

**GROVE CITY, OHIO COUNCIL  
LEGISLATIVE AGENDA**

*September 15, 2014*

*6:30 Caucus*

*7:00 – Reg. Meet.*

**PRESENTATION:**

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**FINANCE: Mr. Bennett**

- Ordinance C-54-14 Amend the Payment Schedule in Section 2 of Ordinance C-13-14. Second reading and public hearing.
- Ordinance C-55-14 Reauthorize an Agreement between the City of Grove City and the Board of County Commissioners, on behalf of the City, in order to Participate in the Franklin County, Ohio Department of Housing & Urban Development Entitlement Program and Abide by the Covenants of that Program. Second reading and public hearing.
- Ordinance C-56-14 Appropriate \$70,000.00 from the Convention Bureau Fund for Current Expenses. First reading.
- Ordinance C-57-14 Accept a \$1,000.000 Donation from WalMart and Appropriate Same for the Division of Police Crime Prevention Program. First Reading.
- Ordinance C-58-14 Accept a \$1,000.00 Donation from the Columbus/Grove City Elks Lodge 37 and Appropriate Same for the Division of Police Dare Program. First Reading.
- Resolution CR-47-14 Accept the Amounts and Rates as determined by The Budget Commission and Authorizing the necessary Tax Levies and Certifying them to the County Auditor.
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**SAFETY: Mr. Davis**

- Ordinance C-47a-14 Establish Section 505.16 of the Codified Ordinances titled Bees. Second reading and public hearing.
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**LANDS: Ms. Klemack-McGraw**

- Ordinance C-59-14 Authorize the City Administrator to Execute a Land Exchange Agreement to enable the City to Realign the Columbus and Mill Streets Intersection. First reading.
- Ordinance C-60-14 Approve the Use for an Electrical Vehicle Charging Station for Tesla Motors located at 2161-2263 Stringtown Road. First reading.
- Resolution CR-48-14 Approve the Development Plan for the Tesla Motors Recharging Stations located at 2161-2263 Stringtown Road.
- Resolution CR-49-14 Approve the Preliminary Development Plan for Texas Roadhouse located at 4155 Parkway Centre Drive.
- Resolution CR-50-14 Approve the Sign request for Villager on Broadway located at 4060 Broadway in the Historical Preservation Area.
- Resolution CR-51-14 Approve the Sign request for Venue 62 located at 3995 Broadway in the Historical Preservation Area.
- Resolution CR-52-14 Approve a Portable Sign request for Venue 62 located at 3995 Broadway in the Central Business District.
- Resolution CR-53-14 Approve a Certificate of Appropriateness for a Mural to be located on the Park Street side of 4030 Broadway in the Historical Preservation Area.
-

Date: 08/27/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Pres. Berry  
Approved: \_\_\_\_\_  
Emergency: 30 Days: X  
Current Expense: \_\_\_\_\_

No.: C-54-14  
1st Reading: 09/02/14  
Public Notice: 09/04/14  
2nd Reading: 09/15/14  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-54-14

### AN ORDINANCE TO AMEND THE PAYMENT SCHEDULE IN SECTION 2 OF ORDINANCE C-13-14

WHEREAS, on April 21, 2014 Council approved Ordinance C-13-14 finding exceptional circumstances for to the prospective purchaser of 3995 Broadway making it eligible for an award in excess of the maximum currently permitted under the Town Center Commercial Revitalization Grant Program; and

WHEREAS, the Ordinance approved a total award of \$60,000.00 to be payable in equal installments over a three year period; and

WHEREAS, the property owner wishes to move forward with the improvements to the Property earlier than initially anticipated.

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

SECTION 1. The payment schedule in Section 2 of Ordinance C-13-14 is hereby amended as follows:

SECTION 2. Council hereby authorizes an award of ~~\$60,000.00 payable in three equal annual installments~~ **\$40,000.00 in 2014, \$20,000.00 in 2015, and \$0 in 2016** provided that the prospective purchaser is using the grant funds for any of the purposes currently authorized under the Program.

SECTION 2. This ordinance shall go into effect at the earliest opportunity provided 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: 08/27/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Boso  
Approved:  
Emergency: 30 Days: X  
Current Expense:

No.: C-55-14  
1st Reading: 09/02/14  
Public Notice: 09/04/14  
2nd Reading: 09/15/14  
Passed: Rejected:  
Codified: Code No:  
Passage Publication:

## ORDINANCE NO. C-55-14

AN ORDINANCE TO REAUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GROVE CITY, OHIO AND THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, OHIO ON BEHALF OF THE CITY OF GROVE CITY IN ORDER TO PARTICIPATE IN THE FRANKLIN COUNTY, OHIO DEPARTMENT OF HOUSING & URBAN DEVELOPMENT ENTITLEMENT PROGRAM AND ABIDE BY THE COVENANTS OF THAT PROGRAM

WHEREAS, pursuant to the provisions of the Housing and Community Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301), as amended, Franklin County, Ohio is recognized by the United States Department of Housing and Urban Development as an urban county and entitled to Community Development Block Grant Program funds and HOME funds for urban counties; and

WHEREAS, pursuant to the provisions of Section 307.85, Ohio Revised Code, the Board of County Commissioners, Franklin County, Ohio, is authorized to enter into agreements with cities and villages in Franklin County to exercise certain powers and perform certain functions or renders services on behalf of the said cities and villages; and

WHEREAS, the City of Grove City, Ohio desires to reaffirm its participation and inclusion of its population in the Franklin County Community Development Block Grant and HOME programs and to reauthorize the cooperation agreement for another three years (April 1, 2015 - March 31, 2018).

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

SECTION 1. The City of Grove City is located within the geographical boundaries of Franklin County, Ohio.

SECTION 2. The attached agreement with the Board of County Commissioners, Franklin County, Ohio, is hereby reauthorized for the period April 1, 2015 through March 31, 2018 for the purpose of cooperating and participating in the Franklin County HUD Entitlement program per the Housing and Community Development Act of 1974 (Public Law 93-383), 42 U.S.C. 5301, as amended, and Section 570.105 b 3 (iii), Community Development Block Grant Program Rules and Regulations.

SECTION 3. 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

C-55-14

**COOPERATION AGREEMENT  
FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
RENEWAL AND EXTENSION  
EXHIBIT "A"**

WHEREAS, the agreement, made and concluded at Franklin County, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the Board of County Commissioners of Franklin County, Ohio, being duly authorized in the premises by the provisions of a resolution adopted on \_\_\_\_\_, hereinafter referred to as "Board" and the city/village of \_\_\_\_\_ (Name), its \_\_\_\_\_ (Chief Executive Officer), or \_\_\_\_\_ being duly authorized in the premises by the provisions of resolution/ordinance no. \_\_\_\_\_ dated \_\_\_\_\_, 2014 hereinafter referred to as "city/village":

NOW THEREFORE, it is hereby agreed by and between the parties hereto, upon the considerations herein set forth as follows:

1. Board and \_\_\_\_\_ (city/village) will cooperate in the undertaking or assist in the undertaking of essential community renewal and lower income housing assistance activities as funded through the Department of Housing & Urban Development (HUD) Community Development Block Grant and HOME Investment Partnership programs for the period of April 1, 2015 through March 31, 2018. The parties further agree not to obstruct or restrict the implementation of the County's approved Consolidated Plan during the course of this agreement. All of these aforementioned activities shall be carried out in accordance with CDBG and HOME program rules and regulations and the applicable provisions of the Ohio Revised Code, including but not limited to the Community and Economic Development Act of 1974 (Public Law 93-383, 42 U.S.C. 5301) as amended, and Section 570.105 b 3 (iii), Community Development Block Grant Rules and Regulations.
2. County-wide community development plans and projects, program budgets and the needs and goals established in the Consolidated Plan and amendments thereto, shall be binding on said Board and \_\_\_\_\_ (city/village) for the Forty first, Forty second and Forty third program years of the afore cited HUD entitlement programs, which end March 31, 2018 and for such additional time as may be required for the expenditure of funds and completion of funded activities granted to the county and any program income received for such period.
3. The Agreement gives the Board the authority to carry out the activities funded from annual Community Development Block and HOME Grants from Federal Fiscal Years 2015, 2016 and 2017 appropriations, and from any program income generated from the expenditure of such funds. The \_\_\_\_\_ (city/village) must inform the Board of any program income generated through the expenditure of those funds. Said program income must be returned to the county. If any program income is authorized to be retained by the \_\_\_\_\_ (city/village), it may only be used for eligible activities in accordance with all CDBG requirements.

That the Board has the responsibility for monitoring and reporting to HUD on the use of any such program income thereby requires appropriate record keeping and reporting by the participating unit as may be needed for this purpose; and, that in the event of close-out or change in status of the participating unit, any program income that is on hand or received subsequent to the close-out or change in status shall also be returned to the county.

During the period of qualification no included unit of general local government may withdraw from the urban county recertification agreement unless the urban county does not receive a CDBG of HOME grant for any year during such period.

4. The Department of Economic Development and Planning (EDP) is authorized to act for the Board and is accepted by \_\_\_\_\_ (city/village) as an agent of the Board in planning, administering, and overall coordinating the programs, which are the subject of this agreement.
5. It is accepted by \_\_\_\_\_ (city/village) that the County's HUD entitlement program, the programs it chooses to fund and the priorities it chooses to address reflect the needs of the entire county.
6. The following standards shall apply to real property acquired or improved in whole or in part using CDBG funds that is within the control of a participating unit of local government:

The \_\_\_\_\_ (city/village) will notify the Board as soon as it knows of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition;

The \_\_\_\_\_ (city/village) will be required to reimburse the Board in the full amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations; and,

Treatment of program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between the Board and the participating unit, will be subject to the provisions of Section 3 of this same Agreement.

The policies/procedures of the Franklin County HUD Entitlement Program will apply to any projects involving acquisition, whereby EDP will be notified during the planning and design process of any approved project, where applicable land acquisitions and other items are subject to the Uniform Relocation and Real Properties Acquisition Policies Act of 1970.

7. The \_\_\_\_\_ (city/village) pursuant to 24 CFR 570.501 (b) is subject to the same requirements applicable to subrecipients, including the requirements of a written agreement set forth in 24 CFR 570.503.

Section 570.503, Code of Federal Regulations, requires the Board and any participating unit of local government execute a written agreement prior to the disbursement of any federal funds. As such, Franklin County has prepared a Template Funding Agreement, which must be executed. This agreement includes certain administrative, legal and financial procedures, which define the responsibilities of the grantor and grantee. The Agreement shall remain in effect during any period that the subrecipient has control over CDBG funds, including program income.

At a minimum, this written Funding Agreement shall contain provisions as prescribed in the Code of Federal Regulations concerning: Statement of Work; Records and record keeping; Program Income; OMB Circulars; Other program requirements; except that the County is responsible for initiating the review process under Executive Order 12372; Suspension and Termination; and reversion of assets meeting the prescribed criteria; and disposing of assets in a manner comparable to that described in the aforementioned Code of Federal Regulations.

8. \_\_\_\_\_ (city/village) is included in Franklin County for the purpose of planning and implementing the Franklin County HUD Entitlement Program. \_\_\_\_\_ (city/village) shall not apply for separate grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the urban county's CDBG program; and \_\_\_\_\_ (city/village) may not participate in a HOME consortium except through Franklin County, regardless of whether or not Franklin County receives a HOME formula allocation.
9. No Community Development Block Grant and HOME Investment Partnership Program funds provided by Franklin County under this Agreement may be used for activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes Franklin County's actions to comply with its fair housing certification.
10. Cities/Villages and counties in Ohio have authority under Section 307.15 of the Ohio Revised Code to enter into agreements whereby a Board of County Commissioners undertakes, and is authorized by the contracting subdivision, to exercise any power, perform any function, or render any service, in behalf of the city/village, which such city/village may exercise, perform or render; and
11. The city/village and the County each have authority to carry out the kinds of activities which are the objectives of the Act pursuant to Section 303.26 of the Ohio Revised Code, et. seq.; and
12. \_\_\_\_\_ (City/Village) elects to include the total areas and population of its corporation in Franklin County for the purpose of planning and implementing the Franklin County HUD Entitlement program.

NOW THEREFORE, the Board, in consideration of the promises and agreements of \_\_\_\_\_ (city/village) herein set forth, hereby promises and agrees as follows:

1. That it or its agent shall prepare the local portion of the County-wide Consolidated Plan based upon information as to needs, objectives, plans, and programs supplied by \_\_\_\_\_ (city/village) or its agent, pursuant to the applicable rules and regulations governing the Community Development Block Grant and the HOME Investment Partnership Programs.
2. Board assumes full responsibility and all obligations for preparation of the application and execution of the program including, but not limited to, the analysis of needs, setting of objectives, development of plans, programs, and budgets, and furnishing assurances and certifications. Board is also responsible for the accomplishment of goals set forth in its Consolidated Plan.
3. Board shall prepare and submit to the appropriate Federal Agency, the Franklin County HUD Entitlement program submission, and assume all related responsibilities as to said submission.
4. Board shall acquire as applicable, by purchase or condemnation, land and structures thereon for property or easements needed in connection with the Franklin County HUD Entitlement program, which is the subject of the agreement, title to said property and easements to be taken in the name of \_\_\_\_\_ (city/village). Said acquisition procedures shall be accomplished in accordance with applicable provisions of the Uniform Relocation and Real Properties Acquisition Policies Act of 1970 as amended and the Ohio Revised Code.

WHEREAS, in consideration of the promises and agreements of the Board herein set forth, the \_\_\_\_\_ (city/village) hereby promises and agrees as follows:

1. That it will promptly submit to the Board its needs, objectives, plans, required reports and programs for preparation by the Board of the local portion of the Consolidated Plan.
2. That it will implement plans concerning community development and HOME activities prepared by the Board, however, the Board shall retain full responsibility and obligations for preparation and implementation of said plans.
3. That it will take all actions with the Board that are necessary to assure compliance with the urban county's certification required by Section 104 (b) of Title I of the Community and Economic Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Community and Economic Development Act of 1974, as amended; the Americans with Disabilities Act of 1990; and other applicable laws.
4. That it may not sell, trade, or otherwise transfer all or any portion of the funds (identified under this agreement) to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

5. The city/village of \_\_\_\_\_ has adopted and is enforcing:
- a. a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b. a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

The Board, however, shall retain primary responsibility for implementing compliance.

IN WITNESS WHEREOF, the parties have hereunto set their hands hereof on the day and year first above written by the Board of County Commissioners, Franklin County, Ohio being the governing body of the said County, and by the city/village of \_\_\_\_\_ by \_\_\_\_\_ (Name) its \_\_\_\_\_ (Chief Executive Officer) per a duly enacted Resolution/Ordinance of the city/village Council of \_\_\_\_\_.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Date

\_\_\_\_\_  
MARILYN BROWN, PRESIDENT

\_\_\_\_\_  
PAULA BROOKS

\_\_\_\_\_  
JOHN O'GRADY  
BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, OHIO

\_\_\_\_\_  
CITY/VILLAGE

\_\_\_\_\_  
Date

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

The terms and provisions of this agreement are fully authorized under state and local law, and the agreement provides full legal authority for the county to undertake or assist in undertaking essential community renewal and lower income housing assistance activities.

\_\_\_\_\_  
ASSISTANT PROSECUTING ATTORNEY  
FRANKLIN COUNTY

Approved as to form and legality of purpose:

\_\_\_\_\_  
CITY/VILLAGE COUNSEL

Date: 08/09/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Turner  
Approved: Mr. Boso  
Emergency: 30 Days:       
Current Expense: XX

No.: C-56-14  
1st Reading: 09/15/14  
Public Notice: 09/17/14  
2nd Reading: 10/06/14  
Passed:      Rejected:       
Codified:      Code No:       
Passage Publication:     

## ORDINANCE C-56-14

### AN ORDINANCE TO APPROPRIATE \$70,000.00 FROM THE CONVENTION BUREAU FUND FOR CURRENT EXPENSES

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WHEREAS, Chapter 192, Hotel Tax, provides for the imposition of an excise tax on transactions by which lodging by a hotel, motel or transient accommodations is or is to be furnished to transient guests; and

WHEREAS, said Chapter provides for the collection, segregation and disbursement of said funds; and

WHEREAS, collections of said funds have exceeded the budget estimates and appropriations need approved by Council for this purpose.

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

SECTION 1. There is hereby appropriated \$70,000.00 from the unappropriated monies of the Convention Bureau Fund into account #609000.559000 for the Current Expenses imposed by Chapter 192 of the Grove City Code.

SECTION 2. This ordinance appropriates for current expenses and shall therefore go into immediate effect.

\_\_\_\_\_  
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

I certify that there is money in the treasury, or is in the process of collection, to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance

Date: 09/09/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Turner  
Approved: Mr. Boso  
Emergency: 30 Days:       
Current Expense:           

No.: CR-57-14  
1st Reading: 09/15/14  
Public Notice: 09/17/14  
2nd Reading: 10/06/14  
Passed:      Rejected:       
Codified:      Code No:       
Passage Publication:     

## ORDINANCE C-57-14

### AN ORDINANCE TO ACCEPT A \$1,000.00 DONATION FROM WALMART AND APPROPRIATE SAME FOR THE DIVISION OF POLICE CRIME PREVENTION PROGRAM

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WHEREAS, the Walmart Corporation has a history of supporting worthy causes in Grove City; and

WHEREAS, Walmart employees have graduated from the Grove City Citizens Police Academy; and

WHEREAS, Walmart continue to participate in Grove City Citizens Police Academy Alumni Association; and

WHEREAS, the Grove City Division of Police provides numerous crime prevention programs in the community; and

WHEREAS, the Walmart Corporation has a desire to support their employees and their community activities; and

WHEREAS, the Walmart Corporation has generously donated \$1,000.00 to support and advance the Grove City Division of Police Crime Prevention Programs.

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

SECTION 1. The City accepts the generous donation from the Walmart Corporation, and appropriates it to account 100070-5319000 to be used to further the division's crime prevention goals.

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: 09/09/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Turner  
Approved: Mr. Boso  
Emergency: 30 Days:       
Current Expense:                     

No.: CR-58-14  
1st Reading: 09/15/14  
Public Notice: 09/17/14  
2nd Reading: 10/06/14  
Passed:      Rejected:       
Codified:      Code No:       
Passage Publication:     

## ORDINANCE C-58-14

### AN ORDINANCE TO ACCEPT A \$1,000.00 DONATION FROM THE COLUMBUS/GROVE CITY ELKS LODGE 37 AND APPROPRIATE SAME FOR THE DIVISION OF POLICE DARE PROGRAM

WHEREAS, the Columbus/Grove City Elks Lodge 37 has a history of supporting worthy causes in Grove City; and

WHEREAS, the Grove City Division of Police provides Drug Awareness Recognition Education (DARE) to approximately 2,400 students annually; and

WHEREAS, the DARE helps young people develop skills in decision making relative to drug & alcohol abuse and bullying; and

WHEREAS, the Columbus/Grove City Elks Lodge 37 has generously donated \$1,000.00 to support and advance the Grove City DARE program.

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

SECTION 1. The City accepts the generous donation of \$1,000.00 from the Columbus/Grove City Elks Lodge 37, and appropriates it to account 100070-5319000 to be used to further the goals of the DARE program.

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

I certify that there is money in the treasury, or is in the process of collection, to pay the within ordinance.

\_\_\_\_\_  
Michael A. Turner, Director of Finance

Date: 09/09/14  
Introduced By: Mr. Bennett  
Committee: Finance  
Originated By: Mr. Turner  
Approved: Mr. Boso  
Emergency: 30 Days:  
Current Expense:

No.: CR-47-14  
1st Reading: 09/15/14  
Public Notice:  
2nd Reading:  
Passed: Rejected:  
Codified: Code No:  
Passage Publication:

## RESOLUTION NO. CR-47-14

### A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

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The Council of the City of Grove City, Franklin County, Ohio, met in regular session on the fifteenth day of September, 2014, in the Council Chambers with the following members present:

Jeffrey M. Davis  
Maria C. Klemack-McGraw  
Ted A. Berry  
Steven M. Bennett  
Laura Lanese

Mr. Bennett moved the adoption of the following Resolution:

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2015; and

WHEREAS, the Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation.

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

SECTION 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION 2. There be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2014 (collection year 2015) as follows:

**SCHEDULE A**

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Full Tax Rate to Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund		\$589,367.68	0.70	
General Fund Charter	\$420,884.00			0.50
Bond Retirement				
Bond Retirement Charter	\$673,414.40			0.80
Police Pension		\$1,262,930.73	1.50	
Police Operating				
Fire Pension				
Fire Operating				
Police/Fire Pension				
Capital Improvement Charter				
<b>TOTAL</b>	<b>\$1,094,298.40</b>	<b>\$1,852,298.41</b>	<b>2.20</b>	<b>1.30</b>

SECTION 3. The Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

SECTION 4. 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

Date: 07/25/14  
Introduced By: Mr. Davis  
Committee: Safety  
Originated By: Mr. Bennett  
Approved: \_\_\_\_\_  
Emergency: 30 Days: XX  
Current Expense: \_\_\_\_\_

No.: C-47-14  
1st Reading: 08/04/14  
Public Notice: 08/11/14  
2nd Reading: 08/18/14  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

*Postponed  
to 9-15*

## ORDINANCE C-47a-14

### AN ORDINANCE TO ESTABLISH SECTION 505.16 OF THE CODIFIED ORDINANCES OF GROVE CITY OHIO TITLED BEES

WHEREAS, in order to preserve the safety and security of the community, it is necessary to enact a new Section of the Codified Ordinances to address the keeping of bees.

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 505.16 is hereby enacted and shall read:

#### 505.16 BEES

(a) *General Requirements.* The keeping of honeybees on single-family residential properties is permitted as a hobby if all colonies are registered with the Ohio Department of Agriculture and all of the requirements of this Section are met. Keeper must maintain valid certification with the Ohio Department of Agriculture.

(b) *Location, Setbacks, Number.*

- (1) Beehives may be located in a rear yard only.
- (2) The front of any beehive shall face away from the property line of the adjoining residential property(ies);
- (3) Hives shall be located a minimum of ten feet (10') off the property line;
- (4) There shall be no more than two (2) hives on any one parcel, with a height not to exceed five feet (5'), from grade and not exceed 16,020 cubic inches per hive.
- (5) the Colony's shall have Restrictive Access by either perimeter fencing, a solid hedge row or a solid barrier surrounding the hive(s).

(c) *Flyways.* Where a beehive is situated within twenty-five (25) feet of a property line, the beekeeper shall establish and maintain a flyway barrier in front of the hive opening(s). The flyway barrier shall:

- (1) be six (6) feet in height from adjacent grade;
- (2) consist of a solid wall, privacy fence, or dense/opaque evergreen shrubs, that is parallel to the property line so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the hive;
- (3) be located within five (5) feet of the beehive; and
- (4) extend at least ten (10) feet on either side of the beehive.

(d) *Water.* Each beekeeper shall ensure that a convenient source of water is available in close proximity to the bees at all times during the year so that the bees are less likely to congregate off premises. Water source should have acceptable access for bees, should be of concrete construction (ie concrete bird bath or fountain) or have stone surfaces protruding from the water to promote desirable landing surface. The water source should be still.

(e) *Maintenance of colonies.* The maintenance of each colony shall meet the following conditions:

- (1) Colonies shall be maintained in movable frame hives;
- (2) Adequate space shall be maintained in the hive to prevent overcrowding;
- (3) Colonies shall be re-queened following any aggressive behavior. No Africanized bees shall be intentionally introduced into the beehives. Should Africanized bees be found dwelling in any beehive, the beekeeper shall take immediate action to eradicate the Africanized bees as swiftly as possible.

(f) *Compliance.* Notwithstanding compliance with the various requirements of this Section, a beekeeper shall be prohibited from keeping any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public or private property.

(g) *Complaint.* Whenever the Safety Director determines, following an investigation, that a Nuisance condition exists, written notice shall be served upon the owner, lessee, agent or tenant having charge of such land notifying him or her of the nuisance conditions and requiring that the hives or other contrivances, where the bees are kept or harbored, be removed within ten days after receipt of the notice. Such notice shall be served by delivering the same personally to such person if he or she resides within the corporate limits of the City, by leaving such notice at his or her usual place of residence or by sending the same by certified mail, return receipt requested, addressed to his or her usual place of residence or to the address listed in the Franklin County tax records.

Any person failing to comply with a notice of abatement served in accordance with the requirements herein shall be deemed guilty of an unclassified misdemeanor and fined in an amount not to exceed \$100 per day, with each day constituting a separate offense. If the notice of violation is not complied with, the Safety Director shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such nuisance. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(h) *Appeal.* There is hereby created a three member Board to hear appeals under this Section. The Board shall consist of the City Administrator and two appointed members. One appointed member shall be familiar with the Chapter 909 of the Ohio Revised Code and/or a member of a state or local beekeeping association.

Any person directly affected by a decision of the Safety Director or a notice or order issued under this Section shall have the right to appeal to the Board within ten (10) days of receipt of the notice required hereunder. The Board shall conduct a hearing on the appeal in accordance with the procedures set forth in Chapter 119 of the Ohio Revised Code.

(i) *Penalty.* Whoever violates this section is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense. In addition, any violation of this Section shall result in the immediate removal of all hives.

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

---

Ted A. Berry, President of Council

Date: 09/09/14  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Mr. Smith  
Approved: Mr. Boso  
Emergency: 30 Days: XX  
Current Expense: \_\_\_\_\_

No.: C-59-14  
1st Reading: 09/15/14  
Public Notice: 09/17/14  
2nd Reading: 10/06/14  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-59-14

### AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A LAND EXCHANGE AGREEMENT TO ENABLE THE CITY TO REALIGN THE COLUMBUS STREET AND MILL STREET INTERSECTION

---

WHEREAS, in conjunction with the potential library relocation project, the City has been examining the current Broadway and Mill Street intersection; and

WHEREAS, a realignment of Columbus Street and Mill Street would allow for a possible future connection to the west and eliminate any existing safety concerns; and

WHEREAS, the property owners abutting Columbus Street have agreed to donate the land necessary to relocate Columbus Street so that it may be aligned with Mill Street; and

WHEREAS, in return for the land donation, the City would vacate First Street to enable the current property owner to expand the development potential on northeast corner of Broadway and Columbus Street; and

WHEREAS, the City and the property owner wish to formalize the concept and basic terms of the land exchange agreement.

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

SECTION 1. The City Council hereby approves the concept and terms associated with the land exchange agreement attached hereto.

SECTION 2. The City Council hereby authorizes the City Administrator to execute the land exchange agreement upon the terms and conditions in the Attachment.

SECTION 3. While the concept and basic terms have been finalized, City Council recognizes that additional changes may be necessary in order to finalize the agreement. Accordingly, the City Administrator is hereby authorized to make necessary changes so long as they do not materially affect the terms and conditions approved herein.

SECTION 4. 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

C-59-14  
Attachment

**AGREEMENT REGARDING  
COLUMBUS STREET IMPROVEMENT PROJECT**

THIS AGREEMENT REGARDING COLUMBUS STREET IMPROVEMENT PROJECT (the "Agreement") is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2014, by and among 3952 Broadway, LLC, an Ohio limited liability company, and 3338 Columbus Street LLC, an Ohio limited liability company (collectively, the "Owners" and individually, the "Owner"), with address at 4110 Demorest Road, Grove City, OH 43123; and 3318 Columbus Street LLC, an Ohio limited liability company (the "3318 Owner") with address at 4110 Demorest Road, Grove City, OH 43123 and the City of Grove City, Ohio, a municipal corporation, duly organized and validly existing under the Constitution and laws of the State of Ohio and its City Charter (the "City"), with address at 4035 Broadway, Grove City, Ohio 43123. Owners and the City may be referred to herein individually as a "Party" and collectively as the "Parties."

**Background Information**

- A. Owner, 3952 Broadway, LLC, owns land fronting on Columbus Street and Broadway in the City of Grove City and identified as Tax Parcels 040-000603 and 040-000207, 040-060866 (the "Broadway Property"). (See Exhibit A attached hereto.)
- B. Owner, 3338 Columbus Street LLC, owns land fronting on Columbus Street in the City of Grove City and identified as Tax Parcel 040-000222 (the "3338 Property"). (See Exhibit A.)
- C. 3318 Owner owns land fronting on Columbus Street in the City of Grove City and identified as Tax Parcel 040-000046 (the "3318 Property"). (See Exhibit A.)
- D. That portion of First Street between Columbus Street and Cleveland Avenue, in the City of Grove City, being 40' in width and approximately 208± feet in length, runs between the 3318 Property and the 3338 Property along the entire length of both properties ("First Street"). (See Exhibit A.)
- E. The City desires to realign Columbus Street where Columbus Street intersects with Broadway, in order to accommodate an alignment with Mill Street on the west side of Broadway (the "Columbus Street Improvement Project" or the "Project").
- F. The Project requires that portions of the Broadway Property and the 3338 Property be acquired by the City for right-of-way purposes.
- G. Owners agree to transfer to the City the land necessary for the Project, in exchange for the City's agreeing to vacate First Street.
- H. The City, through its administration, has made the determination that the vacation of First Street would not be detrimental to the general interest of the City and will recommend to City Council that First Street be vacated.

- I. 3318 Owner, as the property owner adjacent to First Street, would, under Ohio law, be entitled to ownership of that one-half of First Street running along the entire west property line of the 3318 Property.

### **Statement of Agreement**

NOW THEREFORE, for Ten and 00/100 Dollars (\$10.00), in consideration of the terms and conditions of this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, Owners and the 3318 Owner hereby agree to the foregoing Background Information and in furtherance thereof, agree as follows:

#### Article I Owners' Obligations

1. Grant of Right-of-Way. Owners shall grant to the City those portions of the Broadway Property and the 3338 Property necessary for the Columbus Street Improvement Project. The grant will be by general warranty deed with reservation of access substantially in the form and content of the deed attached hereto as Exhibit B. Delivery of the deed by Owners shall be made within ten (10) days after the City's passage of an unreferendable ordinance vacating First Street.

#### Article II City's Obligations

1. Vacate First Street. The City, through its administration, will recommend to City Council that First Street be vacated.
2. Legal Description. The City shall cause a legal description to be prepared of the Owners' land necessary for the Project (the "Legal Description").
3. Permit to Park in Right-of-Way. The City shall grant to Owner, 3952 Broadway, LLC, a permit to continue to park on that portion of the Broadway Property transferred to the City for the Project. The permit shall terminate upon the commencement of construction of the Project by the City.
4. Curbcut. The design and specifications of the Columbus Street Improvement Project shall show an unrestricted shared curbcut access from and to Columbus Street, to and from the Broadway Property and the 3338 Property. The curbcut shall be installed by the City as part of the Project.

#### Article III Other Terms

1. Contingencies. Owners' performance of their obligation under this Agreement is contingent on:

- a. City Council's passage of an ordinance vacating First Street and the City's compliance with Ohio Revised Code Chapter 723 relative to said vacation, including the recording of said ordinance.
  - b. The Legal Description being substantially consistent with the depiction of the Columbus Street Improvement Project shown on Exhibit C attached hereto.
2. Owners' Release. Owners release and discharge the City from any future Ohio Constitution, Article I, Section 19 just compensation claims arising from this Agreement.
3. Zoning. The City agrees that: upon the vacation of First Street; the transfer of First Street to Owner, 3338 Columbus Street LLC; and the combination of First Street with the 3338 Property as a single tax parcel, First Street shall be deemed zoned the same zoning classification as the zoning classification imposed on the 3338 Property.
4. Governing Law. This Agreement is being executed and delivered in the State of Ohio and shall be construed and enforced in accordance with the laws of the State of Ohio. For all litigation, disputes and controversies which may arise out of or in connection with this Agreement, the undersigned hereby waive the right to trial by jury and consent to the venue and jurisdiction of the Court of Common Pleas of Franklin County, Ohio.
5. Entire Agreement. This Agreement as may be hereinafter amended, constitutes the entire contract between the parties and may not be modified except by an instrument in writing signed by the parties hereto and supersedes all previous agreements, written or oral, if any, of the parties.
6. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, legal representatives, successors and assigns.
7. Amendment. The terms and provisions of this Agreement may only be amended by a written agreement duly executed by all parties. The City Administrator is hereby authorized to enter into and execute any non-material amendments to this Agreement and exhibits hereto.
8. Headings. The section headings contained in this Agreement are for convenience only and shall not be considered for any purpose in construing this Agreement. As used in this Agreement, the masculine, feminine and neuter genders and the singular and plural numbers shall be each deemed to include the other whenever the context so requires.
9. No Partnership. Nothing contained in this Agreement shall be construed to make Owner and the City partners or joint venturers, or to render them liable for the debts or obligations of the other, except as otherwise expressly provided herein.
10. No Personal Liability. No representation, warranty, covenant, agreement, obligation or stipulation contained in this Agreement shall be deemed to constitute a representation, warranty, covenant, agreement, obligation or stipulation of any present or future public official, officer, director, member, agent or employee, as the case may be, of the City or

of Owner in an individual capacity, and to the extent authorized and permitted by applicable law, no official or officer executing this Agreement on behalf of the City or Owner shall be liable personally under this Agreement.

11. No Waiver. No delay or omission by either party to exercise any right or power accruing upon any failure of performance by the other party under the provisions of this Agreement shall impair any such right or power, or shall be construed to be a waiver thereof. Any waiver by either party of any breach of the covenants, conditions or agreements herein to be performed by the other party shall not be construed to be a waiver of any subsequent breach thereof or of any other covenants, conditions or agreements herein contained.
12. Compliance with Law. If the terms of this Agreement do not, in any material respect, comply with any present or future laws, ordinances or other regulations of any governmental authority with jurisdiction, then the City and Owners shall take such actions as are necessary to modify the terms of this Agreement such that the performance of this Agreement is in compliance with said laws, ordinances and other regulations.

Article IV  
3318 Owner Release

By its execution of this Agreement, 3318 Owner hereby releases and forgoes any claim or interest in the ownership or use of that portion of First Street intended to be vacated pursuant to the terms of this Agreement, provided the title to all of First Street vacated is transferred to Owner, 3338 Columbus Street LLC and becomes part of the 3338 Property.

The parties have hereunto subscribed their names on the day and year first aforesaid.

[Signatures on Following Page]

**3952 BROADWAY, LLC**  
an Ohio limited liability company

by: \_\_\_\_\_

its: \_\_\_\_\_

**CITY OF GROVE CITY, OHIO**  
an Ohio municipal corporation

by: \_\_\_\_\_

its: \_\_\_\_\_

**3338 COLUMBUS STREET LLC**  
an Ohio limited liability company

by: \_\_\_\_\_

its: \_\_\_\_\_

**3318 COLUMBUS STREET LLC**  
an Ohio limited liability company

by: \_\_\_\_\_

its: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Stephen J. Smith, Law Director

Date: 09/09/14  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days  
Current Expense: \_\_\_\_\_

No.: C-60-14  
1st Reading: 09/15/14  
Public Notice: 09/18/14  
2nd Reading: 10/06/14  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## ORDINANCE C-60-14

### AN ORDINANCE TO APPROVE THE USE FOR AN ELECTRICAL VEHICLE CHARGING STATION FOR TESLA MOTORS LOCATED AT 2161-2263 STRINGTOWN

WHEREAS, Tesla Motors, applicant, has submitted a request for the allowable Use of an Electrical Vehicle Charging Station, as provided for in Section 1135.09; and

WHEREAS, on September 02, 2014, the Planning Commission of the City of Grove City recommended the approval of this Use at this location, as submitted.

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

**SECTION 1.** The Use of Electrical Vehicle Charging Stations for Tesla Motors located at 2161-2263 Stringtown Road is hereby approved, as submitted.

**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: 09/09/14  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-48-14  
1st Reading: 09/15/14  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-48-14

### A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR THE TESLA MOTORS RECHARGING STATIONS LOCATED AT 2161-2263 STRINGTOWN ROAD

WHEREAS, on September 02, 2014, the Planning Commission recommended approval of the Development Plan for the Tesla Motors recharging stations, with the following stipulations:

1. A deviation be permitted for the fencing around the switchgear cabinets, as it exceeds the maximum permitted fence height by 2.5' in order to screen mechanicals;
2. A continuous 100% opaque landscape hedge or fencing shall be installed around the transformer. If fencing is utilized, supplemental landscaping shall be installed;
3. Any trees damaged during the installation or that become unhealthy because of the installation of the charging stations must be replaced at the discretion of the Urban Forester.

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 the Tesla Motors recharging stations, contingent upon the stipulations set by Planning Commission.

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

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

Date: 09/09/14  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-49-14  
1st Reading: 09/15/14  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-49-14

### A RESOLUTION TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR TEXAS ROADHOUSE LOCATED AT 4155 PARKWAY CENTRE DRIVE

---

WHEREAS, on September 2, 2014, the Planning Commission recommended approval of the preliminary development plan for Texas Roadhouse as submitted.

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

SECTION 1. This Council hereby accepts the Preliminary Development Plan for Texas Roadhouse located at 4155 Parkway Centre Drive, as submitted.

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

Date: 09/10/14  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-50-14  
1st Reading: 09/15/14  
Public Notice:  
2nd Reading:  
Passed: \_\_\_\_\_ Rejected:  
Codified: \_\_\_\_\_ Code No:  
Passage Publication:

## RESOLUTION NO. CR-50-14

### A RESOLUTION TO APPROVE THE SIGN REQUEST FOR VILLAGER ON BROADWAY LOCATED AT 4060 BROADWAY IN THE HISTORICAL PRESERVATION AREA

---

WHEREAS, on September 02, 2014 the Planning Commission recommended *approval* of the Sign request for Villager on Broadway, located at 4060 Broadway, with the following stipulation:

1. A landscape bed shall be installed around the base of the Sign, per Chapter 1136.

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 Sign request for Villager on Broadway located at 4060 Broadway, contingent upon the stipulation set by Planning Commission.

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

Date: 09/10/14  
Introduced By: Ms. K-McGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-51-14  
1st Reading: 09/15/14  
Public Notice:  
2nd Reading:  
Passed: \_\_\_\_\_ Rejected:  
Codified: \_\_\_\_\_ Code No:  
Passage Publication:

## RESOLUTION NO. CR-51-14

### A RESOLUTION TO APPROVE THE SIGN REQUEST FOR VENUE 62 LOCATED AT 3995 BROADWAY IN THE HISTORICAL PRESERVATION AREA

---

WHEREAS, on September 02, 2014 the Planning Commission recommended *approval* of the Sign request for Venue 62, located at 3995 Broadway, as submitted.

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 Sign request for Venue 62 located at 4060 Broadway, as submitted.

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

\_\_\_\_\_  
Ted A. Berry, President of Council

\_\_\_\_\_  
Richard L. Stage, Mayor

Attest:

\_\_\_\_\_  
Tami K. Kelly, MMC, Clerk of Council

Passed:  
Effective:

I Certify that this resolution  
is correct as to form.

\_\_\_\_\_  
Stephen J. Smith, Director of Law

Date: 09/10/14  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-52-14  
1st Reading: 09/15/14  
Public Notice:  
2nd Reading:  
Passed: \_\_\_\_\_ Rejected:  
Codified: \_\_\_\_\_ Code No:  
Passage Publication:

## RESOLUTION NO. CR-52-14

### A RESOLUTION TO APPROVE THE PORTABLE SIGN REQUEST FOR VENUE 62 LOCATED AT 3995 BROADWAY IN THE CENTRAL BUSINESS DISTRICT

WHEREAS, on September 02, 2014, the Planning Commission recommended approval of a Portable Sign request for Venue 62, located at 3995 Broadway with the following recommendation:

1. Deviations be permitted to allow for the overall height of the sign frame to exceed Code requirements by one inch (1") and the overall width of the sign frame to exceed Code requirements by three and one fourth inches (3.25").

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 Portable Sign request for Venue 62, located at 3995 Broadway, contingent upon the recommendation of Planning Commission.

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

Date: 09-10-14  
Introduced By: Ms. KMcGraw  
Committee: Lands  
Originated By: Plan. Comm.  
Approved: \_\_\_\_\_  
Emergency: 30 Days: \_\_\_\_\_  
Current Expense: \_\_\_\_\_

No.: CR-53-14  
1st Reading: 09/15/14  
Public Notice: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Passed: \_\_\_\_\_ Rejected: \_\_\_\_\_  
Codified: \_\_\_\_\_ Code No: \_\_\_\_\_  
Passage Publication: \_\_\_\_\_

## RESOLUTION NO. CR-53-14

### A RESOLUTION TO APPROVE A CERTIFICATE OF APPROPRIATENESS FOR A MURAL TO BE LOCATED ON THE PARK STREET SIDE OF 4030 BROADWAY IN THE HISTORICAL PRESERVATION AREA

---

WHEREAS, on September 02, 2014 the Planning Commission recommended approval of the Certificate of Appropriateness request for a Mural to be located on the Park Street side of the building at 4030 Broadway.

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 Certificate of Appropriateness for a Mural to be located on the Park Street side of the building at 4030 Broadway, as submitted.

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