

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

January 19, 2016

Regular Meeting

The regular meeting of Council was called to order by President Schottke 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:

Laura Lanese Steve Bennett Roby Schottke Jeff Davis Ted Berry

1. Mr. Bennett moved to dispense with the reading of the minutes from previous regular meeting and organizational meeting and approve as written; seconded by Ms. Lanese.

Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes

2. President Schottke recognized Mayor Stage for a Presentation. Mayor Stage presented a Proclamation to the Keep Grove City Beautiful Committee in recognition of their 25th Anniversary.

Next, Mayor Stage administered the Oath of Office to the newly appointed volunteers to the following Committees: Paul Alexeeff- Audit Committee; Sam Clark-Park Board; Tree Commission Dan Snyder, Jim Lamien, Randy Johnson; Keep Grove City Beautiful members were sworn in as a group - Tricia Zelenak, James Roberts, Jennifer Eschbach, Dennis Hunter, Doug Swartz, Camille Kopczewski. The Mayor then read a Proclamation commemorating the 25th Anniversary of the Keep Grove City Beautiful committee.

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

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

1. Ordinance C-03-16 (Authorize the City Administrator to Execute the Amended and Restated Central Ohio Health Care Consortium Joint-Insurance Agreement and Declare an Emergency) was given its first reading.

Mr. Davis explained that we have been in an Agreement with the Central Ohio Health Care Consortium for many years. This is the latest agreement that went into effect January 1, 2016, which is the reason for the emergency. He asked if there were any substantive changes. Mr. Turner, Dir. of Finance, said there were only a few clean-up changes - nothing substantive.

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

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes

Mr. Davis moved it be approved as an emergency; seconded by Ms. Lanese.

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes

2. Ordinance C-04-16 (Appropriate \$30,000.00 from the Drug Law Enforcement Fund for the Current Expense of Purchasing a Van to be used by the Division of Police for Law enforcement Purposes and to declare an Emergency) was given its first reading.

Mr. Chuck Boso, City Admin., stated that they no longer need an emergency and asked it be given a first reading.

Mr. Davis read the ordinance without the emergency language and announced that the second reading and public hearing would be held on 2/1/16.

3. Ordinance C-05-15 (Appropriate \$251,832.53 from the General Fund for the Current Expense of Undergrounding Utility Lines between I-71 and Jackpot Road) was given its first reading. Second reading and public hearing will be held 2/1/16.
4. Ordinance C-06-16 (Appropriate \$43,500.00 from the General Fund for the Current Expense of Conducting an Alternative Fuel Feasibility Study with Clean Fuels Ohio) was given its first reading. Second reading and public hearing will be held 2/1/16.

The Chair recognized Ms. Lanese, Chairman of Safety, for discussion and voting under said Committee.

1. Ordinance C-07-16 (Enact Section 505.18 titled Pet Shops – Restrictions on the Sale of Dogs and Cats in the City) was given its first reading. Second reading and public hearing will be held on 2/1/16.

Ms. Lanese explained that this is a first reading but there are many people who have signed up to speak and moved that the Rules of Council be suspended to allow everyone who has signed up to be permitted to speak; seconded by Mr. Davis.

Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

Ms. Lanese provided a bit of background and Mr. Smith, Dir. of Law, explained the few changes that the ordinance introduced has, that the DRAFT did not.

Ms. Tara Price, attorney for non-profit animal welfare organizations, voiced support for the ordinance. She explained that the organization they represent put together a documentary on high volume breeders and works to insure humane laws are put in place. She said they support Grove City's efforts to enact legislation to insure that puppies and kittens are not sourced from inhumane or unscrupulous breeders. She asked that the exemption for pet stores prior to March 1 be removed to insure that no pet stores can sell from high volume breeders. She asked that they revoke the Special Use Permit for Petland. Mr. Bennett asked if she had ever been in a Petland store. Ms. Price said yes. He asked if she was concerned with the conditions. She said at the time she had no idea until she became involved with a Rescue Operation how Petland operates. Ms. Lanese asked if the Section in the Ordinance that references High Volume Breeders addresses some of their concerns. Ms. Price said yes.

Ms. Mona McKinnis, Director of Colony Cats & Dogs rescue operation, voiced support for the ordinance. She explained how their rescue works. She said they have had people turn their dogs over to them that were purchased from Petland because they can't care for them anymore. She said most rescues will take their animals back, but Petland will not. She said the lack of responsibility for the animals is what keeps them in business. She said Petland has no reason to sell puppies and kittens until there are no more in rescue. She said they would gladly partner with Petland and would love to be put out of business as a Rescue Operation.

Dr. Michelle Gonzolez, Veterinarian at Rascal Animal Hospital, shared experience of the animals that are brought to them from stores that are selling pets from High Volume Breeders. She said she has first hand knowledge of what types of animals come from Petland. She said selling pets from a high volume breeder needs to be reduced, not enhanced. Mr. Bennett asked about the warranty. Ms. Gonzolez said the warranty doesn't always pay people back or take care of the animal. She said a puppy is not a TV and easily exchanged. Mr. Bennett asked about the microchips. Dr. Gonzolez explained that Petland puppies may have a microchip implanted, but they leave it up to the buyer to register the microchip. Many times, these microchips are blank and there is no way to track the pet's owner or origin. Ms. Lanese said the warranty from Petland says you need to see one of their Vets within 4 days of purchase. She said a very sick puppy may need to see someone over a weekend and if taken to another vet or hospital, that would void a warranty. Dr. Gonzolez said they do list clinics that they have working agreements with. They also list her hospital for emergency services, but will require the owner to take the puppy back to their network. Dr. Gonzolez said if they don't go to someone on the Petland list, it would void the warranty.

Mr. Steve Huggins, Vice President of Business Operations for Petland, he said he sits on Ross County Humane Society Advisory Board and has worked with them for several years, as well as other shelters. He said Central Ohio supports their business. They have been looking for the right location in Grove City for several years. He said they have received the right permits and are working to open in late February. He said residents of Grove City are looking for pets and they believe there are many responsible, safe choices to acquire a pet. He said they look forward to working with area Rescues or Shelters, who will give them the opportunity to create awareness for any rescue/shelter dogs. He said Petland does support efforts in Grove City to pass legislation that increases buying standards. He said this will help protect residents from the unregulated, backyard breeders that have no regard for the animals in their care.

Mr. Schottke asked about their warranty and the need for emergency care. Mr. Huggins said the scenario stated would not void their warranty. In addition, they do have microchips and are registered at the point of sale now. This was changed about 10 years ago. Mr. Schottke asked what age they offer puppies for sale. Mr. Huggins said not under 8 weeks. Usually 8 to 9 weeks old is the average age arriving in the store. He noted that a customer can take their pet to their own vet, at their own cost, rather than a complimentary Vet visit.

Mr. Bennett asked if Petland had Veterinarian's on staff. Mr. Huggins said every store is responsible for having a Consulting Veterinarian that comes in to the location each week to exam every puppy. If a puppy does not have a clean bill of health, it is not available for sale. Mr. Bennett asked about their Adopt a Pet Program. Mr. Huggins said stores across the Country work with local Shelters/Rescues to place puppies and kittens. He also noted the Pets for a Lifetime Program, where any owner of a Petland Pet can be returned if an owner can no longer take care of that pet, and is placed with a new owner. He said this helps with the overburdened Shelters/Rescue operations. Mr. Berry asked where Petland gets their dogs. Mr. Huggins said they get their puppies come from Breeders. They look for USDA licensed Breeders that have had no violations in the last two years; hobby breeders; and they work with local communities for homeless pets for the adoption program. Mr. Berry asked if they get any puppies from Distributors. Mr. Huggins said there are some, yes. Mr. Berry asked if they work with the Hunt Corporation. Mr. Huggins said yes. Mr. Berry asked if he could explain what they are. Mr. Huggins said he has visited Hunt on several occasions and that company works with breeders; has a team of Veterinarians; and purchase puppies and/or deliver puppies to the stores. Mr. Berry asked Mr. Huggins how he defines Hunt Corp. Mr. Huggins said they are a Supplier. Mr. Berry asked where Hunt gets their puppies, since they are not a Breeder. Mr. Huggins said every puppy that they receive has a Breeder's name, phone number, address, USDA License Number, and they look at USDA inspection reports before purchasing. Mr. Berry asked what it means to be USDA licensed. Mr. Huggins said a Breeder has to be licensed if they want to sell to a Pet Store or have their puppies go across State lines. USDA does an inspection at any time. Mr. Berry asked what happens to a dog that is brought back or stays at the store too long. Mr. Huggins said every Petland pet finds a home. Mr. Berry asked if there is any time that a dog is returned back to the Distributor. Mr. Huggins said he can't recall a time where that has happened. Ms. Lanese asked what percentage of their puppies come from Hunt and if they are their top supplier. Mr. Huggins said he didn't think Hunt was their top supplier. Ms. Lanese shared her concern over the Hunt Corporation and where they obtain their puppies. She also shared concern over Amish Breeders. Ms. Lanese asked if they buy from Ohio breeders. Mr. Huggins said the corporate locations don't buy from Ohio Amish breeders, but franchises are given buying guidelines. Ms. Lanese asked why 111 Communities have begun passing legislation like this. Mr. Huggins said they support buying standards. He said a lot of the areas where legislation was passed had no immediate pet store. He said no one supports puppy mills. Mr. Berry asked if they can provide a list of their breeders. Mr. Huggins said yes.

Mr. JR Badger, Petland Counselor, said he has a passion for pets and Petland offers lifetime training for their pets. He said they are trying to better the industry and do the right thing. He said many of his staff members came up to show support for Petland. Ms. Lanese read an e-mail from a former Petland employee who shared negative happenings while she worked there and problems with the dog she bought there. She said she is trying to wrap her head around these e-mails versus what Mr. Badger is saying. Mr. Badger said he is not a Vet, but things do happen. He said for as many testimonies as are negative, he can find positive ones. He said their warranty is very clear, but he has gone above and beyond the warranty to care for a dog. They want to do what is right for the pet. He is not worried about the money at that time.

Mr. Bennett commented that he has had 11 dogs obtained from various sources. One of his best dogs came from Petland. He said he visited the Pickerington store and came away with a positive experience. He said if they have a Vet looking over their pets weekly that is impressive.

Ms. Leslie Cohen-Smith, resident, asked that Council come up with a humane solution. She said the local Shelters are over-crowded. She hopes that Petland will recognize the over-crowdedness issue and partner with Rescues and Shelters to help with this burden. She said one store in Pittsburg does just that and the Grove City store can adopt this model. Ms. Cohan-Smith said she visited a store

last week too and the store was, clean, sterile, organized, beautiful. She said it's where the animals are coming from, not the store it's sold in.

Dr. Blake Lloyd, Chillicothe Consulting Vet. for Petland, Ross County, Grateful Hearts Rescue, explained their process. He said dogs get sick and that can't be avoided. When a pet comes to him that was purchased from Petland, he treats it and bills Petland - period. He said his experience with Petland is positive. With Rescues, it is a balancing act, due to budget constraints. Mr. Davis asked if some health issues are not visible in the early inspections. Dr. Lloyd said yes. As the puppy grows some health issues become more visible or can only be obtained at a later age. Mr. Davis asked if he can tell if a dog is from a puppy mill. Dr. Lloyd said no. Mr. Davis asked what happens with that initial inspection. Dr. Lloyd said if a puppy is sick, they don't accept the puppy and send it back to the Distributor/Breeder. Mr. Davis asked how many times that happens. Dr. Lloyd said 5%. Ms. Lanese asked what happens to those puppies when they are sent back. Dr. Lloyd said he didn't know. Ms. Lanese said it sounds like his area is doing it right and asked if this practice could be standardized. Dr. Lloyd said Petland Corporate has standardized it, but the Franchisee can do some things different.

Mr. Davis asked what it means for him to sign a Certificate. Dr. Lloyd said that it means he has inspected the animal and to the best of his ability the dog is healthy.

Mr. Nate Ballman, former employee and customer, said when he worked there, the store manager was able to choose what Broker they can purchase from. Some are very bad and they have no knowledge of where the Broker gets the animals. He said he didn't understand at the time, how difficult things were for these dogs and that he could get a dog from a Rescue Operation.

Mr. Michael Henricks said he worked at a clinic until 2011 that is associated with Petland. He said people are catering a host of people on a small subset. He said there are such large conflicting stories because you don't hear about the positive experiences until there is a highly visible negative story. He said he wished he could get rid of all the trouble places, but he cannot. All a business can do is follow the U.S. standards and go beyond, which Petland is trying to do. He noted that no one is policing Rescue Operations. He said people have a choice. He said once a puppy reaches a Petland store, they get no better care.

The Chair recognized Mr. Berry, Chairman of Service, for discussion and voting under said Committee.

1. Resolution CR-03-16 (Authorize the City Administrator to Enter into an Agreement and Cooperate with the Director of Transportation for Crosswalk Improvements) was given its reading and public hearing.

Ms. Fitzpatrick, Dir. of Service., explained that this is an ODOT project to improve crosswalks within the City and this Agreement is required for them to proceed.

There being no additional questions or comments, Mr. Berry moved it be approved; seconded by Mr. Bennett.

Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

2. Resolution CR-04-16 (Authorize the City's Consulting Engineer to Prepare Plans, Specifications and Cost Estimates for the Construction and Repair of Sidewalks on Anna Ave., Dennis Ln., Gunderman Ave., Irwin Ave., Jerome Court, Lotz Drive, Michael Ln., Sheldon Pl., Terry Ln. and Wendy Ln.) was given its reading and public hearing.

Ms. Fitzpatrick, Dir. of Service, explained that this is the first piece to begin the Sidewalk Program for 2016.

There being no additional questions or comments, Mr. Berry moved it be approved; seconded by Ms. Lanese.

Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes

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

1. Ordinance C-01-16 (Repeal and Replace Chapter 903 of the Codified Ordinances titled Parks) was given its second reading and public hearing.

Ms. Kim Conrad, Director of Parks and Rec., explained that this is an update to the City's Regulations. She said the Park Board has seen these changes and did approve them. Mr. Sam Clark, Park Board Chair, confirmed their approval. Mr. Schottke asked about 903.26 - Signs. He questioned the casual sign. Ms. Conrad said those signs are covered in another Section of the Code. Mr. Bennett said he had many questions over these changes and asked it be postponed. Ms. Conrad said they aren't in any hurry and would be happy to wait and answer his questions.

Mr. Bennett moved it be postponed to 2/1/16; seconded by Mr. Davis.

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes

2. Ordinance C-02-16 (Vacate a 20" Sanitary Sewer Easement located South of I-270 and West of Gantz Road) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that Council approved part of this easement but the developer didn't provide all portions of the easement and this portion will fully vacate the easement in question.

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

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes

3. Ordinance C-08-16 (Accept the Annexation of 51.63+ acres located at 1421 Borrer Road in Jackson Township to the City of Grove City) was given its first reading. Second reading and public hearing will be held on 2/1/16.
4. Ordinance C-09-16 (Accept the Annexation of 0.687+ acres located at 3811 Mayfair Drive in Jackson Township to the City of Grove City) was given its first reading. Second reading and public hearing will be held on 2/1/16.
5. Ordinance C-10-16 (Approve the Rezoning of 3927 – 3931 – 3935 – 3937 Front Street from R-2 & IND-1 to PUD-C with Text) was given its first reading. Second reading and public hearing will be held on 3/7/16.
6. Ordinance C-11-16 (Approve a Special Use Permit for Outdoor Sales for Speedway #1231 located at 1895 Stringtown Road) was given its first reading. Second reading and public hearing will be held on 2/1/16.
7. Ordinance C-12-16 (Approve a Special Use Permit for Outdoor Seating for Grove City Brewing Company located at 3946 Broadway) was given its first reading. Second reading and public hearing will be held on 2/1/16.
8. Resolution CR-66-15 (Approve the Development Plan for Holton Park located North of Orders Road and West of Haughn Road) was given its reading and public hearing.

Mr. Bennett moved to amend the name of the Development to Hickory Creek Estates and replace the Plans with the new drawings; second by Mr. Schottke.

Mr. Davis	Yes
Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

Mr. Jim Lipnos, President of Homewood Corp., explained the change in the bike paths for this development. Mr. Berry questioned the logic of having one come between two homes. Mr. Rauch, Dir. of Development, stated that it is for connectivity and convenience. Mr. Berry said he felt the street was enough. It was pointed out that we have this in other areas in the City.

Mr. Bennett questioned the distance from the lot line to the ponds. Mr. Lipnos said the distance has not changed from the original. They only took the bike path out. Mr. Bennett continued to voice concern. Mayor Stage said this emulates Hoover Crossing and worked there just fine. Mr. Davis agreed with Mayor Stage and said the lots by the ponds are premium lots.

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

Mr. Berry	Yes
Ms. Lanese	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

7. 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) was given its reading and

Mr. Bill Ferguson, appellant, requested this be postponed because he has not received the records he has requested under the Freedom of Information Act. Mr. Smith said Mr. Ferguson requested all police runs to the Ranch for the last five years. There are almost 3,000 records that need to be reviewed and information redacted that is not permitted to be disclosed, before they can be given to Mr. Ferguson. He said he did provide Mr. Ferguson with a summary of the police runs for the past three (3) years and the Codes for what each call means. He said Mr. Ferguson has requested one more year and he is working on adding that information to the summary.

Mr. Nick Reese, President & CEO of The Buckeye Ranch, said he doesn't know what the Police Reports will show to determine if a fence is needed or not. He said they have waited for a month and would like Council to move forward. He said they have determined that the fence is needed for the safety and security of the children and their staff.

Mr. Bennett said he was involved with the Buckeye Ranch in the earlier stages of The Ranch and voiced concern over the change in the Ranch's practices that would warrant such a type of fence. He said he is concerned over it not being just a health facility in an area with hundreds of homes and apartments next to it. He suggested moving those that class of need to a different location that isn't directly next to an existing neighborhood that never anticipated those services at this location.

Ms. Lanese said Mr. Reese told her that a fence is not a qualifier to get high risk children. Mr. Reese confirmed this. He said there is a bigger issue for the whole State. He explained that a few years ago, the Dept. of Youth Services has been closing child prisons in Ohio. He said they started seeing more and more referrals coming to them that would have been locked up in one of those prisons. He said they do not take those types of children because they do not mix with the kids that have a mental health diagnosis. He said they are no different than they were five years ago. The thing that has changed is the neighborhood - with a hospital and businesses along the freeway; more housing and commercial so close, so it is easier for a child to meet up with another person very quickly. He said many of their children are the product of abuse and when they end up in the Kroger parking lot looking for a ride, they are at the mercy of that stranger. He said it is a product for disaster. They have no plans to bring criminal children into The Ranch. He said they have a quality product and know how to manage their finances and the safety of the kids.

Mr. Schottke asked if a delay of two weeks would be detrimental. Mr. Reese said yes. He said they have had the fence materials on hold and they are backing into the weather. He said they agreed to a delay and don't know what the police reports will show them that could help them make a decision about the fence.

Mr. Bennett asked about the need for the fence. He asked how the children are getting out. Mr. Reese said the laws have changed dramatically since the '60s. He said the child is not sentenced to The Ranch. They are essentially in a hospital and can leave any time they want to. Mr. Bennett asked how a fence will stop that. Mr. Reese said if there is a fence, the child will have to ask and The Ranch will have time to call the guardian and the guardian can come get them. It is done in a safe manner. Today, the child just runs away. The laws prevent them from restraining the child in any way.

Mr. Berry asked Mr. Ferguson what would make the Homeowners happy. Mr. Ferguson asked for several rows of Evergreens to be planted to hide the fence; he asked that a curve be put in the road and the Gate be placed in back of the curve to hide it; he asked for an Amber Alert system and a

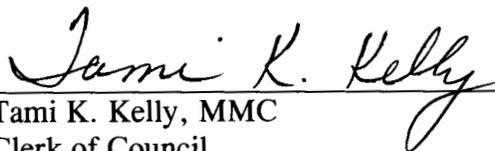
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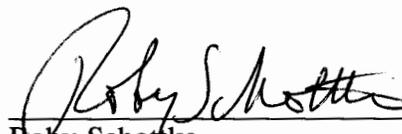
Council met at 6:30 p.m. in the Council Caucus Room, City Hall, 4035 Broadway.

Council Members reviewed the Agenda items.

Council retired to the Chambers to begin the Regular meeting.



Tami K. Kelly, MMC
Clerk of Council



Roby Schottke
Chair