

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

September 07, 2010

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:

*Greg Grinch   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 meeting and approve as written; seconded by Mr. Grinch.

Mr. Grinch	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-46-10 (Approve a Loan for TAC Foods, LLC under the Town Center Loan Program) was given its second reading and at the written request of the applicant, Mr. Bennett moved it be withdrawn; seconded by Ms. Albright.

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

2. Ordinance C-52-10 (Appropriate \$3,781,768.52 from the General Fund for the Current Expense of Phase 3 of the I-71/SR665 Interchange and Corridor Improvement) was given its second reading and public hearing.

Mr. Honsey, City Admin., explained that \$2 million of this is a pass through from the Ohio Department of Development Logistics Loan, which converts to a grant. The balance is what it would take to get them through construction, including some professional services.

Mayor Stage noted that he would rather have had two separate ordinances since there are two different funding sources. Mr. Bennett asked if he wanted to separate them now. The Mayor said no.

Mr. Turner, Dir. of Finance, noted that if the \$1.7 mill. being transferred to the Capital Improvement Fund isn't fully spent on this project, it would still be sitting there available for another project. Mr. Turner confirmed that approval to spend it on another project would be required by Council.

Mr. Berry said this will also pay for 4,000 trees and go a long way toward beautification in the area. Mr. Honsey said ODOT does not normally pay for the decorative elements, which are important to the community.

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. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

3. Ordinance C-55-10 (Appropriate \$40,000.00 from the General Fund for the Current Expense of the Town Center Commercial Revitalization Grant Program and declare an emergency) was given its first reading.

Mr. Honsey explained that this Program was updated and grants were increased from \$1,000.00 to up to \$10,000.00 earlier this year. Originally, there was \$50,000 appropriated for this Program and Council approved an additional \$50,000.00 later in the year. He said if all applications that have come to the City to-date would be processed, their best guess is that an additional \$40,000.00 is what it would take to get us through the Program.

Mr. Chuck Boso, Dir. of Dev., referenced the list of applications he has and noted that if all those applications were funded, along with the two special considerations on the Agenda tonight, there is \$36,000.00 worth of requests.

Mayor Stage said he wanted to go on record now stating that this is the end of the 2010 grants. He feels it needs to be reassessed for next year.

Ms. Klemack-McGraw asked Mr. Boso how effective this Program has been so far. Mr. Boso said he believes it has met the guidelines. He agrees that it should be evaluated in 2011.

Mr. Grinch asked Mr. Boso if this would be the last request for funds to this program this year. The Mayor said yes. Mr. Boso said he hates to contradict the Mayor, but if there would be a Special project he would hope that the City would look at it and consider it on its own merit.

Ms. Albright asked if this amount will be used up with all the outstanding requests on file. Mr. Boso said it would leave about \$28,000.00 on hand to have discussions with those listed under Preliminary Discussions that have inquired but not yet applied.

Mr. Berry questioned some of the uses this Program was awarded for. Mr. Boso said they all met the criteria of the Program. Mr. Berry asked that additional information be provided on these uses in order to evaluate the future of the Program properly.

Mayor Stage said he thinks this has accomplished what was set out to accomplish. It was a jump start and it worked. Now, he thinks it time to go back and re-evaluate it for next year.

Ms. Karen Dover, Town Center merchant, said the Town Center group has been marketing this program to potential tenants and it has gotten much attention. She voiced support for this Program.

Mr. Berry received consensus of Council that if there are any Economic Dev. Projects this year desiring to use this program, they would look at them on their own merit.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the waiting period waived; seconded by Ms. Klemack-McGraw.

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

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

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

4. Ordinance C-56-10 (Appropriate \$63,900.00 from the General Fund for the Current Expense of Gardens @ Gantz Park Herbal Grove and Labyrinth Expansion Project) was given its first reading. Second reading and public hearing will be held on 9/20/10.
5. Resolution CR-48-10 (Appoint Krisanna Eversman to the Audit Committee) was given its reading and public hearing and Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

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

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

1. Ordinance C-57-10 (Amend Section 1138.04(d) of the Codified Ordinance titled Design Requirements – Color and declare an Emergency) was given its first reading.

Mr. Smith, Dir. of Law, explained that Council asked for a color pallet after the amendments to this Section of Code last meeting. He said this adopts the colors on the brochure that Council was passing around at the last meeting. It also allows individuals the flexibility to take that pallet and get the paint color made at any store. It restricts the HPA to these colors, but it also gives Council the flexibility to approve something else if a person wants to make application to have a different color considered. Ms. Albright asked about the request for an emergency. Mr. Smith said he believes that with the changes that were made to the Code last meeting as an emergency, it was the goal to have this in place immediately and give staff the direction they need to move forward with all the changes.

Mr. Bennett noted that some of the color chips have code numbers at the bottom. Ms. Kelly stated that those numbers mean nothing. The color chips were taken to be scanned and received the formula for each. That way it can be mixed at any store. Mr. Smith said this also takes care of any

name change of the colors, as many stores will change the name of their colors each year. The formula will also provide the colors approved.

There being no additional questions or comments, Ms. Albright moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Mr. Grinch.

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

Ms. Albright moved it be approved as an emergency; seconded by Mr. Bennett.

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

- 2. Ordinance C-58-10 (Enact Section 337.31 of the Codified Ordinances titled Loud Noise from a Motor Vehicle) was given its first reading. Second reading and public hearing will be held on 9/20/10.

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

- 1. Ordinance C-59-10 (Approve a Special Use Permit for Outdoor Seating for Donerick’s Pub & Grill located at 5919 Hoover Road) was given its first reading. Second reading and public hearing will be held on 9/20/10.
- 2. Resolution CR-41-10 (Approve the Sign Request for Retro Cave Comic’s and More located at 3915 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Ms. Patricia & William Rex, petitioners were present. Ms. Rex submitted a new drawing that reflects the new design and wording.

Ms. Klemack-McGraw moved to replace the drawing with a new sign drawing that reflects the design and wording they prefer; seconded by Mr. Bennett.

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

Ms. Klemack-McGraw asked if the new sign complies with the stipulations of Planning Commission. Ms. Rex said yes. The sign that is on the window now will come off and they will replace it with one that is a total of ten square feet.

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

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

3. Resolution CR-45-10 (Approve the Preliminary Development Plan for JAK Properties located at 3722 Grove City Road) was given its reading and public hearing.

Mr. Tom Clark, attorney for petitioner, was present. He passed out to Council a history of surrounding multi-family projects and their density. He said there is a need for multi-family units in this area. This Plan proposed two, 3-family buildings. Ms. Klemack-McGraw reviewed the stipulation set by Planning Commission. Mr. Clark said they are working with Staff and any issues will use incorporated into the Development Plan.

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

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

4. Resolution CR-49-10 (Grant an Exceptional Circumstance for 4 Beans Enterprises/Weiging Chiropractic located at 3870 Broadway, making it eligible for the Town Center Commercial Revitalization Grant Program) was given its reading and Ms. Klemack-McGraw referenced an e-mail from the applicant stating they would be out of town for this meeting. She moved it be postponed to 9/20/10; seconded by Mr. Grinch.

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

5. Resolution CR-50-10 (Grant an Exceptional Circumstance for Brant Law Offices, located at 3867 Broadway, making it eligible for the Town Center Commercial Revitalization Grant Program) was given its reading and public hearing.

Ms. Marjorie Brant, petitioner, explained that she and her two sons are all attorneys and they are attempting to open a family practice at this property. She said she believes that they meet three, and possibly 4, of the criteria. She said the sidewalk and steps are visible and are in need of repair. She said they have tuck-pointed and worked on this building to keep it in its historical state. She said the proposed improvements would enhance the vitality and exterior appearance that is desirous in the Town Center. They believe that their family firm will enhance the economic viability of the Town Center. She said their business is a testament that people who live and grow up in Grove City, want to stay and work here.

Ms. Klemack-McGraw said of the 5 criteria in the Program, she believes that they meet criteria #1. She said exceptional circumstances mean just that and it is up to Council to determine if they meet those circumstances.

Mr. Berry asked how this increases jobs. Ms. Brant said there may be potential for Paralegals or secretaries. Right now, it is just them. Mr. Berry questioned the utilization and site design concepts criteria. Ms. Brant said they have invested on the inside and outside. They are preserving the building to its historical state. Mr. Berry asked about the improvements this money will be used for. Ms. Brant said they want to replace the sidewalk, steps and porch. Mr. Berry said his concern is that we just approved more money for the Grant Program. He said there are many projects for the core area. He said Council needs to figure out if this is one we should do this year or really focus on the intent of the program.

Mayor Stage said he feels this is text book revitalization. He said if they had not bought it or moved in yet, there would be more special circumstances.

Mr. Bennett asked if there would be customers coming in from outside the area. Ms. Brant said yes. She uses it for the practice and for teaching, as well as hosting association meetings.

Mr. Berry said he isn't opposed to this business. There is a need for this type of program further north and south on Broadway and in other areas. He said he just wants Council to be cognizant of what they are approving and what they are approving it for. He wants to make sure they are not setting a precedent. Ms. Brant said she understands and is not taking comments personally.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	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 LeVally, Dir. of Acquisitions for LW Associates. He explained that Council approved a Preliminary Development Plan for a Senior Village on Lamplighter Drive. They submitted a request for tax credits, but got beat out. They plan to reapply and believe that it is prudent to have strong, robust Council support. He said this issue is very dear to him, as his grandmother couldn't find a place in Grove City to move in to. He requested a Resolution of Support on the next agenda. He also asked that the Administration, Development Dept. and others submit letters of support for this project. Senior citizens are important to the overall community. He hopes they can get this done.

Mr. Berry said his written request was forwarded to Council and Ms. Klemack-McGraw has agreed to sponsor a Resolution.

Mayor Stage asked if the Administration has a written request. Mr. LeVally said he has been speaking with Mr. Honsey and Mr. Boso about a letter of support. Mayor Stage said we have always been in support of this project. He said we want to make sure all points are outlined and clearly stated, because we don't want to send him on a foul run. He said he understood and is working on a draft letter of support for the Administration.

- Ms. Karen Dover, Town Center Merchants Assoc., updated Council on the Town Center Merchants Association's efforts to improve and increase business in the Town Center. She said the Loan Program is getting some interest, but reminded Council that it may take up to a year or so to see one come to fruition. This is a long term initiative.

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

- Mayor Stage submitted the Mayor's Monthly Report and Ms. Klemack-McGraw moved to accept same; seconded by Mr. Bennett.

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

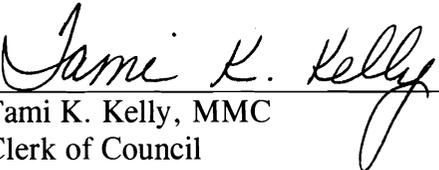
The Mayor noted that we have slightly surpassed income tax collection over 2009. Also new home building starts are up this month, but not in overall starts. He said this does show some positive movement in the market. He then shared some articles that appeared in the Dispatch the last two weeks. He then announced some upcoming events.

- Ms. Kelly, Clerk of Council, announced that Kmart has applied for a C-1, C-2 Liquor Permit as asked if Council wanted to request a hearing on this application. It was the consensus of Council not to request a hearing.

Ms. Kelly then read a letter of thanks from Rebels for a Cause on their Poker Run at Parker's Tavern on August 28. They raised \$5,500.00 for Loving Care Home Health & Hospice and Disabled American Veterans.

- Mr. Dave Rosa reminded Council about the Annual Park tour next week and hopes to see them there.
- Mr. Berry announced that Council needs to appoint a member to the SWACO Task Force. Mr. Dick Rutherford has offered and Council accepted his offer and appointed him by unanimous consent.
- After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:31 p.m.

  
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Tami K. Kelly, MMC  
Clerk of Council

  
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Ted A. Berry  
President