

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

June 16, 2014

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 regular meeting and approved 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.

President Berry moved to add Ord. C-38-14 to the Agenda under Finance; seconded by Ms. Klemack-McGraw.

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

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

1. Ordinance C-31-14 (Amend Section 133.05 of the Codified Ordinances titled Disposal and Sale of City-Owned and Unclaimed Personal Property) was given its first reading. Second reading and public hearing will be held on July 07, 2014.
2. Ordinance C-32-14 (Grant an Exceptional Circumstance for 3909 Broadway to Increase the Maximum Award under the Town Center Commercial Revitalization Grant Program) was given its first reading. Second reading and public hearing will be held on July 07, 2014.
3. Resolution CR-30-14 (Waive the provisions of Section 139.05 of the Codified Ordinances for the construction of the Dream Field at Windsor Park) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that the City is engaged with the Little League Board to raise money for the Dream Field. The Board came to the City with offers of donations and this Resolution will waive the competitive bid provisions so donations can be received and address the prevailing wage concerns. This will give us some flexibility with our normal bid procedures and can section out the project around what can get donated.

Mr. Ron Gabriel, Little League Board Member, explained that now that Little League has been restored to Grove City and baseball teams re-established, they looked to a way to help those who have physical challenges playing baseball. The answer was this Dream Field. The Board said they would not ask for tax money for this field. They have received their 501C3 and are accepting donations. There are many offerings of materials and labor to get the field started. Once it is started, there are corporations who will assist. He said this resolution will help them get started and asked for a positive vote.

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

4. Resolution CR-31-14 (Approving the Admission of Two New Members to the Central Ohio Risk Management Association Self-Insurance Pool) was given its reading and public hearing.

Mr. Turner, Dir. of Finance, explained that our insurance pool requires approval from the members to add new communities. This would add Marysville & Canal Winchester to the Pool.

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

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

5. Ordinance C-38-14 (Appropriate \$30,000.00 from the General Fund for the Development of the New Library and declare an emergency) was given its first reading.

Mayor Stage said this was a result of the round table discussion from last Monday with trying to come to grips with trying to accommodate the Library's initial plan and alternatives for their design. He felt that there was a consensus that this was deserving of a Study. He agreed to sponsor an ordinance to fund a look at the alternatives. He said it was the hope that they could show the Phase 1 scenario that was depicted last Monday, but we have not received a copy of that yet. We have agreed that getting a copy forthcoming, would still be acceptable in sponsoring this ordinance.

Mr. Berry asked Ms. Kelly if she had copies of the amended site plan that is being asked to have looked at. Ms. Kelly said she did have it, but not copies to pass out to everyone at the moment. Mr. Berry said the exhibit was e-mailed to everyone and he just wanted everyone to know that the Exhibit that Ms. Kelly has is the exhibit that people want reviewed. Mayor Stage agreed that the latest version will be used for the Study, but for purposes of the legislation, we will do our best efforts to obtain the original exhibits.

Mr. Berry noted that the Study would also look at the amount of retail that the alternate exhibit would open up. Ms. Klemack-McGraw asked for an explanation of the retail impact analysis. Mayor Stage said the Study would look at the concept shown last Monday to see what the net retail would be gained.

Mr. Davis said he would like to amend the ordinance and passed out a copy of the language he wished to amend. He explained that during last Monday's public meeting the library was discussed and the idea of extending Columbus Street through that committed library site. That is what this ordinance addresses.

our Town Center a value, as well. Within that, there is a desire to extend Columbus Street. There are many options that one could look at to extend Columbus St., or find a grand entrance into Beulah Park, that may not look like what was presented Monday night. He said there is a value to him to the commitment that has been made to the Library today. He feels the discussion Monday is a breach of that contract and sets the Library development back. So, what his amendment does is tell the library to go ahead with what we have already committed to you; and City, study other alternatives for extending Columbus Street and finding a grand entrance to Beulah Park.

Mr. Davis moved to amend the fifth Whereas statement to add to the end of the sentence: *however, the City and the Library have already entered into agreement that establishes the location of the new library;* add the following Whereas: *Whereas, if the City wants to extend Columbus Street, alternatives should be studied that do not involve a breach of the current agreement between the City and the Library;* amend the sixth Whereas to read: *Whereas, additional funds, in excess of the original estimate and amounts already appropriated, are needed for the City to explore alternative options for extending Columbus Street that does not infringe on the previously agreed upon Library site; and;* and amending the last Whereas statement to add to the end: *and the City explores other options;* Seconded by Ms. Lanese.

Council discussed this amendment and Mr. Berry asked Mr. Smith if this ordinance violates the contract with the library. Mr. Smith said we could study anything; however the contract calls out the library site by parcel numbers. So, ultimately in order to adopt what was presented as Phase 1 last Monday, would require an amendment to the contract, this would require the library's consent. Studying something isn't a breach of a contract. After further discussion of the amendments, the vote was called.

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

Mr. Davis moved to amend the fifth Whereas statement to add to the end "*and for the City to explore alternative options for extending Columbus Street that do not infringe on the previously agreed upon Library site; and*" and to amend the last Whereas statement to add to the end "*and the City explores other options*"; seconded by Ms. Lanese.

Mr. Berry moved to amend the amendment to change the work "*site*" to "*contract*" in the fifth Whereas; seconded by Ms. Klemack-McGraw.

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

A vote was called on Mr. Davis' amendment motion.

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

Council took public comment on the main issue.

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Mr. Roby Schotsky asked how difficult it would be to get another crossing over the railroad tracks. He asked if Columbus Street would dead end. He wondered what would happen if the property owner of Beulah doesn't want Columbus Street to go through their property. He said he disagrees with spending \$30,000.00 on a study.

Mr. McDonald, property/business owner on Columbus Street. He said if Columbus Street is put through, the library would only have 70 lineal feet along Broadway and the building will not be efficient or effective in that manner. He said this delays the project; costs money; and is pulling the rug out from the library. He thinks \$30,000.00 on a study to get rid of a couple of eye sores is all that is being accomplished. He said we are about 90 years behind time for running Columbus Street that way.

Mr. Bennett commented that in his mind, pushing Columbus Street through is a health and safety issue, with regard to traffic control. There is no traffic control at Grant Avenue. The Library states that they anticipate 3,500 people visiting that site every day. He said he believes Mr. McDonald could also attest to the way Grant Ave. is, without adding additional traffic flow. He said this is a huge concern. A traffic light can't be added at Grant, which makes Columbus Street a natural push through. Mr. McDonald did say he sees daily misses with people trying to get out of Grant Ave. He said you would compound the situation if you have another line of traffic. He suggested making Grant Ave. one-way to the railroad track.

There being no additional questions, Mr. Bennett moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Berry.

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

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

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

Mr. Berry moved to reconsider C-38-14; seconded by Ms. Lanese.

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

Mr. Berry moved to approve C-38-14 as an emergency; seconded by Ms. Lanese.

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

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

1. Ordinance C-30-14 (Authorize the Charitable Solicitations Board to issue a Permit to the Ronald McDonald House per Section 371.06(b)(2) of the Codified Ordinances) was given its second reading and public hearing.

Ms. Kim Daniel, petitioner, was present to answer any questions and request approval.

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

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

2. Ordinance C-33-14 (Amend Section 1135.10(a) of the Codified Ordinances titled Residential District Requirements) was given its first reading. Second reading and public hearing will be held on July 7, 2014.
3. Ordinance C-34-14 (Amend Section 371.06 of the Codified Ordinances titled Use of Highway for Solicitation; Riding on Outside of Vehicles) was given its first reading. Second reading and public hearing will be held on July 7, 2014.
4. Ordinance C-35-14 (Authorize the City Administrator to Utilize the Agile Networks State Contract for Fiber Connectivity for the Division of Police) was given its first reading. Second reading and public hearing will be held on July 7, 2014.

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

1. Resolution CR-32-14 (Authorize the Administrative Assistant to enter into an Agreement and Cooperate with the Director of Transportation for the Improvement to Interstate I-71, from Stringtown Road to State Route 315) was given its reading and public hearing.

Mr. Stephen Smith, Dir. of Law, explained that this and the next Resolution are standard legislative pieces that ODOT requests for all its cooperative street improvements. He said there are no local monies in these projects.

There being no additional questions or comments, Ms. Lanese 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. Resolution CR-33-14 (Authorize the Administrative Assistant to enter into an Agreement and Cooperate with the Director of Transportation for the Improvement to Interstate I-71, from State Route 665 to Stringtown Road) was given its reading and public hearing and Ms. Lanese moved it be approved; seconded by Mr. Bennett.

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

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

1. Ordinance C-36-14 (Approve a Special Use Permit for DNS Grooming for a dog grooming business located at 4376 Broadway) was given its first reading. Second reading and public hearing will be held on July 07, 2014.
2. Ordinance C-37-14 (Approve a Special Use Permit for a Pet Store for 24-7 Reptiles located at 4302 Broadway) was given its first reading. Second reading and public hearing will be held on July 07, 2014.
3. Resolution CR-34-14 (Approve the Development Plan for Burger King located at 3462 Broadway) was given its reading and public hearing.

Mr. Jim Clark, architect, explained that the owner wishes to tear down the old building and rebuild a new restaurant. Ms. Klemack-McGraw reviewed the 12 stipulations set by Planning Commission. Mr. Clark agreed to all of them.

Mr. Bennett asked if the red panel around building was to be illuminated. The Architect said yes. Mr. Bennett said he is not in favor of that. He doesn't want the appearance of neon. He is concerned with the light glowing. Mr. Sean Miller, owner, said it is not neon. He said it is similar to other new Burger King buildings. He thinks it may be lit underneath.

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

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

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

1. Mr. John Lester, resident, voiced opposition to the sidewalk repair on his property. He said he read the notice in the paper and interpreted that to mean that there would be sidewalks constructed where there were none, not affecting his property. He said he spoke to Mrs. Kelly today and found out that a certified letter was sent to his home, which she gave him today. That letter does say "repair" in the title. He asked if it was for new construction or repairs. He said there are no sidewalks on Patzer Ave. and feels it is more important to construct sidewalks where there are none rather than repair those that have little problem.

Mr. Chuck Boso said he agrees that it would be nice to have sidewalks on every street, but to be specific to Patzer Avenue, that street has some challenges due to the slope of the yards and would require retention walls and more to add a sidewalk.

Mr. Smith, Dir. of Law, stated that the legislation passed by Council declared it necessary to

construct And repair certain sidewalks.

2. Mr. Brian Grove, voiced concern over his neighbor having bee hives. This started out as a box a little larger than a shoe box. He said he understands that his neighbor can have them now, but there are no standards on how big; how large the hives can grow; how close to the lot line they can be; if they are even acceptable in a subdivision like this. He said last Thursday, more hives were added and placed on Mr. Grove's lot line. At that point, it became a safety issue for him. He is concerned for the safety of his family and friends. He shared a small video or his IPod of where these hives are in relation to his lot. He said he understands what the neighbor is attempting to do, but there are no regulations and this is a safety problem. Mr. Berry said Council did discuss bees in caucus. They have asked Mr. Smith and Mrs. Kelly to provide some alternatives to address this. Ms. Lanese asked what Mr. Grove saw and how he was affected with the original two hives. Mr. Grove said this Spring was a nuisance. They came on his property constantly. She asked if there was water close. He said yes. The neighbor has a small pond with fish. He said they didn't put flowers out back this year, so as not to "feed the insects". He noticed them trying to get into his furniture and concrete block. Mr. Berry asked if Council could come visit Mr. Grove's property. Mr. Grove said yes.

3. Mr. Bill Ferguson said he was asked to work on the Beulah area. He has followed the rules and has come to a roadblock. Beulah is a hell hole and they don't get notices like other property owners with property violations. He said it needs cleaned up the same way other areas are cleaned up in the City. He said he is willing to walk and show anyone.

Ms. Lanese said she walked with Mr. Ferguson and took exception to him calling this area a hell hole. She said she didn't see anything that egregious. There are many residents in the Beulah subdivision that take pride in their property. She said Mr. Mike Boso took Mr. Ferguson's list of complaints and they were taken very seriously. She said it may not be perfect, but it is far from a hell hole. Mr. Berry asked if Bill meant the subdivision or Beulah Park Racetrack. Mr. Ferguson said the Racetrack pushes the neighborhood over the edge. There are four feet of trash bags by the dumpster; a refrigerator on Park Street; tires; etc. Mr. Vedra, Safety Director, said they will look into and issue or concerns.

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

1. Mayor Stage submitted the statistical information from Mayors Court and Mr. Berry moved to accept this portion of the Mayor's Report; seconded by Ms. Lanese.

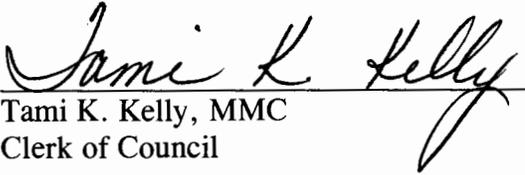
Mr. Davis	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

The Mayor congratulated Mr. Furr and Town Center Inc. on a great Wine Tasting Event; he reported on the upcoming auction at the Jividen House; he commented that he takes huge exception to the statement of "why don't you put sidewalks where we don't have them". He said all sidewalks need to be taken care - no exception. We have put in sidewalks where there were none and Patzer Ave. has been controversial for 12 years. Some day it, too, has got to be fixed. He then reported on the passing of Roy Grossman and condolences were sent to the family.

2. Mr. Turner passed out the Tax Budget as required by the Charter. He said there is no increase in mileage. Mayor Stage said he asked Mr. Turner to put together a Sources and Use of Funds for the library so they could get some high level direction of what is the implication of future finances. He passed out a copy to Council. He noted that 53% of the funding will be paid for by the Library.

4. Ms. Kelly announced that a notice was received by the Liquor Control Board stating that the hearing for the new liquor permit for Grove City Marathon was granted, as the City did not provide enough information for the Board to turn it down. Ms. Kelly said this decision could be appealed if desired. Mr. Smith reminded Council that this is the one that had some violations, but is being sold to a new owner. They did put the City's concerns on the record during that hearing.
5. After 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
Chair