

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

September 15, 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 meeting and approve 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.

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

1. Ordinance C-54-14 (Amend the Payment Schedule in Section 2 of Ordinance C-13-14) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained Council approved \$60,000.00 over a three year period under the Town Center Commercial Revitalization Grant Program at \$20,000.00 per year. He said this would change the pay schedule to \$40,000.00 in the first year; \$20,000.00 in the second and -0- in the third. He said that the owner of the former Hardware building would like to get the renovation completed sooner. Mr. Smith said it is the same amount of money, just a year less.

Mr. Matt Yerkes, property owner, concurred with Mr. Smith and said they want to accelerate the work schedule and get things done now. He said he understands from the City that the Grant monies are not being fully utilized this year, so they are requesting this change.

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. Lanese	Yes
Mr. Davis	Yes

2. Ordinance C-55-14 (Reauthorize an Agreement between the City of Grove City and the Board of County Commissioners, on behalf of the City, in order to Participate in the Franklin County, Ohio Department of Housing & Urban Development Entitlement Program and Abide by the Covenants of that Program) was given its second reading and public hearing.

Mr. Smith, Law Dir., explained that Community Development Block Grants were started in 1974 and Grove City had participated since then. In order to continue to participate for the next three years, the City needs to enter into this Agreement.

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

3. Ordinance C-56-14 (Appropriate \$70,000.00 from the Convention Bureau Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on 10/6/14.
4. Ordinance C-57-14 (Accept a \$1,000.00 Donation from Wal-Mart and Appropriate Same for the Division of Police Crime Prevention Program) was given its first reading. Second reading and public hearing will be held on 10/6/14.
5. Ordinance C-58-14 (Accept a \$1,000.00 Donation from the Columbus/Grove City Elks Lodge 37 and Appropriate Same for the Division of Police Dare Program) was given its first reading. Second reading and public hearing will be held on 10/6/14.
6. Resolution CR-47-14 (Accept the Amounts and Rates as determined by The Budget Commission and Authorizing the necessary Tax Levies and Certifying them to the County Auditor) was given its reading and public hearing.

Mr. Turner, Dir. of Finance, explained that this is the next step in the Budget process. He said this amount has been 3.5 mills for the last eight years.

Mr. Berry asked how much a half mill brings in. Mr. Turner said around \$450,000.00. Mr. Berry asked what our budget projections look like for next year. Mr. Turner said he has not done a detailed review yet, but is projecting around \$17 million. Mr. Berry asked what our projected balance for this year is. Mr. Turner said about \$15.5 million. Mr. Berry asked about reducing the millage by a half percent. Ms. Lanese said she would need more information to decide something like that. Mr. Turner provided a little history, citing that in 1990 we were at our high point at 5.84 mills. It was gradually reduced by 1/10th of a mill to get down to 3.5 mills, which is where we are now. Mr. Boso, City Administrator, commented that a ½ mill would reduce a resident's tax by \$2.90/mo. based on a home valuation of \$150,000.00. Mr. Davis said it is difficult to make such a knee-jerk decision. Mr. Berry said he would like to see this reduced by a half a mill. Ms. Lanese said there are many projects under consideration and would like more discussion before a reductions is made.

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

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

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

1. Ordinance C-47a-14 (Establish Section 505.16 of the Codified Ordinances titled Bees) was given its second reading and public hearing.

Mr. Smith explained the proposed amendments to the water section to require the water source to be located on the property where the hive is located, and the Nuisance complaint going to the Police Division, and noting that any enforcement action would wait until the appeal is concluded.

Mr. Jerry Hinton, resident, asked that additional changes be made to allow for more hives if the property is large enough or if he has written permission from neighbors. He also doesn't like the 5 foot height restriction. He wondered why 5' was determined and said if this is to limit the number of bees, he suggested controlling that by volume. He also asked for an option not to do a fly away if residents agree. He feels the fly away section is a little too strict. Mr. Smith said if the hive is 25' from a property line you don't need a fly away. The 5' height was for safety concerns and visibility/screening from other properties.

Mr. Davis said for as many who agree with this, there are an equal number who don't. This is the very nature of the discussion that Council has heard. He said they are attempting to find a balance and wrap this up this evening.

Mr. Newhouse, beekeeper, said if you ask 10 different beekeepers, you will get 10 different answers. He said he has a right to manage his own life. Government needs to stay out of their lives as much as possible. He agreed that the fly away won't make a difference and believes it is a ridiculous idea. One bad beekeeper should not dictate to others. He questioned the water language. Mr. Davis and Mr. Smith explained the proposed amendment to that Section and Mr. Newhouse said he could accept that. Mr. Bennett explained the perimeter fencing. Mr. Davis said there must be restrictive access, but there could also be a flyaway needed. A discussion took place over perimeter fencing and the flyaway. Mr. Newhouse continued to disagree with a flyaway requirement.

Mr. Brian Grove, resident, voiced concern over not tying this to lot size. He asked for a six foot perimeter fence for lots less than 0.5 acres. He said if this is truly for a hobby, there should only be one hive permitted. This is mainly on small residential lots in a subdivision that are not designed for this practice. He asked that they lessen the impact on everyone that surrounds this activity.

Mr. Davis said hopefully everyone gets a sense of how difficult this has been. Even the experts of beekeeping have different ideas. He said Council doesn't want to hurt existing, responsible beekeepers. However, the hobby of beekeeping is not like other hobbies. Neighbors can be affected by this hobby and can present itself as a nuisance and affect their normal pattern of life. He said they are attempting to place standard, balanced requirements in Code that reflect the beekeepers interest but also protect the larger interests.

Mr. Bennett commented that beekeeping has occurred since this City has been around, and this is the first problem we have had. Mr. Bennett suggested postponing this again to work on the issues presented. Mr. Davis reviewed the issues he heard. Those being: number of hives; overall height; removal of the flyaway; fencing.

Ms. Cramer, Binns Blvd, Cols. OH, said her father was a beekeeper and said he had them on eight acres. She said Honeybees aren't aggressive by nature. She said she agrees with most of the rules but felt the flyaway wasn't effective.

Ms. Lanese commented that the number of hives is not the problem. The heart of this legislation is the remedy, if there is a problem. The best thing we can do is provide a remedy, which people don't have now to fix any problems.

Mr. Davis moved to amend C-47a-14 as follows:

Section 505.16(d) *Water*. Each beekeeper shall ~~ensure that a~~ have on their property a convenient source of water is available in close proximity to the beehive(s) at all times during the year so that the bees are less likely to congregate off premises. Water source should have acceptable access for bees, should be of concrete construction (ie concrete bird bath or fountain) or have stone surfaces protruding from the water to promote desirable landing surface. ~~The water source should be still.~~

Section 505.16(g) – change Safety Director to Police Officer if first paragraph; change Safety Director to Law Director in second paragraph.

Section 505.16(h) – change City Administrator to Safety Director in first paragraph; change Safety Director to Safety Division in second paragraph and add the following: and a stay on the enforcement action shall be in effect during the pendency of the appeal.

Seconded by Ms. Lanese.

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

There being no additional questions or comments, Mr. Davis moved it be postponed to 10/6; seconded by Mr. Berry.

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

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

1. Ordinance C-59-14 (Authorize the City Administrator to Execute a Land Exchange Agreement to enable the City to Realign the Columbus and Mill Streets Intersection) was given its first reading and at the request of the Administration, Ms. Klemack-McGraw moved it be withdrawn; seconded by Mr. Berry.

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

2. Ordinance C-60-14 (Approve the Use for an Electrical Vehicle Charging Station for Tesla Motors located at 2161-2263 Stringtown Road) was given its first reading. Second reading and public hearing will be held on 10/6/14.

3. Resolution CR-48-14 (Approve the Development Plan for the Tesla Motors Recharging Stations located at 2161-2263 Stringtown Road) was given its reading and at the request of the petitioner, Ms. Klemack-McGraw moved it be postponed to 10/6/14.

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

4. Resolution CR-49-14 (Approve the Preliminary Development Plan for Texas Roadhouse located at 4155 Parkway Centre Drive) was given its reading and public hearing.

Ms. Emily Burnell, petitioner's representative, explained that they wish to install a parking lot on the property next door. It will include 33 stalls, with the landscaping and lighting to match the existing lot. Since the existing parking lot is not permitted in the current zoning classification, they are asking for a PUD zoning classification. This preliminary plan is the first step.

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

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

5. Resolution CR-50-14 (Approve the Sign request for Villager on Broadway located at 4060 Broadway in the Historical Preservation Area) was given its reading and public hearing.

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

6. Resolution CR-51-14 (Approve the Sign request for Venue 62 located at 3995 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Matt Yerkes, petitioner, was present to answer any questions.

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

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

7. Resolution CR-52-14 (Approve a Portable Sign request for Venue 62 located at 3995 Broadway in the Central Business District) was given its reading and public hearing.

Mr. Matt Yerkes, petitioner, was present. Ms. Klemack-McGraw reviewed the deviation request on the height by 1" and overall size by 3 1/4".

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

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

8. Resolution CR-53-14 (Approve a Certificate of Appropriateness for a Mural to be located on the Park Street side of 4030 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Andy Furr, Town Center Inc., was present to answer any questions.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	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. Ms. Sandy Engleman, Woodlawn Ave., voiced concern over the extension of Columbus Street. She has concern over the safety for the Library with three roads surrounding it. Also, one reason for building is to have more parking but there may not be enough at this new site. She noted that Amazon is looking for a place and she thinks we should be trying to get them to come here. She said the people should get to say something about the plans for the future.
2. Mr. Chuck Engleman, Woodlawn Ave., voiced concern over the Town Center. He asked if Pizzuti's Plan is to redevelop downtown or get rid of downtown. He thinks it is to destroy it. He then commented on the bricks in the intersections. He said they are all broken and should be torn out and throw them away. He mentioned that Reynoldsburg is spending thousands to get rid of theirs.

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

1. Mayor Stage announced Arts-in-the-Alley; opening day at schools and compliments for our Police.
Mayor and Council recognized Chief Steve Robinette for his 30 years of service and presented him with a joint Proclamation. The Mayor said the Chief is not retiring, and congratulated him on his service.
2. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:26 p.m.



Jami K. Kelly, MMC
Clerk of Council

Ted A. Berry
Chair