

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

May 21, 2012

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:

*Jeff Davis      Ted Berry      Steve Bennett      Melissa Albright*

1. Mr. Berry moved to excuse Ms. Klemack-McGraw; seconded by Mr. Bennett.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

2. Mr. Berry moved to excuse Ms. Kelly; seconded by Mr. Bennett.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Davis	Yes

Mr. Bennett moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Davis.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Davis	Yes
Mr. Berry	Yes

4. 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-24-12 (Authorize the purchase of 3388 Ventura Blvd. and Appropriate \$132,500.00 from the General Fund for said purchase) was given its first reading. Second reading and public hearing will be held on June 4, 2012.

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

1. Ordinance C-21-12 (Repeal Chapters 705 titled Charitable Solicitations and 719 titled Itinerant Vendors and Replace Chapter 720 titled Peddlers) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, stated that after the last meeting he revised the legislation to exempt those under the age of 16 from needing a permit and made some other clean up changes, as suggested by Ms. Albright. He summarized all those changes.

Mr. Davis moved to amend as follows:

- 720.04(a)(3) – change three years to twelve months;
- 720.04(a)(8) – add “force or violence” after moral turpitude
- 720.04(b) – add “, plus actual costs of the background check.”
- 720.05 (b) – change “shall not be issued” to “is not required for”
- 720.05(b)(2) – remove all language and replace with “Persons under the age of 16.”
- 720.09(a)(2) – add “, force or violence.” to end.

Seconded by Mr. Berry.

Ms. Albright	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

Mr. Berry asked why the age of under 16 was chosen. Mr. Smith explained that this would limit the exemption to those who do not drive and prevent companies from hiring individuals to solicit for them. This way, only kids in your neighborhood would most likely be the ones going door-to-door.

Mr. Berry moved to amend Section 720.05(b)(2) to replace 16 with 17; seconded by Mr. Bennett.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

Mr. Bennett asked about the hours for canvassing. Mr. Smith explained that based on court cases, the hours of 9:00 a.m. to 9:00 p.m. have been upheld and would withstand judicial review. Earlier ending times have not been upheld. Ms. Albright commented that while 9:00 p.m. is fine during the summer, it is a bit late for winter time.

Mr. Bennett moved to amend Section 720.07(a)(2) to change “9:00 p.m. eastern standard time” to “dusk”; seconded by Ms. Albright.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Davis	Yes

Mr. Roby Shotke, retired teacher, asked if this would prevent the Band from conducting their annual door-to-door donation drive. Mr. Smith said there was an exemption for schools, so in his opinion the band would be exempt.

Mr. Davis moved that it be approved, as amended; seconded by Mr. Bennett.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Davis	Yes
Mr. Berry	Yes

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

1. Ordinance C-22-12 (Approve the Rezoning of 109.83 acres located at 5528 Hoover Road from SD-3 to M-1) was given its second reading and public hearing.

Mr. Ben Hale, attorney for petitioner, provided a history of Mt. Carmel and gave an overview of the project. He clarified that this rezoning only applies to the properties they currently own.

Mr. C. Brett Justice, V.P., Strategic Advancement for Mt. Carmel, also explained the intent of the project and expressed their excitement over this project.

Ms. Albright thanked Mt. Carmel representatives for hosting meetings for the surrounding residents to get information about this project.

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

Ms. Albright	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

2. Ordinance C-25-12 (Approve the Plat of Claybrooke Crossing, Section 5, Part 2) was given its first reading. Second reading and public hearing will be held on June 4, 2012.
3. Ordinance C-26-12 (Approve the Plat of Resubdivision of All of Lots 404 to 425 and Reserve "AA" of Pinnacle Club, Section 3) was given its first reading. Second reading and public hearing will be held on June 4, 2012.

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

1. Mr. Dick Rutherford, resident, apologized for his behavior at the last meeting and reiterated his objection to the change made to the amendment for Veterans preference on Civil Service positions.
2. Mr. Shannon Hamons, Pizzuti Development, provided an update on their review and assessment of the Town Center; including the best use of City property and facilities; the moving of City Hall; and the addition of apartments as opposed to condominiums, due to market conditions.

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

1. Mayor Stage submitted the Mayor's Monthly Report and Mr. Berry moved to accept same; seconded by Mr. Bennett.

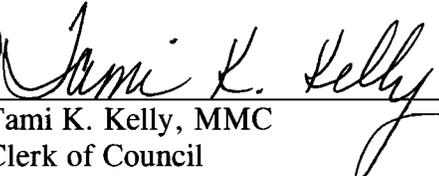
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

In closing, the Mayor commented on the success of the GCHS Baseball team was doing well in the tournament and was winning. He complimented the Urban Forester on the flowers in the Town Center. He then responded to Mr. Rutherford about the preference for veterans on Civil Service positions.

2. President Berry expressed condolences on the passing of Ms. Klemack-McGraw's nephew, who was a Veteran of the Iraq war.

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

Council adjourned at 8:03 p.m.



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Tami K. Kelly, MMC  
Clerk of Council



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Ted A. Berry  
President