

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

April 06, 2009

Regular Meeting

The regular meeting of Council was called to order by President Berry at 8:00 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:

Larry Corbin Maria Klemack-McGraw Ted Berry Mike Uhrin Greg Grinch

1. Mr. Corbin moved to dispense with the reading of the minutes from the last meeting and approve as written; seconded by Mr. Uhrin.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes

2. President Berry recognized Choo Choo the Clown, Pres. of Clown Town Council, who announced that they will be in Grove City in May for their week-long school. They extended an invitation to all to join them on May 16 for a Parade in the Town Center. Choo Choo then introduced Mayor Polly Ester, who read a Proclamation and presented same to Grove City Council & Mayor Stage.

Ms. Kim McKutchen, President of the Grove City Girls Club, who presented a plaque to Mayor Ester for bringing their school to Grove City. She also presented the Council and Mayor Stage with plaques of thanks for their support of the Girls Club.

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

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

1. Ordinance C-18-09 (Appropriate \$18,348.00 from the General Fund for the Current Expense of Roof Replacement on Gantz Barn) was given its second reading and public hearing.

Ms. Conrad, Director of Parks & Rec., explained that the roof was painted and it didn't adhere. They tried to get it repainted, but determined it just needed replaced. This will avoid having to paint the roof and should last about 20 years.

Mr. Grinch asked Mr. Smith, Dir. Of Law, if there should be legal action from the painter. Mr. Smith said they have someone looking into this. The painter has hired an attorney and we are talking to them to seek resolution to the matter.

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

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes

- Ordinance C-19-09 (Appropriate \$237,937.00 from the Sanitary Sewer Fund for the Current Expense of the Republican Run Area Sanitary Sewer Evaluation Survey, Phase 1) was given its second reading and public hearing.

Mr. Mike Keller, consulting Engineer, explained that this and the next ordinance appropriates monies to fund actions that are required under the EPA's Director's Findings & Orders that went against all the satellite communities in Central Ohio, with respect to operation and maintenance of their sanitary collection system. The first step is to evaluate the system. The second is to monitor the flow and make sure we are in compliance.

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

Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

- Ordinance C-20-09 (Appropriate \$144,697.00 from the Sanitary Sewer Fund for the Current Expense of the 2009 System-Wide Sanitary Flow Monitoring Project) was given its second reading and public hearing and Mr. Uhrin moved it be approved; seconded by Mr. Corbin.

Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

- Ordinance C-21-09 (Appropriate \$160,000.00 from the General Fund for the Current Expense of Renovating the Huntington Building) was given its second reading and public hearing and at the request of the Administration, Mr. Uhrin moved it be postponed to 4/20/09; seconded by Ms. Klemack-McGraw.

Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes

Mayor stage commented that they are trying to firm up the funding. He said one of the items that was added to the original estimate was lighting for the building. As for the Lease, there are some small items that they want to firm up and would like the next item postponed also.

- Ordinance C-22-09 (Authorize the City Administrator to enter into Lease Agreements for the former Huntington Bank Building located at 3378 Park Street) was given its second reading and public hearing

and at the request of the Administration, Mr. Uhrin moved it be postponed to 4/20/09; seconded by Mr. Grinch.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes

6. Ordinance C-26-09 (Appropriate \$45,552.00 from the General Fund for the Current Expense of Henceroth Park Improvements) was given its first reading. Second reading and public hearing will be held on 4/20/09.
7. Ordinance C-27-09 (Appropriate \$6,950.00 from the Law Enforcement Assistance Fund for the Current Expense of continuing Professional Training Programs) was given its first reading. Second reading and public hearing will be held on 4/20/09.
8. Ordinance C-28-09 (Appropriate \$22,316.89 from the Rockford Tax Increment Equivalent Fund for the Current Expense of making Payments in accordance with the Infrastructure Agreement with Rockford Homes) was given its first reading. Second reading and public hearing will be held on 4/20/09.
9. Ordinance C-29-09 (Appropriate the Year End Unencumbered Balances of Certain Project accounts for Current Expenses) was given its first reading. Second reading and public hearing will be held on 4/20/09.
10. Ordinance C-30-09 (Appropriate \$10,000.00 from the Big Splash Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on 4/20/09.
11. Resolution CR-15-09 (Accept in Principle the Proposal of the Southwest Public Libraries) was given its reading.

Mr. Uhrin commented about the survey card he sent out concerning the Lumberyard Project. He said comments were made that the questions were slanted to obtain the desired answers. He said nothing could be further from the truth. He did the survey to get a pulse on the community because he has been in Warren, Ohio taking care of his ill mother, for the past few weeks and felt more information was needed. He noted that one respondent said the news media has done an excellent job in reporting all aspects of this issue and received the Card the same day he read an article in the newspaper, making his decision, and calling to respond. Mr. Uhrin said as his survey has come back, the problem is the Library has become the focus and not the Lumberyard Project. People are saying we don't need the garage and it's too late for this Project. People are leaving downtown anyway. He said he is not against the Lumberyard Project, but we better start telling the public what 290 parking spaces are going to be used for. He is getting questions like: what is the plan to fill the garage; why is the garage being done first. Senior citizens are complaining that they cannot walk from the parking garage to Broadway, due to ailments. He said Council and Administration have to sit down and tell the people what we are going to use the project for. He said they have to resell this Project since it has been stalled for at least 16 months, due to the library. He said he wanted to make it clear that he will not support moving the library to the Lumberyard. A new library is the responsibility of the Library Board and not the City. If the Library puts forth a District-wide Levy in the future, he will be behind it 100%.

Mayor Stage doesn't believe this has been stalled for 16 months because of the Library. He said they

have continued the engineering and put forth an appropriation for site work. He said we need public input and education. He said he and President Berry agreed to have a special meeting of Council on the 14th to hear about this. He will also hold a Town Meeting, so there will be two opportunities for the public to have input. He asked it be withdrawn from the Agenda.

Ms. Norma Smith, resident, voiced support for expanding the library and bringing a college to the lumberyard project. She said she is very happy that they are taking their time to make decisions about the Lumberyard. She said her first concern is enlargement, relocation and importance of the library. When her children were small, there was no library close to where they lived and she drove them to the Hilltop. She said she uses the library a lot. The current library is too small in so many ways, they are too numerous to mention. The population is over 30,000 now and they deserve better. She said she is also happy to hear that colleges are interested in locating in the Lumberyard. She said no obstacle should be put in place of having a larger or relocated library or having a colleges come to Grove City to teach classes near a new library. She asked that Council consider removing a levy from the options to the library. She said with a School Levy on the ballot, there is no way a Library Levy would pass. She suggested that Council and the Law Director help the library get funding from other sources or go into the Columbus system. Please help them in any way you can.

Mr. Andy Furr, resident, as a patron of the library, he does not agree on spending \$8 million to move the Library. He said he went door-to-door in his neighborhood and asked for support for this move and was overwhelmingly turned down. He personally believes the current library property is not worth \$8 million and feels the City has already overspent on other properties. With the library already facing budgetary cuts and possibly facing more in the future, it is not prudent for them to move. I has already been stated by the Library Board that they do not want to move, and with the latest proposal, they are asking the taxpayers to undergo a financial strain on already collapsing personal budgets to help them to continue to operate. He suggests that they wait out the economic downturn we are all suffering and when the economy is strong again, ask the taxpayers for a levy to improve current facilities and continue services. He said the City government has done a wonderful job on saving money for worthwhile projects, but the focus should be on attracting new jobs to the community and not being the Federal Government and bailing out self-sustaining entities out of financial trouble.

Ms. Karen Dover, Town Center merchant, voiced support for moving the Library. The City has spent money on bike paths, parks, and certain segments of the community, but the library serves everyone. She believes if we put a stamp on academic pursuits, it would be wonderful for our City. She supports the City doing their part to encourage this. She said if they wait for the economy, it won't happen. It takes a lot of vision to put your foot down and create something this magnificent, not for just downtown, but the whole city.

Mr. Warren Guard, resident, said he can only hope that common sense will prevail in this Project. He said the library needs financial support and the schools need financial support. He said you get that support through providing an opportunity of growth of businesses and jobs. He encouraged them to support the existing businesses in the Town Center and to pursue new businesses. He said successful business and working families are what generates the revenue. He said the Developer said he would be willing to foot the entire bill for the Project under PUD guidelines, but the Administration would not allow it. Presumably because, as the Mayor has stated, he just wants to get it done. Is that at any cost to the taxpayers? He asked Council, at what point do you just say no?

Ms. Alice Sweeley, voiced support to move the Library. She said the library is a symbol of a healthy community. Why not give it a dose of vitamins in the form of a new facility and help them have more visibility. If colleges move in, there is an opportunity for cooperation and create larger volumes of use. A library is a pathway for one to learn on their own. She said to be without a library would be a sad

situation indeed. She said our library seems to be in a critical juncture in its history. There just isn't enough space for all the "stuff" our library needs now. A new library, in a new location would enhance the community's stature in the Central Ohio area. It would bring foot traffic to the downtown area, but most of all, it would be a boost for our community that can't be underestimated. It would take the City and the surrounding area to an entire new learning level. This is a forward looking move that the City is considering. Please consider the advantages of moving for all.

Mr. Jeff Davis, V.P. of the SW Public Library Board, said his sole interest is in the support for the library system. Tonight, he is speaking as a member of that Board. He said their role on the Board is to provide service and support of their libraries. They make decisions, set policy and direction and have a vision for the future of the libraries. As such, they are not perpetrators of grand fraud or instigators of political intrigue. We are not the victims of the library and we are not the instigators. We provide services and care for the library. They believe the world could be a better place because of what they have to offer. They want people to visit and stay, feel welcome and give everything they have as an honored guest. The SWPL has two locations, one in Grove City and one at Westland. He said Grove City has a population of almost 33,000 and has a public library that is inferior. He said they are last in many categories. Every other public library in Franklin County has either been built or renovated since the Grove City Library was renovated in 1973. It is simply too small. None of this should be a point of pride. He said that brings him to the negotiations with the city. He said expanding the library at the existing site would be beneficial because we need a bigger library. However, it has several practical limitations and really lacks the true magic inherent of the proposed redevelopment project. He said he believes the lure of suburbia is fading for young and old. He thinks changing demographics dictate community innovation. He used downtown Columbus, Bexley, and Lennox as good examples. It is a new world in his mind and suburbia is not part of it. People want to be downtown. If you want a vibrant, multi-faceted, downtown that serves as a community gathering place, he pledges that the Library will deliver on that promise. He said the public library is a portrait into the soul of its community. It is the showcase of the community itself. More than its schools, its wealth or poverty, or its demographics, the Library will give an accurate glimpse into a community's priorities, desires and ultimately, what it believes about itself.

President Berry commented that we are all aware of the current economic situation. People are suffering, but there is a light at the end of the tunnel. Every morning at work, he receives messages about new inventions, technologies and discoveries. With that, there are large numbers of proactive businesses and investors seeking a little help to move new products out into the market. He said it is the time to move forward to develop programs, developments and make critical investments so Grove City can be at the forefront of developing high paying jobs. So we can afford school, libraries, etc. He expressed sincere thanks to all those who serve on the Library Board and support the library for their time and commitment to the organization. He said if the Library Board determine that a levy or a new library is something they want to accomplish, please bring forward partnering ideas to Council in the future. He said he does not feel it is the City's responsibility to do the job of the Library Board or force them into any undesirable position, or a position that does not meet their financial needs. He said he personally supports the Library and the Schools and will support levies for both; however, it is not the city's responsibility to take on that task either. He said he would not entertain the Library being part of the Lumberyard Project. He will only support this Project as a job creation and economic development venture for the city. However, he does want to see a state-of-the-art Library downtown in the future. During the early '80's our Country was going through hard times. This time, to invest in building our community through high paying jobs is now. Through this development, and others to come, Grove City will be known as a place to grow a business and a family. With that, there will come better schools and better libraries. As a result of a discussion with the Mayor, Council has agreed to meet in a Special meeting of Council on April 14th at 8:00 pm to hear from the Developer.

Ms. Klemack-McGraw commented that she has mixed emotions over the Mayor's Resolution - CR-15-09. She shares the vision of what the library could be, with the old building being used to encourage additional community and residential developments. She personally feels the residents suffer from having to cope with the existing library building when it could be so much more. Even her husband, a professional planner, voiced support for this vision. Unfortunately, the overwhelming opinion of her constituents is to oppose including the library in the Lumberyard Project. If the opinions were split in half, she could, in clear conscience, vote to support of including the Library. However that is not the case. She said she must listen to her constituents and respect them by not moving the library. She said she cannot support the Library Board's counter-offer. She said we cannot be expected to assume all the risk on their behalf. If they are unwilling to accept any risk, then we should not accept any more of their risk. She said that she is afraid that if they do not act quickly they will find that construction and labor costs will have increased by the completion of the project and we will not be able to take advantage of the coming recovery. She said we need to encourage retail and offices uses now. She believes we no longer have the luxury to continue with endless "what ifs".

Mr. Grinch said in his Ward the concern is pretty well balanced – for or against. He doesn't think we are involved in a race. He thinks we need to look 50 years into the future take our time and hold public meetings to hear all sides. No one should be rushed into any decisions and have people base their opinions on information is very important.

Mayor Stage said he didn't know they were going to have this kind of discussion. He said, as in the March 20 letter, this is a joint vision. He said city government is the lowest level of government next to a Township. It is our job to give freedom of speech to those who want to talk about this particular item. Having three Council Members say they will not support an item that is formally not on the Agenda and not allow public debate is not the democracy that he signed up for as Mayor. Having testimony, having public input, to make sure the pure picture is painted – not the fact that we are building and moving a library for \$8 million. The picture is - we are developing a center for learning. He said to have Council sit here tonight and say they won't support anything without public input is not the way he believes you run a government. He thinks the meeting on the 14th and the Town Meeting later will be a breath of fresh air. Mr. Uhrin noted that this item is on the Agenda. Mayor Stage said he asked for it to be withdrawn. Discussion took place over this question and it was determined that the Resolution was read and discussion called for, but no motion of any kind has been made.

Mr. Corbin moved to withdraw CR-15-09; seconded by Mr. Grinch.

Ms. Klemack-McGraw	No
Mr. Berry	No
Mr. Uhrin	No
Mr. Grinch	Yes
Mr. Corbin	Yes

Mr. Uhrin moved to approve CR-15-09; seconded by President Berry.

Mayor Stage said he understands the typical procedure to be that they agree in Caucus as to what will or won't be on the Agenda. What President Berry, Mr. Uhrin & Ms. Klemack-McGraw are saying is that they are ignoring that procedure. He said the discussion he and President Berry had on Friday was for this item to be withdrawn. President Berry said they did discuss this on Friday. He asked that the Mayor not submit it for the Agenda at all. However, he did and there are members of Council who do want to vote on this tonight and he doesn't believe it is appropriate for him to stand in their way.

The vote was called.

Mr. Berry	No
Mr. Uhrin	No
Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	No

The Chair recognized Mr. Corbin, Chairman of Safety, for discussion and voting under said Committee.

1. Ordinance C-23-09 (Authorize the Charitable Solicitations Board to issue a Permit to the Knights of Columbus per Section 371.06(b)(2) of the Codified Ordinances) was given its second reading and public hearing and Mr. Corbin moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes

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

1. Resolution CR-16-09 (Endorse Issue 15, the South-Western City School 8.3 Mill Operating Levy on 5/05) was given its reading and public hearing.

Mr. Bill Wise, Superintendent, said they are asking for \$8.3 million, fixed, levy. They have made cuts and simply cannot continue to provide services without additional funds. The reason for asking for a fixed levy is because of the hope that the Governor will change school funding, but that is only at 50% phase-in in four years. They would still need a stop-gap measure. Mr. Uhrin asked about the Park & Rec. programs at the schools if the levy doesn't pass. Mr. Wise said they would need to find new locations because they would need to shut down all the schools to reduce costs. He said without new monies they will have a \$34 million deficit going into the next school year. He said they just run to lean to take that on.

Ms. Kim Conrad, Dir. of Parks & Rec., was asked what programs would be affected by President Berry. She said the biggest programs are the Before and After School Latchkey programs, Summer all-day child programs, basketball, youth volleyball, adult basketball & volleyball, and other meetings, etc.

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

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes

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

1. Ordinance C-24-09 (Approve the Use for a Tattoo business for Bleeding Ink, LLC located at 3697 Garden Court) was given its second reading and public hearing.

Mr. Ryan Bolin, owner, said he has a laundry list of how they are members of the Chamber, Better Business Bureau, etc., but it comes down to bringing dollars to the community. Its everything that is being talked about tonight. He said they are trying to open a business and give back to their community with dollars and their business. Mr. Uhrin asked what their control is by the Health Dept. Mr. Bolin said there are monthly inspections, and then random. There is a Check List of items to make sure they are sanitary and follow their guidelines. He said they receive a Certification every time they go through those. Mr. Uhrin asked if each artist is certified. Mr. Bolin said yes and referenced the information booklet he provided them. He said for insurances purposes, they must have those certifications also. Mr. Grinch asked if there was an age limit. Mr. Bolin said yes. They won't do any minors. Mr. Grinch said this is coming before Council because it is something that is not in the Code. Mr. Smith, Dir. of Law, explained that Tattoo Parlors fall under Miscellaneous Personal Services. Our Code doesn't list this as an approved use, but there is a procedure to approve certain uses through a recommendation from Planning Commission and approval of Council, which is what is taking place here.

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

Mayor Stage suggested that we visit this as a possible Special Use business and list it in the Special Use section of the Code.

The vote was called.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes

2. Ordinance C-31-09 (Approve the Use for a Tanning business for Beach City Tan located at 4045 Parkmead Drive) was given its first reading. Second reading and public hearing will be held on 4/20/09.
3. Ordinance C-32-09 (Approve the Rezoning of 3.83 acres located West of Broadway and South of Park Street from CBC, C-2 & IND-1 to PUD-C) was given its first reading. Second reading and public hearing will be held on 5/18/09.
4. Resolution CR-13-09 (Approve the Exterior Modifications to 3800 Broadway located in the Historical Preservation Area) was given its reading and public hearing and at the written request of the petitioner, Mr. Grinch moved it be withdrawn; seconded by Mr. Uhrin.

Mr. Berry	Yes
Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

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

1. Mr. Cody Spenser, Boy Scout, stated that he is working on his Eagle Scout project, which is collecting items for Soldiers in Iraq that they do not receive. He is placing boxes in various locations and will also be doing a neighborhood drive. He thanked them for any participation they could give.

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

1. Mayor Stage submitted the Mayor's Monthly Report and President Berry moved to accept same; seconded by Ms. Klemack-McGraw.

Mr. Uhrin	Yes
Mr. Grinch	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

Mayor Stage noted that Mayor's Court is being moved to Wednesday's and going to all day court. They may have to change some fees to accommodate this. He said they are postponing the State of the City address. He said as for the Lumberyard site, he is officially putting that on hold tonight. He feels they are now in salvage mode with the colleges and the developer. He said he will have a Town Hall meeting and will be happy to debate one or all three of the Council Members on this issue. He said he feels it is worthy of a very thorough discussion, unlike the letter he received from three of the Council Members.

2. Mr. Honsey updated Council on the S.R. 665 Project.
3. President Berry thanked the Mayor and Library Board for working together and it is his hope that the Library Board will work very soon to bring other partnering ideas together and bring them to the City. He said this issue has to be the Library Boards issue to develop whatever plan you see fit and if they see value in partnering with the City, bring it to Council. He reminded everyone of the 4/14 meeting at 8:00 p.m.
4. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:30 p.m.



Tami K. Kelly, MMC
Clerk of Council



Ted A. Berry
Chair