohio, County of Franklin, City of Grove City, Virginia Military Survey Number 6838.

Basis of Bearings

Bearings were based on the Franklin County Monuments FDCS 4432 and FDCS 4428 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment), which acid monuments having a bearing of North 02°25'45" East between them.



Jerry A. Malott
03-15-06
Jerry A. Malott P.S. 5963



REVISION RECORD

| DATE | DESCRIPTION |
|------|-------------|
| | |
| | |
| | |

DRAWN BY: NV
FIELD WORK BY: W/A
DATE: 03-13-06
SCALE: 1" = 30'

JOB NUMBER
050052

Date: 10/15/15
Introduced By: Ms. K-McGraw
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

Postpone
to 12/7
Amended &
Postponed
To 12/21; 01/04;

No. : CR-66-15
1st Reading: 10/19/15
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-66-15

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR HOLTON PARK LOCATED NORTH OF ORDERS AND WEST OF HAUGHN ROADS

WHEREAS, on October 06, 2015, the Planning Commission recommended approval of the Development Plan for Holton Park, with the following stipulations:

1. Williamsburg Court shall be renamed;
2. Additional traffic control measures shall be implemented along Hickory Creek Drive. The applicant shall work with Staff to ensure appropriate design.
3. The two (2) leisure paths around the stormwater retention ponds shall be connected
4. Collapsible bollard details shall be removed from Sheet C800; and
5. No Parking signs shall be added to one side of all 28' wide streets.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Holton Park, contingent upon the stipulations set by Planning Commission, and the following stipulation:

1. This Council does not require a path on the sides of the ponds that face a residential area.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed:
Effective:

Attest:

I Certify that this resolution
is correct as to form.

Date: 12/29/15
Introduced By: _____
Committee: Lands
Originated By: Clerk
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-02-16
1st Reading: 01/04/16
Public Notice:
2nd Reading:
Passed: _____ Rejected:
Codified: _____ Code No:
Passage Publication:

RESOLUTION NO. CR-02-16

A RESOLUTION APPEALING THE DECISION OF THE BOARD OF ZONING APPEALS GRANTING A VARIANCE FOR A FENCE FOR THE BUCKEYE RANCH LOCATED AT 5665 HOOVER ROAD

WHEREAS, on December 21, 2015 the Board of Zoning Appeals granted a variance for a 12' fence for The Buckeye Ranch located at 5665 Hoover Road; and

WHEREAS, in accordance with 1133.07 of the Codified Ordinances of the City of Grove City, Ohio, any aggrieved person or any elected official of the City may appeal a decision of the Board of Zoning Appeals to Council; and

WHEREAS, an appeal has been filed with the Clerk of Council against said variance.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby reverses the decision of the Board of Zoning Appeals and the variance granted for a 12' high fence for The Buckeye Ranch, located at 5665 Hoover Road is hereby repealed.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

Ted. A. Berry, President of Council

Richard L. Stage, Mayor

Passed:
Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law