

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

July 01, 2013

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 Melissa Albright

1. Ms. Klemack-McGraw moved to dispense with the reading of the minutes from the previous special and regular meetings and approve as written; seconded by Ms. Albright.

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

2. 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-36-13 (Appropriate \$45,000.00 from the General Fund for the Current Expense of Big Splash Operations) was given its second reading and public hearing.

Mr. Turner, Dir. of Finance, explained that in the 2013 Budget we had a line item of \$45,000.00 to assist with the Big Splash expenses. Due to a wet and mild season, it is necessary to appropriate this money for the pool.

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. Davis	Yes

2. Ordinance C-37-13 (Appropriate \$16,725.00 from the Federal Emergency Management Agency Fund for the Current Expense of 2012 Wind Damage Reimbursement) was given its second reading and public hearing.

Mr. Turner, Dir. of Finance, explained that we suffered wind damage last June. These are grant monies received and that need appropriated into the correct Fund.

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

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

- Ordinance C-38-13 (Appropriate \$25,000.00 from the General Fund for the Current Expense of Demolition and nuisance Abatement for the Property located at 3879 Santa Maria Drive) was given its second reading and public hearing.

Ms. Jennifer Shawler, neighbor, said they do want the house taken down but want to know if it will be fumigated before it's demolished. Will the home be checked for valuables? Also, will the shed and tree be taken down? What will happen to the property? When will this be done?

Mr. Smith, Dir. of Law, explained that this is the process outlined in the Code. We are following it to address the situation. He explained that the City is not buying the property. It will still be owned by the same property owners. Right now, we are just trying to render the property safe. It has been determined that demolishing the home is the only way to render it safe. He explained the process in a bit more detail and answered additional questions of Ms. Shawler.

Mr. Berry asked for clarification on the controls. Mr. Smith said there is a provision to allow the City to take the valuables and use them to recoup some of the cost. We are making every attempt to get in touch with the heir and have her go through the house and remove things. He will be working with Mike Boso to get the Notices out for the Nuisance Abatement.

Ms. Albright asked if we would have the largest lien & be able to foreclose. Mr. Smith said we are not the largest. The County has back taxes owed that put it first in line, but will look at the options on our ability to foreclose on the property.

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

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

- Ordinance C-46-13 (Appropriate \$1,077,000.00 from the County \$5 License Fund for the Current Expense of Southwest Boulevard Improvements) was given its first reading. Second reading and public hearing will be held on July 15, 2013.
- Ordinance C-47-13 (Appropriate \$385,000.00 from the S.R. 665/I-71 Tax Increment Equivalent Fund for the Current Expense of Public Infrastructure Improvements to S.R. 665 to ensure optimal traffic flow and pedestrian access/connectivity) was given its first reading. Second reading and public hearing will be held on July 15, 2013.
- Resolution CR-33-13 (Approve the Budget Estimates for Fiscal Year 2014) was given its reading and public hearing.

Mr. Turner, Dir. of Finance, explained that this is required by Charter. It is a snapshot of our conservative estimates for revenues.

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

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

7. Resolution CR-34-13 (Intent to Appropriate Fee Simple Title for the Improvements to North Meadows Drive) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that this is the only property left needed to complete the road improvement. He said he has been negotiating this with the property owner's attorney. This is a fall-back, in case negotiations don't get completed in the timeframe needed.

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

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

8. Resolution CR-35-13 (Appoint Adam Borchers to the Audit Committee) was given its reading and public hearing and 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. Davis	Yes

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

1. Ordinance C-39-13 (Amend Various Sections of Chapter 155 of the Codified Ordinances titled Civil Service Commission) was given its second reading and public hearing.

Mr. Smith explained that we are the Civil Service agent for South-Western City Schools. They have requested changes for their process only. It does not change or affect any provision of Civil Service for City personnel. He also noted that the Civil Service Commission was informed of this formal request by the SWCS Board and reviewed the proposed changes.

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

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

2. Ordinance C-40-13 (Authorize the City Administrator to enter into an Agreement with Jackson Township for Dispatching and Communication Services) was given its second reading and public hearing.

Mr. Boso, City Admin., explained that this is a renewal Agreement to provide Dispatching services for Jackson Township. It is a three year contract, beginning Jan., 2014. There is a six percent (6%) increase for the last two years.

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

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

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

1. Ordinance C-41-13 (Accept the Plat of Pinnacle Club, Section 2, Phase 7) was given its second reading and public hearing.

Mr. Jason Francis, representing M/I Homes, was present to answer any questions. Council inquired about the overall progress of the home sales. Mr. Francis said they were pleased.

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

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

2. Ordinance C-42-13 (Approve the Special Use Permit for Photovac Laser Corporation, Inc. for the Sale of Weapons located at 3513 Farmbank Way) was given its second reading and public hearing.

Mr. Chris Selvage, President of Photovac, was present to answer any questions. Mr. Berry asked for an explanation of their desire. Mr. Selvage said people are not comfortable buying firearms in public. They do this as a hobby but have found that they could get into this new field to sell hand guns and offer training. They will secure all State and Federal approvals. Mr. Berry asked if they will be conducting conceal-carry training. Mr. Selvage said only the written portion. They will go somewhere else to take the live firing portion.

Mr. Berry asked why this is coming before Council. Mr. Smith explained that our Code requires a Special Use Permit for this type of business. He explained that the State has limited local control over the sale of firearms for commercial and industrial businesses. Any limitations for the firearms business must be the same as the limitations posed on any other type of business in the City.

Mr. Berry asked Chief Robinette if he had any concerns. The Chief said it will be done during regular business hours and has no concerns at this time.

Mr. Davis asked if they can set up and sell prior to having the Federal firearms license. Mr. Selvage said no. They must have that license before opening the business.

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

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

3. Ordinance C-43-13 (Approve the Special Use Permit for Kroger Fuel for a Gasoline Station located at 2410 Stringtown Road) was given its second reading and public hearing.

Mr. Nick Hershberger, CESO, Inc. for Kroger, was present to answer questions.

Mr. Bennett voiced concern over fuel tanks being so close to a creek that has had property collapse around it. He would like to have better assurances that those tanks will be safe and secure. Mr. Hershberger said they have looked at different layouts. This is the best location for the tanks, on this site. Mr. Bennett said this layout requires the trucks to drive over that culvert. He has shared his concerns that holes have occurred in that ground before and he doesn't believe this is a good idea.

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

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

4. Ordinance C-44-13 (Approve the Special Use Permit for Kroger Fuel for Outdoor Sales located at 2410 Stringtown Road) was given its second reading and public hearing.

Ms. Jordon Horn, Real Estate Manager for Kroger, was present to answer questions. Mr. Berry noted that she shared a new design. Ms. Horn said she did. After the Mayor made comments at the first reading, she went back and challenged the Department to make this a better site. She said Kroger is in the process of rolling out a new prototype and this would be one of the first in the Division to have one of these, lower profile, U shaped unit that keeps the product all facing the Kiosk. She said the Kroger Stores do not allow them to build a larger facility. They are limited to the small kiosk designs.

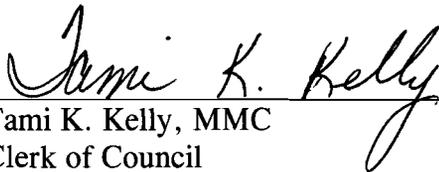
Mr. Berry asked if this is a 24/7 operation. Ms. Horn said yes. Mr. Berry asked if the Kroger grocery store is open 24/7. Ms. Horn said yes. Mr. Berry said there are safety concerns with these units. He is not impressed with this proposal. Mr. Berry said the Kroger at S.R.665 is limited to only auto related items. Mayor Stage confirmed that the provisions of the Shopping Center for the outlot at the S.R. 665 location was very limited. He said he was shell shocked when he saw all that was down there. Ms. Horn said she has informed that location of these provisions and have begun to have all that aren't permitted removed. Ms. Horn said they haven't had a lot of safety issues and have had a positive response from their customers when they provide these small convenience items at their kiosk. Mr. Berry reiterated his concern over this prototype. Ms. Horn said that is why Kroger is wrapping them in earth-tone colors. She said you can't dress up a vending machine much more than a vending machine, but they are trying to offer something more than the standard cage or ice box. Mr. Berry asked if she would like to come back with something else or have them vote on this. Ms. Horn asked for a vote on this.

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

The Mayor provided a packet of information to Council concerning White Road; Holton Road; and a letter he, Ms. Klemack-McGraw and Mayor Coleman (Columbus) signed on the Federal Immigration Law. He reported on several items & showed a copy of the Thoroughfare Map that labels the different road projects being discussed with ODOT.

2. Mr. Berry mentioned that Pizutti has a new plan to show and *tentatively* set a time of 6:00 on August 5 to see and discuss it with them.
3. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:35 p.m.


Tami K. Kelly, MMC
Clerk of Council


Ted. A. Berry
Chair