

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

February 7, 2011

Regular Meeting

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

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

Greg Grinch Maria Klemack-McGraw Ted Berry Steve Bennett Melissa Albright

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

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

2. President Berry recognized Mr. Eric Bohanan, Eagle Scout, who made a presentation about his Eagle Scout project. Eric placed collection bins in locations around the City to collect old American Flags for proper disposal/retirement. He explained how he prepared the area for burning the flags and working with local authorities. He held a short/precise ceremony for retiring the flags and those grommets that did not melt in the burning. All-in-all he retired 710 flags. He said if someone has a flag that needs retired and doesn't know how, get it to a scout troop or the VFW.
3. The Chair read the agenda items and they were approved by unanimous consent.

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

1. Ordinance C-01-11 (Appropriate \$422,297.00 from the General Fund for the Current Expense of Professional Services for the Phase 2 Stringtown Road Corridor Improvements) was given its second reading and public hearing.

Mr. Honsey, City Admin., explained that this is a \$7.1 million project, of which about \$6.4 million has been received through State Loans and Grants. This appropriation is primarily for engineering services. He said there is a long history of improving Stringtown Road and there is a future on this phase. They are working with the State and MORPC on the interchange.

The Mayor said the history of this street goes back to 1991. He said this should complete the last large portion left.

Mr. Berry asked about relocating the utility lines underground. Mr. Honsey said they have asked the engineers to look at those utility lines to see how many could be relocated and stay within the grant. He said they will make sure to look at that.

Mr. Spring, Service Director, provided Council with a breakdown of the Professional Services relating to this ordinance. Mr. Berry noted that this breakdown shows changing utility lines that cross the roadway and he would like to see them all relocated.

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

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

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

1. Ordinance C-02-11 (Amend Section 1301.04 of the Codified Ordinances titled Model Codes Adopted) was given its second reading and public hearing.

Mr. Mike Boso, Chief Bldg. & Zoning Official, explained that this is to update our code with the State requirements.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-03-11 (Amend Section 1133.07 of the Codified Ordinances titled Appeals of Board Decisions) was given its first reading. Second reading and public hearing will be held on 2/22/11.

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

1. Ordinance C-04-11 (Approve a Special Use Permit for a Drive Thru for Buckeye Beverage Bay & Fine Wine located at 4170 McDowell Rd.) was given its first reading. Second reading and public hearing will be held on 2/22/11.
2. Ordinance C-05-11 (Approve a Special Use Permit for Outdoor Seating for a Restaurant located at 3985 Broadway) was given its first reading. Second reading and public hearing will be held on 2/22/11.
3. Resolution CR-05-11 (Approve the Exterior Modifications for a Restaurant located at 3985 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Abdullah and Ms. Natalie Dennison, applicants, were present to answer any questions. Ms. Klemack-McGraw reviewed the stipulations from Planning Commission. They agreed to both of the stipulations. Mr. Bennett asked about the apron. Ms. Dennison said the City was going to address this and believes they were going to put a curb in.

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

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

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

1. Mr. Frank Elmer, Lincoln Street Studios, provided a presentation on his Supplemental report of the 2008 Town Center Plan. He said he was sure Council may have questions later and would be happy to attend a work session if needed. He said they envision the entire area as a great urban neighborhood -a place where people far and near would come to. He reviewed Key Roles; provided examples of short term activities and long term activities. He said the Town Center lacks a strong identity. He suggested creating a Market District, a Residential District, a place for Public uses and open spaces; rather than the scattering the Town Center currently has. He identified some short term and long term benefits for development of the Lumberyard site. He said a park is a short term benefit, unless high density housing is added around it. A dog park wouldn't add any benefit, but dog-friendly retailers and adding a dog-walk/trail would have benefit. Immediate redevelopment of the space could be housing, a library; a small park; or a park square with possible Fitness Center or a small amount of retail. He suggested swapping the Library with City Hall and renovating these buildings to meet the needs of each in their new location. He said housing needs to be high density. He noted that the college proposal should be integrated into the Town Center. They liked the private proposal around Columbus Street. He said with the current economy, it may be best to hold onto the lumberyard site until the market is better. He said the Greenframe Improvements should continue with the addition of the dog walks.

Mr. Vascillica, appraiser, commented that he was asked to look at the area and provide the highest and best use. He said the idea was to regenerate the area and that is where housing and retail mixed use comes in. He said you want to add those uses that will promote civic activity. He said no project should be supplemented by the City. It should be able to stand on its own two feet. He noted that a park is a public interest use and you can't put a value on it. He looked at economic uses, not a park use.

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

1. The Mayor submitted a partial Mayor's Report. Ms. Albright moved to accept this partial report; seconded by Mr. Grinch.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

He said we were the leading community for the second year in a row, in housing starts.

Mr. Smith reported on the Tax issue. He said we made additional payments last week and we are current on all payments. We also made interest payments, but got a new notice that we owe about \$5,000.00 more in interest and then that will be paid in full. He said they are moving forward with the process to request a waiver of penalties. He said they have asked for copies of documents and the IRS has acknowledged that request and is working on it. Mr. Berry asked what the latest total is. Mr. Smith said about \$752,175.00. He said they also got a letter from the IRS last week about

coming in and educating the City on practices. He said it has nothing to do with the Tax issue. Mr. Berry asked Mr. Turner to update the City on the Audit Committee. Mr. Turner said the State Auditors are beginning their annual review. They held a Pre-Audit meeting today to review the items and processes/procedures they will be reviewing this year. He said along with the regular items they audit, they will also perform a more intense scrutiny of the Finance Department's internal controls.

3. Chief Wise noted that they filed several subpoenas on their current investigation and was advised that the Press had received copies of these. He said names are on these and wants to make sure that everyone knows that these don't mean any wrong doing has occurred. It is just part of gathering information.
4. Ms. Kelly, Clerk of Council, reported on Liquor Permit requests and asked if Council wished to request a hearing on any of them. Council said they did not want to request any hearings.
5. Mayor Stage commented that there was an article suggesting that because of the IRS issue we may not be able to do any other development. He said this is not true. We are not financially broke.
6. Mr. Bill Ferguson, resident, shared information he obtained from documents he received under the Freedom of Information Act, about the IRS tax issue. Some of those being: a hand-addressed envelope from the IRS. He found this odd. He showed a document from the IRS that showed a table of penalties going back to 1988. Mr. Smith, Director of Law, said that this is a table of interest rates of underpayment and overpayment. Mr. Ferguson said he also asked for who the Mayor, City Administrator and Finance Director was from now back to 1988. Mayor Stage asked if Mr. Ferguson was familiar with the term "Attorney Client Privilege". He referenced an e-mail sent by Mr. Ferguson on 12/18 to him and Mr. Boso about an IRS notice that was Attorney/Client privileged information. He asked how he received this prior to it being provided to the general public. Mr. Ferguson said he didn't know. He requested information under the Freedom of Information Act. Mr. Berry commented that all Council Members received a similar e-mail from Mr. Ferguson and they responded by referring Mr. Ferguson to the Director of Law.
7. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:45 p.m.



Tami K. Kelly, MMC
Clerk of Council



Ted A. Berry
President