

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

July 07, 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 Ted Berry Steve Bennett Laura Lanese

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

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

2. Mr. Berry moved to dispense with the reading of the minutes from the previous regular meeting and the 6/9 Special meeting and approved as written; seconded by Ms. Lanese.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

3. President Berry recognized Ray Kline, curator of the Art Concern, and together Council and Mayor Stage congratulated Mr. Kevin Buckland for winning the "Best of Show" in the first Art Concern Invitational art show.

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-31-14 (Amend Section 133.05 of the Codified Ordinances titled Disposal and Sale of City-Owned and Unclaimed Personal Property) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that Council amended the disposal Section of the Code in 2011. Motor Vehicles were put in a classification that required Council to approve their disposal. Since then we have found that we have a number of vehicles that are inoperable and never will be. This amendment would allow the City to donate them to a school, or other public entity, for training purposes and the like.

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
Mr. Berry	Yes

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 second reading and public hearing.

Mr. Doug Grossman, owner, was present to answer questions. Mr. Chuck Boso, City Admin., explained that the Grant Program allows for up to \$10,000.00 in matching grant funds, per parcel. This property owner is looking to invest \$30,000.00+ in the structure and has requested an Exceptional Circumstance to be granted \$15,000.00 instead of \$10,000.00. Mr. Boso said they have only disbursed about \$1,000.00 of Grant monies so far this year, but does have about \$43,000.00 of projects in process for reimbursement. At this point, there are still ample funds available in the Program.

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

Ms. Lanese	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

3. Ordinance C-39-14 (Authorize the City Administrator to enter into a Jobs Development and Incentive Agreement with Pier One Imports and declare an emergency) was given its first reading.

Mr. Chuck Boso, City Admin., explained that Pier One is looking to expand their existing business here, by adding a new facility on North Meadows Drive for on-line shipping services. The estimate 175 new employees; \$5.4 million in payroll. The Company received incentives with the State and is asking the City for an income tax agreement: year 1 - 3, 55% of the income tax paid by the employee would be reimbursed to the Company; year 4 - 7, 50% of the income tax would be reimbursed. In those seven (7) years, the Company would receive \$394,000.00 in reimbursements and the City would keep \$361,000.00. In addition, the Company would invest \$5.1 million in the new facility.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the Waiting Period Waived; seconded by Mr. Davis.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

Mr. Bennett moved it be approved as an emergency measure; seconded by Mr. Davis.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

4. Ordinance C-40-14 (Authorize the City Administrator to enter into an Agreement with TechColumbus and Appropriate \$50,000.00 from the General Fund for related expenses) was given its first reading. Second reading and public hearing will be held on July 21, 2014.

Mr. Bennett recognized Mr. Chip Holcomb and Tom Walker, President 5 CEO, and for their presence for the first reading. They passed out a Handout for Council's reference.

5. Ordinance C-41-14 (Authorize the City Administrator to enter into multi-year Agreements with Time Warner Communications for Data Connectivity) was given its first reading. Second reading and public hearing will be held on July 21, 2014.
6. Resolution CR-35-14 (Approve the budget Estimates for the Fiscal Year of 2015) was given its reading and public hearing.

Mr. Turner explained that this is required by City Charter and State Law. It is the City's first look at the 2015 finances may look like and it sets the limits on how much money can be appropriated.

Mayor Stage commented that they forecast no increase in the inside mileage. It will remain at 3.5%.

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
Mr. Berry	Yes

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

1. Ordinance C-33-14 (Amend Section 1135.10(a) of the Codified Ordinances titled Residential District Requirements) was given its second reading and public hearing.

Mr. Stephen Smith, Dir. of Law, explained that the Code provides for a maximum attached garage and a maximum detached garage but never clarified a maximum for both. This clarifies an overall garage maximum of 900 sq. ft. Council clarified that a 2-car garage is normally 400 sq. ft. Mr. Chuck Boso pointed out that setbacks, lot size and other requirements play a factor too. Mr. Berry asked if a detached garage needs to be made of the same materials as the house and Mr. Boso said that was already in the Code.

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

Ms. Lanese	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

2. 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 second reading and public hearing.

Mr. Steve Smith explained that this places the approval with the Safety Director rather than Council.

Mr. Berry asked if there has been a problem with them coming to Council. Mr. Smith said he didn't think it was a problem. It was a matter of trying to streamline the process. When they are approved administratively, it speeds up the process. Ms. Kelly, Clerk of Council, noted that the premise for the ordinance was to treat these requests in the same manner that the 5k races are reviewed and approved through the Administration. Any new charitable requestor that has not been granted a permit may not receive permission, as is done with the 5k races. Mr. Chuck Boso said he doesn't recall any charitable request being denied, but if they want to continue to see them, the Administration has no objection. If Council wants to approve the 5k runs, they will prepare legislation for those. Mr. Davis said he doesn't see any reason for these to come to Council. He said he has never seen an objection

raised as long as he has been on Council. Mr. Boso said either way is fine with the Administration.

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

Mr. Davis	Yes
Mr. Berry	No
Mr. Bennett	Yes
Ms. Lanese	Yes

3. 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 second reading and public hearing.

Mr. Smith said last year, Council approved a multi-year agreement with Franklin County for the MARK System. He said this is just part of the connectivity between the City and the State to be part of that system. He said this is really a Term Sheet. The Contract is really with the State, as based on the State Term and pricing already agreed to and set.

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

Ms. Lanese	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

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

1. Ordinance C-28-14 (Amend the Zoning Text for 625.92 acres located South of White Road and East of I-71, as adopted by Ord. C-126-03) was given its second reading and public hearing.

Mr. Jack Reynolds, attorney for petitioner, was present, along with Jason Francis of M/I Homes. He explained that this is a request to amend Section "E" of the zoning text, which are the Village Homes. He said the changes would allow for a larger house size; for the garages to be flush with the front elevation; permit poured concrete basements; and permit rolled concrete for the ally's. Mr. Bennett asked if the rolled concrete has been tested in Ohio. Mr. Reynolds said yes. Columbus has allowed it for years and is used in most communities. It could be used in Grove City if the zoning Text didn't exclude it. Mr. Chuck Boso said Grove City has used it at Buckeye Parkway & White Road. Mr. Keller said we have also used it on Hoover Road and allow rolled concrete on residential streets. Mr. Bennett said he was just concerned with long-term upkeep. Mr. Francis said they have been using RCC within the subdivision, public streets. This change just allows it in the ally's. He said it is a stronger product than poured concrete and looking for opportunities to build ally's that will last longer, because they are private streets. Mr. Bennett asked if it would still have the asphalt cap. Mr. Francis said yes. Mayor Stage noted that the curing time for the rolled concrete is less, too.

Mr. Berry questioned the change to the setback of the garage. Mr. Francis said the original intent was to keep with the traditional neighborhood development approach that they brought to this plan. He said they don't believe this change is inconsistent with that. They will not allow for any snout houses or garages to project in front of the house.

Mr. Bennett asked if this was the area for the sound wall. Mr. Francis said yes. The State requires that a house be in place when they conduct the sound study before a sound wall will be considered for placement. The State did accept proof from M/I that they had building permits in place, even though the homes were not built yet. The State will extend the wall, but where it stops short M/I has agreed to

supplement the plantings to create a better vegetation/tree buffer.

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

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

2. Ordinance C-36-14 (Approve a Special Use Permit for DNS Grooming for a dog grooming business located at 4376 Broadway) was given its second reading and public hearing.

Mr. Chris Roach, property owner, was present to answer any questions and request approval. The business has been in Grove City for years and has recently moved to his property.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

3. Ordinance C-37-14 (Approve a Special Use Permit for a Pet Store for 24-7 Reptiles located at 4302 Broadway) was given its second reading and public hearing.

Mr. Chris Brodbeck, petitioner, was present to answer any questions and request approval. He said they desire to sell reptiles, fish, and amphibians. He said they also hold classes for the public and children to educate them and ease any fears.

Mr. Bennett commented that this approval is attached to the property and asked if there was a way to permit it for just this business owner. Mr. Smith said yes, but if they would change the name or corporation or LLC, that may compromise the approval. Mr. Bennett said his concern is if the business gets sold. Mr. Smith asked the applicant if he falls under the State Exotic Animals regulations. Mr. Brodbeck said yes. He said they are also applying for a USDA license. They will check on the business four (4) times per year. He said they are also working with Ohio Wildlife. Ms. Lanese asked what happens if they don't pass an inspection. Mr. Brodbeck explained how the USDA will inspect their businesses, cages, animals, etc. He said they will have no venomous or native animals. Mr. Bennett asked if there would be a security alarm. Mr. Brodbeck said there will be a security system and monitored 24/7. Mr. Smith said Council could place conditions on the Special Use Permit that would carry over, such as the USDA License being required. Mr. Davis asked the applicant if there is a timing concern if they add a condition for requiring the USDA License. Mr. Brodbeck said no. Mr. Davis confirmed that Mr. Brodbeck would have that license before opening for business. Mr. Brodbeck said yes.

Mr. Berry moved to amend Section 1 to include “, and obtain & maintain a USDA License”; seconded by Mr. Bennett.

Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes
Mr. Berry	Yes

Ms. Lanese asked if Council still wanted to attach this to the owner or is keeping it with the property acceptable now. Council discussed the best way to address this.

Mr. Berry moved to amend Section 1 to include after "issued to" the words "Christopher Brodbeck dba 24-7 Reptiles only"; seconded by Ms. Lanese.

Ms. Lanese	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

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

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes

4. Ordinance C-42-14 (Accept the Annexation of 0.505 acres located at 2374 White Road) was given its first reading. Second reading and public hearing will be held on July 21, 2014.

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

1. Mr. Brian Grove, resident, asked about the progress on an ordinance to address beehives.

Mr. Bennett said Ms. Kelly & Mr. Smith have reviewed many other community ordinances and have offered an alternate Draft to address this. The first ordinance was a complete prohibition, as most communities do. There are a few communities that regulate it and that is what the new Draft offers. He hopes to have something ready for the next meeting.

2. Mr. Eugene Marzika, resident, voiced his concern for people cultivating bees in neighborhoods. He said he doesn't feel it is appropriate for them to be on residential lots. He said there are too many people and children around. The lots we live on are too small for this activity and it is a danger. He asked that Council pass a law to prohibit beehives in the neighborhoods. Ms. Lanese asked if he lives by a hive now. Mr. Marzika said yes. His neighbor has three hives. He said if he or his grandchild gets stung, how could he prove it was from the neighbors hive. He said he loves this City and wants to see it grow in a safe way.

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

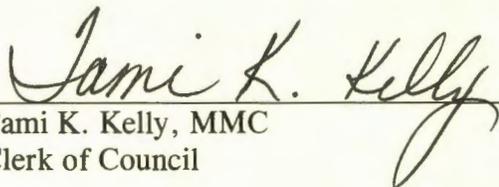
1. Mayor Stage submitted the statistical information from Mayors Court and Mr. Berry moved to accept this portion of the Mayor's Report; seconded by Ms. Lanese.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

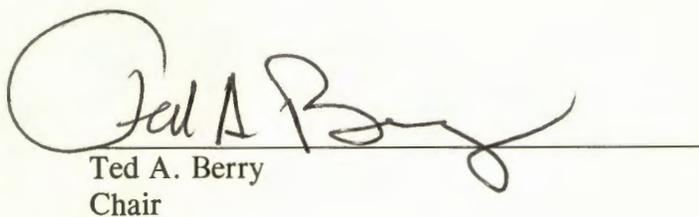
He then reported in the Independence Day celebration; the City Scene Magazine showing Grove City businesses & events as the best; receiving a Grant for \$1.7 million for road improvements on Orders & drainage issues at Century Village. Mayor Stage then noted that there are several Town Center plans and from now on they will be more specific with which one they are referencing. He said the proposed Columbus Street extension is marked with flags on the site for reference.

2. Mr. Turner noted that he passed out the monthly financials as well as the 2013 Annual Financial Report. He said there is a lot of good information in it.
3. Ms. Lanese asked what the public can expect to see next on the Library and the Lumberyard Site. Mr. Boso said they are working on a report, as approved by Council at the last meeting, and hope to have something in 30 days. As for the Lumberyard site, he previously shared that they are working on an MOU with Pizzuti and hope to have that Draft next week.
4. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:40 p.m.



Tami K. Kelly, MMC
Clerk of Council



Ted A. Berry
Chair