CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

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 Regular and special meetings and approve as written; seconded by Mr. Bennett.

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

2. President Berry recognized the Mayor who presented a Joint Proclamation to Kevin of the Mid Ohio food Bank and acknowledged Sept. as Hunger Action Month. On behalf of Director Habash, Kevin thanked the Mayor and Council. He said there is an event planned for every week for people to participate in.

3. President Berry recognized Mr. Mason Warner, Boy Scout, who presented his Eagle Scout project to Council. He showed a Power Point presentation to explain his creation of a Sensory Memory Garden, which is a garden for those with any Cognative disability, at Sesquicentenial Park. He explained that nature is the second best way to bring back memories for those with this disability. He and his group worked 341 hours to create this park. They planted over 200 plants, built retaining walls, have benches and have ways for people to interact. He thanked all those who assisted him.

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-55-13 (Appropriate $31,000.00 from the Rockford Tax Increment Equivalent Fund for the Current Expense of Making Payments in accordance with the Infrastructure Agreement with Rockford Homes) was given its second reading and public hearing.

Mr. Turner, Dir. of Finance, explained that this is a housekeeping measure to pay monies due to Rockford Homes from the TIF for the rest of the year.

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

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

2. Ordinance C-56-13 (Authorize the Purchase of 3402 Civic Place) was given its second reading and public hearing.

Mr. Bennett said this is to assist with Town Center parking. Mr. Berry thanked the Administration for negotiating this. He noted that this was one of the parcels that everyone thought was key during the Retreat. He said it will turn into some valuable parking spaces for the downtown businesses.

Ms. Mary Shaw asked what the purchase price is and what it is valued at. Mr. Boso, City Admin., said the purchase price is $225,000.00 and the latest appraisal he has from 11/2/10, was for $148,000.00. He said it is about 52% above the appraisal. She asked what it would cost to tear it all down and create the parking spots. She said she isn't against it. She is just looking at the numbers because she is looking at Beulah Park and wants the City to buy Beulah. She is looking at every dollar that is being spent that could be spent for Beulah. Mr. Boso said demolition is estimated at $10,000.00 and construction of the parking spaces is about $150,000.00.

Mayor Stage said an ordinance was brought before Council right after the retreat for a purchase price of $175,000.00 and the property owner rejected that offer. By direction of all of us, they went back and looked at what else could be done. He also noted that the original offer had a clause that would have paid to move the property owner. This offer does not have that added expense. He said the piece of land, as it is today, cannot be fully utilized without this additional parcel. He believes the estimate includes recasting the existing parking lot and building a walkway to connect it to Broadway. Mr. Bennett also noted that this home is surrounded by uses other than residential and the parking area will benefit the business sales over time. Mayor Stage said it is not their intention to pay this percentage of difference for properties. He said they run into this as to what are the values, based on usage and what is the value to the public. He said it is not starting a new trend.

Mr. Smith, Dir. of Law, stated that there is an addendum to the contract that will allow the property owner to salvage any material out of the property during the six months she is allow to live there. It also gives authority for family members to stay if she leaves during that six months. He said he wanted to make Council aware of this addendum, but doesn't change the substantive terms of the agreement before them.

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. Davis	Yes
Ms. Klemack-McGraw	Yes

3. Ordinance C-57-13 (Authorize the City Administrator to Convey Excess Personal Property to the SWCS District for use in Educational Training Programs) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that we amended our Personal Property donation ordinance but we specifically exempted vehicles and did not include the schools as a person we could give items to without permission of Council. He said the cars can only be used for training and cannot be driven on the road – as they are not fit to drive.

Mayor Stage commented that this is a reciprocal participation between jurisdictions. We want to keep this type of relationship going. It will transfer one cruiser and one Expedition.

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

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

4. Ordinance C-58-13 (Repeal and Replace Chapter 143 titled Department of History and Appropriate $5,000.00 from the General Fund for Same) was given its second reading and public hearing.

   Mr. Jim Hale voiced support for this change. The Department of History has never really been utilized. By going to a Commission, you will get a group of volunteers to do the job without any cost to the City. He said the City has made some tremendous investments in preserving history and feels this change will help move those efforts forward.

   Mr. Davis asked what the vision is for this Commission. Mayor Stage said at a meeting with the Southwest Historical Society, they discussed perpetuity. He said perpetuity is measured in personalities. He said this Commission would have perpetuity built into it. He said he sees the Commission being made up of 2 members of the Historical Society, one member from the Township, a person from the Library, and one person at-large. Mr. Davis said he believes this to be a good thing with new library and potential development at Beulah and Downtown. We want to keep our true historical sense of the community as we rebranding our Downtown.

   Mr. Steve Jackson, President of the Historical Society, also voiced support for this ordinance. He said we have made tremendous progress in the last 25 years, but we have not lost our soul or character like some other communities. The Historical Society is very active and there are other organizations involved in Grove City history too. He feels that a Commission would do a lot to direct all the organizations energy's and enhance each other's efforts.

   Mayor Stage said the money being appropriated is to support the program and may go to salaries.

   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

5. Resolution CR-41-13 (Authorizing the City Administrator to seek Financial Assistance from the State Capital Improvement Program/Local Transportation Improvement Program and Execute Contracts as required) was given its reading and public hearing.

   Mr. Chuck Boso, City Admin., explained that this authorizes an application for grant monies. This covers applications for Orders Road, with road improvements and pedestrian walkways; and for Stringtown Road, which will complete that corridor to S.R. 104.

   Mr. Davis asked if the Orders Road improvements will include bike paths to Fryer Park. Mr. Keller said yes. It will have a bike path as part of the overall project. Mr. Boso noted that these are large projects and we have been very successful in these grant applications.

   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

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

1. Ordinance C-59-13 (Authorize the Charitable Solicitations Board to Issue a Permit to the Leukemia/Lymphoma Society per Section 371.06(b)(2) of the Codified Ordinances) was given its second reading and public hearing.

Mr. Ralph Albetty, Leukemia/ Lymphoma Society, was present to answer any questions. He said research for blood cancer helps all other cancers. He said they hope to have a successful event and do their best to stay out of everyone's way.

There being no additional questions or comments, Mr. Davis 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 Ms. Klemack-McGraw - Chairman of Lands & Zoning, for discussion and voting under said Committee.

1. Ordinance C-62-13 (Authorize the City Administrator to Convey Excess Real Property to The Central Ohio Transit Authority) was given its second reading and public hearing.

Mr. Curtis Stit, COTA Director, thanked Council for this opportunity and partnership for a future Park-N-Ride for the community. He said the property is landlocked and is partially under electric liness, which makes it unable to develop for a building. However, it is a good spot for them. Mr. Bennett asked if the access is generally from the freeway or thru town. Mr. Stit said it would be primarily freeway. Mr. Berry noted that the current Park-N-Ride has nice landscaping throughout it and hopes for the same on this development plan. He asked about rail transit, since we have a line thru town. Mr. Stit said they are currently looking to hire someone to help them look at all options, including rail, for the next generation of public transit. He said they have information that they will leave with The Clerk.

There being no additional questions or comments, Ms. Klemack-McGraw 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-63-13 (Approve a Special Use Permit for Outdoor Seating for Sunny Street Café located at 2788 London-Groveport Road) was given its second reading and public hearing.

Mr. Bennett stated that he has a business relationship with the property owner and said he checked with Mr. Smith about any conflict of interest. Mr. Smith stated that although Mr. Bennett provides insurance to the owner. However, under the Ethics Opinions in Ohio just being a customer of the agency does not constitute any value and therefore, Mr. Bennett can vote on this issue.

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

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

3. Ordinance C-64-13 (Approve a Special Use Permit for an Automotive Dealer for Byers Auto located West of North Meadows Drive) was given its second reading and public hearing.

Mr. Brent Rosenthal, attorney for applicant, was present and explained they want to build a Chevy dealership, with the potential to build two others in the future. He said service and repair will all be inside. He said the future, conceptual, development shown on the drawing is subject to the economy. They are working with a developer for the potential of two medical office buildings. The first phase is for a 33,000 sq. ft. Chevy dealership. The design of the building will be dictated by the manufacturer; they have over five acres of green space; they will comply with all Code requirements, including landscaping and signage, and the Gateway Business Park regulations. He said they will not be selling any of this off. The Byers family will develop any future dealerships. For each of those dealerships, they plan to come back with them individually. He said they do not plan to do an auto mall. There isn't enough room. He said they do have solid plans for the medical buildings and it is anticipated that developments will be submitted for them in the Fall.

Ms. Klemack-McGraw reviewed the stipulations set by Planning Commission. Mr. Rosenthal asked that the 40% stipulation be removed. He said they believe the first stipulation takes care of the intent not to have a used car lot. Mr. Jay DuRivage explained how a new dealership works and the requirements of the manufacturer. He believes the first stipulation will take care of any used car lot without having to police a percentage of the vehicles of new vs. used. He requested stipulation #2 be removed. Ms. Albright asked Mr. Chuck Boso to explain Planning Commissions intent with stipulation #2. Mr. Boso said the intent was that if a new car dealership went under, we were not giving a perpetual approval to a used car dealership on the parcel. He believes stipulation #1 really covers it, and he has no objection to excluding stipulation #2 from Planning Commission. Council considered the Planning Commission stipulations with staff. It was made clear that the first stipulation recommended by Planning Commission means that no car lot/dealership on the entire parcel can be built without it being tied to its own, separate, new car dealership. In short, no stand alone used car dealership. Mr. Rosenthal stated that they understood and if they sat on Council would want the same thing. Ms. Klemack-McGraw reviewed two other stipulations she wanted to add. Mr. Rosenthal said yes, they do not do those things at their dealership and will certainly adhere to all sign code regulations. For the second addition, he requested that they be allowed to use both windows on one side of a vehicle because of manufacturing requirements that may not fit on just one window. Mr. Berry thanked Mr. Rosenthal for taking the time to address his initial concerns and is looking forward to having the Byers family join Grove City.

Mr. Smith, Dir. of Law, noted that after reviewing the first stipulation from Planning Commission, he believes that it would prohibit the other areas on the site from being purely used care dealerships, as written.

Ms. Klemack-McGraw moved to amend Section one to say, "except for Stipulation #2 and with the following stipulations:"1. In addition to the requirements of Chapter 1145 – "Signs", no over-sized inflated displays, whirligigs, window paints, spinners or other attention getting devices shall be permitted on any vehicle, building or anywhere on the premises; and 2. Signs on the vehicles for sale shall be limited to only one (1) side window, containing price, description and warranty information. This information shall not be legible from public rights-of-way"; seconded by Mr. Berry.

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

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

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

4. Ordinance C-65-13 (Affirming the Continuance of the Special Use Permit for Scruffy to Fluffy - A Cut Above Pet Salon located at 3391 Park Street) was given its first reading. Second reading and public hearing will be held on Sept. 16, 2013.

5. Resolution CR-42-13 (Support the Pizzuti Plan for Redevelopment of the Grove City Town Center) was given its reading and public hearing

Mr. Shannon Hamons, Pizzuti, was present and thanked the Administration, Council and the community for helping them put together this latest plan. He said he appreciated the special meeting where the plan was reviewed in length and offered to answer any questions.

Mr. Berry stated that basically, the resolution allows Pizzuti to go to the next level as far as getting the City numbers/finances, parking proximity, flow of traffic, etc. It lets Pizzuti know that Council and the Administration is on par with the plan, at the concept level.

Ms. Sandy Engleman asked about the concept plan. She shared deep concerns for the youth crossing Broadway to get to the new library location because the traffic is so much heavier along Broadway than Park Street. She asked what happens if the Library can't pay for the new library. Does that fall back on the taxpayers? She doesn't believe there is enough parking for all the proposed develop. Finally, she doesn't believe there is any protection in the agreement to protect the taxpayer and to make sure that we get quality workers to construct a quality building. Mr. Boso said the quality of good construction would be in the agreements with the contractor's doing the work, not in the management agreement with Pizzuti. The public has the same assurances that they have with any public project.

Mr. Bennett commented that Council is the people's conduit to local government and this particular development has weighed very heavy on his mind, as many constituents have shared their opinion about this project. However, he believes all members of Council want a quality development and what is best for the community.

Mr. Hamons said the library project is completely separate from this concept plan. Mr. Boso mentioned that the Library is holding a meeting about their project on 9/26 @ 7:00 pm, here @ City Hall for the public to participate in their building.

Mr. Chuck Englishman voiced concern over parking. He doesn't feel there is enough to accommodate everything proposed. He also feels they are spending too much money on properties in Town Center for parking. The City shouldn't be paying for parking for Pizzuti. He said you can put all the apartments you want at Beulah Park if it is bought. He said the space behind City Hall should all be parking. It was explained that Pizzuti is providing parking for their development portions. The parking the City is adding is for the existing and future needs of the Town Center. Also, there is a lot left to work on, specifically the financial package for this Concept, which will include Pizzuti's purchase of City property and a financial commitment. Mr. Hamons provided an overview of their concept plan. He said they have taken a long time to get here to make sure it fits the community. Mr. Davis said this is an exciting time and where we are today, with the library and how that fits into the puzzle of what they are voting on tonight, and what he hopes they will soon be voting on with respect to Beulah Park makes a comprehensive package. He said, if we do this right, tying in the element of history and capture it, we will be the envy of every community in Franklin County. There will be nothing like it.

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

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 submitted the Mayor's Monthly Report for the Building Division and Mr. Berry moved to accept same; seconded by Ms. Albright.

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

The Mayor reported on various events.

2. Mr. Boso reported that there are no items for the next Planning Commission meeting. However, they just met today and few items will be forwarded to Council for their next agenda.

3. Mr. Turner provided Council with the Monthly Financial report.

4. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:00 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Ted A. Berry

Ted A. Berry
Chair