

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

January 05, 2015

Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 p.m. in the Council Chambers, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Jeff Davis Maria Klemack-McGraw Ted Berry Steve Bennett Laura Lanese

1. Ms. Klemack-McGraw moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Bennett.

Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

2. The Chair read the agenda items and they were approved by unanimous consent.

3. President Berry moved to excuse the Mayor; seconded by Mr. Bennett.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

The Chair recognized Mr. Bennett, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-81-14 (Authorize the City Administrator to enter into multi-year Agreements with Time Warner Communications for Data Connectivity) was given its second reading and public hearing.

Mr. Smith, Director of Law, explained that this is to serve the Senior Center and the Police Storage building. The quote we have is based on State Bid pricing. Mr. Boso, City Admin., said this will run fiber lines into the buildings and costs \$50.00 less per month than the current contract.

There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-01-15 (Appropriate \$550,000.00 from the General Fund for the Current Expense of Land Acquisition and related costs for the Development of the New Library and to declare an emergency) was given its first reading.

Mr. Smith, Dir. of Law, explained that this would be used to acquire property for parking for the Library and the extension of Columbus Street. He outlined the amounts for each property owner (\$375,000 for Griesenbach; \$50,000 to Ciminello through proceeds of the deals; \$3,000 for Laws; \$3,000 for Haughn; \$72,000 for Mill Street Market; \$32,000 for Smitty's; \$5,000 for CSX). He said they have put all the properties together based on the deal with the property owners. It is a "buy all or buy none" option. Ms. Lanese asked if they were appraised. Mr. Smith said no. They were compared against other appraisals in the area and the purchase price for those properties the City bought in 2013. These properties are below the purchase price of others. Mr. Smith also noted that we approved a Preliminary Development Plan for the library that showed parking on property the City or Library does not own, which doesn't put us in the best negotiating position. Everyone knows we need a parking lot west of the library, based on the approved Agreement and this is our opportunity to do it.

Ms. Lanese asked Mr. Ciminello to explain why we have to close by January 15th and why this needs to be an emergency. Mr. Joe Ciminello, developer, explained that when it was discovered that there was an issue with parking for the Library, Mr. Laws came forward to take a look at this with other property owners to see what could be worked out. He said he already had Mr. Griesenbach and Smitty in contract. He said they have been negotiating the other six or seven agreements for several months. He said they hoped to have it on the last meeting of Council, but wanted to be reasonable. He said the square footage is below what was paid for other properties in the area. He said Mr. Griesenbach's contract must close by January 15. That has been known for months. Ms. Lanese asked why Mr. Stout's property was brought earlier. Mr. Ciminello said that was Mr. Stout's stipulation. He said they have worked with each property owner on their needs.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Lanese	No
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

Mr. Bennett moved it be approved as an emergency measure; seconded by Ms. Klemack-McGraw.

Ms. Lanese	No
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

3. Resolution CR-01-15 (Appoint Joseph Merth to the Audit Committee) was given its reading and public hearing.

Mr. Merth introduced himself and explained his background and experience. Mr. Davis asked why he chose to volunteer his time. Mr. Merth said he has lived in Grove City since 1995 and had over 30 years accounting experience, and it is time to give back.

Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

The Chair recognized Ms. Klemack-McGraw, Chairman of Lands, for discussion and voting under said Committee.

1. Ordinance C-73-14 (Approve the Rezoning of 4.65 acres located at 2500 Home Road from SF-1 to SF-2) was given its second reading and public hearing.

Mr. Brian Hall, resident, said he is the informal representative of the area residents in opposing this rezoning. He said they sent Council a letter outlining their concerns and opposition. He said this property is narrow and creating this many lots is too much for the area. The road is a cul-de-sac and can't handle the additional traffic.

Mr. Berry asked if Hoover Road was ever intended to go through. Mr. Boso said not to his knowledge. Mr. Berry asked if there were any other residents present who wished to speak. Ms. Christine Weis, voiced opposition. She said there is a natural swale that goes through this property and both of hers that drains it. She said she already has drainage problems, due to the changes in the green space and topography that has already occurred by Mr. Goering. She said the map Mr. Goering submitted to Planning Commission doesn't accurately show the surrounding property. She said this is a dead-end street and adding additional traffic will be a problem. She said there are current drainage problems in the area. She said several property owners own more than one lot and have invested in the community. They want it to remain the same.

Mr. Bennett asked Mr. Smith if we had a provision in the Code that required a property owner to maintain water on their own lot and not push water onto a contiguous lot. It was confirmed that there is a provision in the Code of this nature.

Mr. Boso said we appreciate the drainage concerns, but the issue before Council is strictly a rezoning from SF-1 to SF-2, which reduces the lot size from 20,000 sq. ft. to 15,000 sq. ft. This affects 2 lots, due to the road frontage requirement (120 to 100). The rest meet the SF-1 standards. These will be some off the largest lots in the City and feels they are compatible with the area. Mr. Hall asked if it were advisable to continue with approval even with inaccuracies in the maps submitted. Mr. Boso said yes. Mr. Berry asked if SF-2 would allow anything other their single family homes. Mr. Boso said no.

Mr. Steve Gardner, Home Road resident, voiced objection due to drainage issues. He said he doesn't know how water and sewer lines can get to the property because there are fiber optic lines owned by AT&T. He also can't believe they would approve this with an inaccurate map. Mr. Boso said the map isn't being approved the question is for rezoning. Mr. Gardner said there should have an accurate map before you ever get started. He asked that the zoning remain the same.

Ms. Klemack- McGraw asked if the petitioner was present. No one came forward.

Mr. Smith noted that the Legal Descriptions have been verified and stamped by the County Engineer.

There being no additional questions or ccmments, Ms. Klemack-McGraw moved it be approved; seconded by Ms. Lanese.

Ms. Klemack-McGraw	Yes
Mr. Berry	No
Mr. Bennett	Yes
Ms. Lanese	No
Mr. Davis	Yes

2. Ordinance C-74-14 (Approve the Rezoning of 4170 – 4174 Broadway from PSO to A-1) was given its second reading and public hearing.

Mr. Boso explained that this property currently has a duplex in the front and structure in the rear that was used as a veterinary clinic. The current property owner would like to have residential on the entire parcel, which they believe is a better use for the area.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Ms. Lanese.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes

3. Ordinance C-75-14 (Approve the Rezoning of 1.804 acres located at 4126 Haughn Road from A-1 to SD-1) was given its second reading and public hearing.

Mr. Boso explained that this is the Jividen house the City acquired. It is zoned for apartments and is asking for SD-1 – educational.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Bennett.

Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

4. Ordinance C-02-15 (Authorizing the City Administrator to Take Any and All Necessary Actions to Acquire and/or Exchange the Land necessary for the Library Project and to Realign Columbus Street and Mill Street Intersection and Declare an Emergency) was given its second reading and public hearing.

Mr. Smith explained that there are six different panels that will allow for the realignment of Columbus/ Mill Streets and provide parking for the new Library. He said some properties will be swapped and some will be purchased. It is being presented to the City for purchase as a package. However, each property will have its own contracts. Mr. Griesenbach's property must close by Jan. 15th, which is the reason for the requested emergency measure.

Ms. Klemack-McGraw moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Mr. Bennett.

Ms. Lanese	No
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved as an emergency measure; seconded by Mr. Davis.

Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	No

5. Ordinance C-03-15 (Authorize the City Administrator to Take Any and All Necessary Action to Grant an Exclusive Access Agreement for a Garage located at 3407 Grant Ave.) was given its first reading. Second reading and public hearing will be held on January 20, 2015.

6. Resolution CR-66-14 (Approve the Development Plan for G. C. Dollar General located at 3065 Broadway) was given its reading and at the request of the petitioner, Ms. Klemack-McGraw moved it be postponed to 1/20/15; seconded by Mr. Davis.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

1. President Berry administered the Oath of Office to Mr. Joseph Merth for the Audit Committee.

The Chair recognized members of Administration and Council for closing comments.

1. Mr. Boso apologized to Council for the emergency legislation. He said he understands that emergency legislation is a sensitive issue and they try not to ask for those. He said he doesn't believe that there was any sustentative delay in public response in this instance since a referendum must be done on the first piece of legislation enacted on the subject, but will strive to not make this a habit.

2. Ms. Lanese explained her reasoning for voting no on the emergency legislation. Mr. Davis commented that he finds it uncomfortable when a petitioner/land owner is not present to discuss their request. He said there should be more courtesy and more of an investment shown by the applicant.

3. President Berry announced that the next meeting will be held on Tues., Jan. 20, in observance of Martin Luther King Day.

4. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:03 p.m.


 Tami K. Kelly, MMC
 Clerk of Council


 Ted A. Berry
 Chair