

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

July 20, 2020

Regular Meeting

The regular meeting of Council was called to order by President Houk at 7:00 p.m. by a virtual Webex connection due to the Coronavirus-19 pandemic as temporarily allowed by the State.

Roll was called and the following members were present:

*Roby Schottke      Aaron Schlabach      Christine Houk      Randy Holt      Ted Berry*

1. Mr. Schottke moved to dispense with the reading of the minutes from the previous meeting and the Service Committee Meeting and approve as written; seconded by Mr. Holt.

Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

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

Mr. Schottke moved to change the order and place Ord. C-15-20 after Ord. C-27-20; seconded by Mr. Berry.

Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

Mr. Berry moved to add Ord. C-37-20 to the Agenda under Service; seconded by Mr. Holt.

Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes

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

1. Ordinance C-24-20 (Approve the Rezoning of 4300 Grove City Road from SF-1 to SD-1) was given its second reading and public hearing.

Mr. Schottke asked if the Clerk received any comments from the public notices. Ms. Kelly, Clerk of Council, said she did receive some phone calls asking for clarification, but there were no objections to the rezoning.

Mr. Rauch, Dir. of Dev., provided a summary of the project.

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

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes

2. Ordinance C-25-20 (Amend the Zoning Text for Beulah Park, Subarea C, located south of Southwest Blvd. and East of Demorest Road, as adopted by Ord. C-24-18) was given its second reading and public hearing.

Mr. Schottke explained that an additional amendment to the same Subarea C was requested by the petitioner to include single-story homes. Mr. Rauch, Dir. of Dev., said after the story and ½ request had its first reading with Council, the developer asked for a one-story addition. He said they felt it was acceptable for Council to address this, since it was an active application. He said the single-story homes would be located on the non-B & C homes. He said they believe it will fill a need in the market and have no objections.

Ms. Rebecca Mott, attorney for petitioner, said this additional request is to meet the market needs and provides a more diverse product for the area. She said the one-story actually looks like a 1 ½ story and meets all the other requirements of the zoning text.

Mr. Pat Kelley, owner, stated that all the homes will be consistent with the architecture of the overall theme of the development. They will be cottage/farmhouse style homes in the Paddock area.

Mr. Schottke moved that Section 1 be amended to add: *All other homes within the subarea shall be a minimum of 1.5 stories mixture of two (2) stories, 1.5 stories, and one (1) story (with one (1) story being a maximum of 20% of the mix)*; seconded by Mr. Berry.

Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes

There being no additional questions or comments, Mr. Schottke moved it be approved, as amended; seconded by Mr. Schlabach.

Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

3. Ordinance C-27-20 (Authorize the City Administrator to execute a Pre-Annexation and Development Agreement with Ciminello's Inc. concerning the Annexation and Development of 76± acres located West of S.R.104) was given its second reading and public hearing.

Mr. Chuck Boso, City Admin., explained that this Agreement is stating that the City would be responsible for road and waterline improvements, through the monies generated from the existing Tax Incentive District. He said the Original TIF Agreement was passed in 2003 and states that if the original developers of Pinnacle brought in new developments, those would be added to the Housing Authority and TIF District to generate additional revenue for the area. It is estimated that this new area

would generate \$1.3 million. This would pay for the improvements. He explained that if there were no improvements made by the City, the amount of money required by the developer for their portion of the White Road widening would be \$65,000.00 and \$166,000.00 for the turn lanes. He said the Developer will pay for all the public improvements within the development and donate all the necessary right-of-way for improvements to White Road and S.R. 104 at no cost to the City. Mr. Schottke asked how much the signalization would be for the White/104 intersection. Mr. Boso said approximately \$300,000.00.

Ms. Houk shared her concern over this Agreement and where the public infrastructure improvement dollars will be coming from. She said it seems that this outlines what the City is doing, but not really what the Developer is doing. She said when these monies become available in the TIF at the end of the year, she feels we will be ignoring that we had \$3.5 million in the 2019 budget for Pinnacle Park and putting all our eggs in the White Road improvement basket. She said Mr. Ciminello's letter states that if the TIF funds are not used for improvements to the area, they are to be foregone to the County and Township. She said if these funds are to be used as a slush fund, she finds that very concerning. She said she doesn't see where the developer is contributing to the \$9 million in improvements and doesn't feel it using the Pinnacle TIF dollars is in keeping with the spirit of the TIF.

Mr. Joe Ciminello, petitioner, said he sent a letter on April 12, 2020 that explained the history of the Pinnacle TIF. He said when you ask what the developer is contributing, you need to go back to 2003. There was a public-private partnership that established the TIF. The Developer backed the Bonds for the TIF and made a commitment to build a multi-million dollar golf course. The TIF Funds are not a slush fund. The TIF monies are to be used to improve the District. He said he believes that the improvements to White Road and its intersection with S.R.104 will benefit the District and the city as a whole. He said they had the foresight to plan for this originally. He said they have paid forward since 2003 and contemplated that there would be revenue. There will be an additional 10 acres for a park and leisure path that will connect to Pinnacle. He noted that the road back to the hospital was paid for by the Pinnacle TIF; land for a park in Pinnacle; and other public improvements that benefit the district. He said the improvements to White Road needed for the new addition would add up to less than \$1 million. There is more included in the improvements that benefit the entire district.

Mr. Boso said the projected balance for this year is \$10.5 million, which takes into consideration \$3.5 million for the Pinnacle park and \$1.7 million for Holton Road intersection; and \$350,000.00 to the Township for a medic. He said with the additional \$4 million in revenue, there will be approx. \$15 million available spending. He said he wanted to make assurances to the community that there would be improvements to S.R. 104 and White Road with this development.

Ms. Houk wondered why the improvements and this new development are tied together. She doesn't feel this should be the case. Developers should have no say in how the City funds improvements. She said it one thing for a developer to contribute to improvements, but this is a development in a corridor that is already experiencing growing pains and doesn't see the developer contributing at all.

Mr. Berry shared his concern for overdevelopment and in this corridor, in particular. He said if we don't vote for this, we don't get the improvements. He said this is beautiful, rolling area and we do not need to over develop it.

Mr. Schottke said he is excited for these improvements and is the proper use of the TIF funds – to improve White Road and the S.R. 104 intersection; the paths that will connect to the Metro Park and provide safety.

Mayor Stage commented that this is exactly what the TIF was designed for. It clearly included White Road and S.R. 104 in the area. He said the original Pinnacle development included this acreage

originally, but the purchase fell through. He said this is a public-private partnership. We knew there were going to be peripheral developments. There is no change of intent/no change in purpose. He said this should be permitted for use to improve White Road and State Route 104.

Ms. Kelly read a statement from Ms. Streeter who agreed with Mr. Berry about the area becoming overdeveloped.

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

Mr. Schlabach	Yes
Ms. Houk	No
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

4. Ordinance C-15-20 (Accept the Annexation of 74.215+ acres located West of S.R. 104 and South of White Road to the City of Grove City) was given its second reading and public hearing.

Mr. Joe Ciminello, petitioner, was present to answer any questions.

Ms. Houk commented that we are building development after development in an uncertain time and she has a nagging voice that asks “what is the benefit to the City”, and what is the long term impact of the hard and soft infrastructure. She said we are chasing something that she doesn’t feel the community agrees with and it is frustrating to watch it all happen.

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

Ms. Houk	No
Mr. Holt	Yes
Mr. Berry	No
Mr. Schottke	Yes
Mr. Schlabach	Yes

5. Ordinance C-34-20 (Approve the Plat for Autumn Grove, Section 4) was given its first reading. Second reading and public hearing will be held on 8/03/20.
7. Ordinance C-35-20 (Approve a Special Use Permit for Dog Grooming for Mutts & Co. located at 4170 McDowell Road) was given its first reading. Second reading and public hearing will be held on 8/03/20.
7. Ordinance C-36-20 (Approve a Special Use Permit for a Drive-Thru for Mutts & Co. located at 4170 McDowell Road) was given its first reading. Second reading and public hearing will be held on 8/03/20.

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

1. Ordinance C-28-20 (Amend Various Sections of Chapter 376 titled Operation Restricted for Low-Speed and Under-Speed Vehicles) was given its second reading and public hearing.

Mr. Stephen Smith, Dir. of Law, explained that this clarified that a bicycle or motorized bike is not permitted on the sidewalks or bike paths.

Mr. Berry said that some slow moving vehicles with plows have helped shovel snow along some of these paths. He asked if this would allow that to continue or if the City would need to do all the plowing. Mr. Smith stated that this would not allow private people to plow. He said this would open the city up to liability. He said the city does plow those paths after the roadways are taken care of, and even though we appreciate the help, we should not allow it.

Mr. Schottke asked if he could run a golf cart on the grass beside the path. Mr. Smith said that depends on if the grass area is public or private and if you have permission. He said this regulates public property.

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

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes

2. Ordinance C-33-20 (Requiring face coverings in any public space to limit the spread of COVID-19, and declaring an emergency) was given its second reading and Mr. Schlabach moved it be withdrawn; seconded by Mr. Holt.

Ms. Houk commented that this removal is tied to the Governor's mandate and the Franklin County Board of Health requirements. She reminded everyone that masks are required.

Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes

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

1. Ordinance C-37-20 (Authorize All Actions Necessary to Effectuate an Opt-Out Electric Service Aggregation Program pursuant to Ohio Revised Code 4928.20; and Directing the Franklin County Board of Elections to submit the Ballot Question to the Electors and declare an emergency) was given its reading and public hearing.

Mr. Berry explained that aggregation has been around for a long time. He said this is an opt-out program that would offer voters an electric option. He said it would provide sustainable power through wind and solar. It would create the building of facilities to feed into the grid and provide sourced grown electric power.

Ms. Cathy Cohen-Becker, member of the Sustainability Committee, provided information about this ordinance. She explained that voters must allow the city to negotiate for electric aggregation. This provides for the potential for a better product at a lower cost. She said Columbus voted tonight to send this question to their voters in November. She said if Grove City did the same, Columbus would do the heavy lifting of educating the public on aggregation that Grove City could benefit from. She said passing aggregation would help Grove City stay competitive. She said it is not often that so many interests align with one policy. She noted that when considering costs, you must also consider

the cost of doing nothing. Doing nothing increases the cost of energy; healthcare; transportation; etc. If we develop energy supplies here, we could retain \$509 million within the local economy each and realize \$348 million in consumer savings. Worthington reports that they have saved almost \$100,000.00. She hopes Grove City takes this step. *Mr. Holt* asked what technology is used where there are dark, windless nights. *Ms. Becker* said that is handled through having a varied and large portfolio. When it's windless in one place, it would be windy in another. *Mr. Holt* asked if it was for commercial or residential. *Ms. Becker* said it would be for both. *Mr. Holt* asked what happens if people opt-out. *Ms. Becker* said most people don't opt-out, but a few will not hurt the purpose of having bulk pricing.

*Mr. Chris Bailey*, AEP Aggregation, said he is here to answer questions. He also commented on *Mr. Holt's* question about having no wind or sun. He said they have figured out a way to combine the sources to cover the energy loads. He said they do not balance the loads from an hourly load, they match it on an annual basis. *Mr. Schottke* asked what the current AEP rate is and what would the aggregation rate be. *Mr. Bailey* said pricing is competitive and budget friendly. He said rates depend on different items and what the community wants. He said all things considered, cost is about \$0.001 per kWh, which equals \$100,000.00 year off the aggregation per year for Grove City. This would be a residential savings of about \$14.00 – 18.00/yr. Current rates is about \$0.4 kWh. *Mr. Schottke* said this all sounds very complex but confirmed that we are only talking about the generating cost on the bill. *Mr. Bailey* said yes. *Mr. Schottke* asked if Grove City would be the agent for the generation cost. *Mr. Bailey* said the City would partner with an agent. *Mr. Schottke* asked if the City would bill the residents. *Mr. Bailey* said no. *Mr. Schottke* asked if the City would make money on this. *Mr. Bailey* said some cities do and some cities do not want to make money off their residents in this manner. *Mr. Schottke* asked if we would be purchasing our energy through energy certificates out west until we develop our own. *Mr. Bailey* said no. There are wind and solar resources within Ohio and he can supply a map of where those are.

*Ms. Houk* commented that this is a complex topic and she does not feel up to speed on the subject. She asked how we would get the voters to say "yes" when City leaders are not well versed on it. She said she is in favor of pursuing this subject, but just is not ready to send it to the voters.

*Mr. Schlabach* stated that this ordinance only lists solar and wind. He asked what would happen if other green energy sources come up and would we just be tied to just those two. *Mr. Bailey* said yes, you would be using wind and solar. He can't think of any other renewable sources. He said Grove City is the largest suburb around Columbus and to build enough wind and solar to power the City, it would require a significant commitment by AEP. He said this is a significant decision, but this is a good middle ground. It puts you in a position to do something in the long term or tactically in the short term. *Mr. Smith*, stated that he does not see in the ordinance how this ties us to only wind and solar. *Mr. Berry* agreed.

*Mr. Berry* stated that AEP has offered to help out with ballot language; with education of the voters and the City Administration; to provide bullet sheets, etc. He said it is no different than educating ourselves on other issues.

*Mr. Holt* asked if there was enough time to give this a first reading tonight and have a second reading at the next meeting. *Mr. Smith* said the deadline to submit a ballot issue to the voters is August 5, 2020. There would be time for a second reading on 8/3, but it would still need to be approved as an emergency at that time.

*Mr. Boso*, City Admin., said that the ballot language does not mention the renewable energy produced in Ohio. He asked if it has to state that. *Mr. Berry* said he would like for it to say that if

possible. Mr. Smith said the procedure to get it on the ballot doesn't require it to say that. He said when you formulate the Plan, which is the next step that is where it would state something like that.

Council continued to review this item and shared their support for the intent and spirit of the ordinance. Concern was shared about the timing.

There being no additional questions or comments, Mr. Berry gave this ordinance its first reading. Second reading and public hearing will be held on August 03, 2020.

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

1. Ordinance C-29-20 (Appropriate \$901,205.00 from the Local Coronavirus Relief Fund for the Current Expense of Pandemic Related Expenses as required under The CARES Act) was given its second reading and public hearing.

Mr. Chuck Boso, City Admin., explained that we have received this money and it must be encumbered by August 15, 2020, in order to be reimbursed for qualifying expenses.

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

Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

2. Ordinance C-30-20 (Authorize an Amendment to the Agreement with CityView and Appropriate \$192,180.32 from the General Fund for related expenses) was given its second reading and public hearing.

Mr. Holt moved remove the appropriation language in this ordinance, as it will be covered in Ord. C-29-20; seconded by Ms. Houk.

Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

There being no additional questions or comments, Mr. Holt moved it be approved as amended; seconded by Mr. Schottke.

Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes

3. Ordinance C-32-20 (Enact the Wet Basement Grant Program and Appropriate \$200,000.00 from the Sidewalk Program to the West Basement Program) was given its second reading and public hearing.

Mr. Schottke explained that he has a new Exhibit that makes some minor changes, which limits it for single family; includes submitting paid invoices; and a map instead of a description of the area to be covered.

Mr. Holt moved to replace the Attachment with the one dated 7/15/20; seconded by Mr. Schottke.

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes

Mr. Schottke explained his reasons for introducing this legislation. He said the city has spent \$12 million in sewer improvements, but there are issues continuing for certain residents. He said he looked at the backflow preventer program that Columbus has with Mayor Stage. However, he feels this is a bigger issue than just a backflow preventer can fix. So, he included some other common problems. He said it is a one time, 50% matching grant. He said some of the items are maintenance, but we have other grants that include maintenance, such as the Town Center Grant and the Sidewalk Program. He said this isn't going away and it is time to help some of our homeowners. We need to look at all the problems that cause flooding and urged Members to vote yes.

Ms. Houk said the only thing that is nagging for her are some of the items that are regular maintenance, instead of an improvement. She asked if this could be perfected to focus more on improvements. She said she isn't so opposed to some maintenance, but fears it will be hard to process to go through and manage. She wondered if some of the items that are more of a household chore could be addressed. Mr. Schottke said he has been discussing this and working with the Administration since March. He said he doesn't have all the answers, but believes we have a lot of smart people in the City that can work out the details and administer this program. He said many residents don't know what is making the water back up and our expertise could help them. He said he used Ms. Fitzpatrick's report to create the map and the program.

Mr. Berry said he is looking at this as part of a larger program, but wondered how it will get managed. He asked the Administration how they will handle this. Mayor Stage said they have concerns over this program: one being the implication that we are supplanting the sidewalk program, which they are not ready to do; and the other concern is the definition of mitigation. He said they had hoped for a program like Columbus to prevent raw sewage from getting into the basements; then step into a second phase of surface water intrusions. He said their idea would be a 100% match. He had Mr. Keller, Consulting Engineer, provide an overview of the Columbus program. *Mr. Schottke* said he feels this program is a better fit because it addresses storm water and sanitary. Mayor Stage said he applauds Mr. Schottke's efforts, but when you start paying for caulking; putting plastic on windows, etc., those things will not fix the flooding issues. He said they want to help the people too, but feels this is overreaching and a burden on the administration. He asked Council to remove it for now and they will submit a proposal for a different program.

Ms. Fitzpatrick, Dir. of Service, explained that everyone wants a program. They just differ on the type of program. She said they spent hours talking with affected property owners to understand where they were getting water. The program they are suggesting would help 85% of those, where the source of the impact occurred. She said that is why they feel so strong about starting with the backflow program; using them as a pilot and then expanding it if is successful and manageable. Council continued to deliberate on this issue. All agreed that something needs to be done.

There being no additional questions or comments, Mr. Berry moved it be postponed to 8/3/20;

seconded by Mr. Schottke.

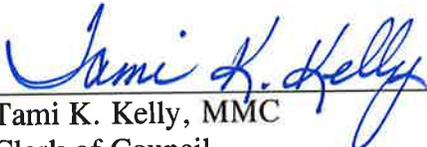
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes

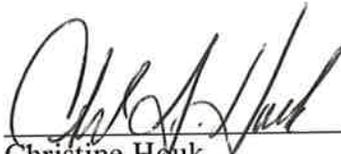
**The Chair asked that any new business to be brought before the attention of Council be done so at this time.**

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

1. Mayor Stage reported that the 2019 Comprehensive Financial Report is available on-line; we received a clear audit report from the State Auditor; and on the passing of Ms. Vicky Goldsmith, former Parks employee and Mr. Jack Widner, Baseball Committee.
2. Mr. Berry asked for a two-year outlay on sidewalk improvements and an update on Columbus Street. Mr. Boso said they have an agreement with Mill Street and an agreement was given to Ms. Hill last week, which she is having her attorney look over. He is confident these last two pieces will be finalized soon.
3. Mr. Holt stated that if there are no objections of Council the next Finance Committee meeting will be 8/24/20 at 6:30 p.m. in a virtual setting. No objections.
4. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Adjourn at 9:46 p.m.

  
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Tami K. Kelly, MMC  
Clerk of Council

  
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Christine Houk  
Chair