CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

August 21, 2017 — Regular Meeting

The regular meeting of Council was called to order by President Schottke 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:

Steve Bennett *Steven Robinette* *Roby Schottke* *Jeff Davis* *Ted Berry*

1. Mr. Bennett moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Robinette.

Mr. Robinette	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes

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

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

1. Ordinance C-41-17 (Appropriate $202,805.00 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 first reading. Second reading and public hearing will be held on 9/5/17.

2. Ordinance C-42-17 (Authorize the City Administrator to enter into a Community Reinvestment Area Agreement with 7 Star Entertainment, Inc.) was given its first reading. Second reading and public hearing will be held on 9/5/17.

3. Resolution CR-33-17 (Appoint Charles W. Boso, Jr. to the Board of Trustees of the Pinnacle Community Infrastructure Financing Authority) was given its reading and public hearing.

   Mr. Boso explained that in 2004, the Franklin County Commissioners appointed this Board of Trustees. There must be a public official as one of the Trustees until the population in the development reaches the appropriate number. It is anticipated that the population will grow in the next 18 months where he will fall off the Board and a resident will be appointed to the seat.

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

Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Robinette	Yes

The Chair recognized Mr. Robinette, Chairman of Safety, took the floor for discussion and voting under said Committee.

1. Ordinance C-40-17 (Amend Section 521.21 of the Codified Ordinances titled Public Nuisance) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that the City was contacted by a resident about someone who has been living on a public street, in his car. The City checked into this and the person has registered the street as his address. This is unsafe. It is not meant to get to someone who stops for a nap. It is a concern over someone using the pubic street as a dwelling/residence. Mr. Robinette asked if there would be any grandfather clause. Mr. Smith said no. It is not in the zoning code. It is in the nuisance/traffic Section. So, once the ordinance becomes effective, the Safely Dept. would enforce the new Code Section. Mr. Robinette asked about the definition of dwelling. Mr. Smith said since this is not defined in our Code, the common/ordinary definition of the word is used. Mr. Schottke asked if someone could move up the street each day. Mr. Smith said this Section is written to prohibit dwelling in the public right-of way. They believe it is unsafe to live on the right-of-way. No matter where they move on the street, it would be a violation. Council asked about semi-truck drivers. Mr. Smith said there are locations on private property for the truck divers to stay overnight in the City. He said there are many parking lots to get off the streets.

Mayor Stage said this shows that there is a hole in our law that allows this type of thing to happen. This will help with the streets and park grounds.

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

Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Robinette	Yes
Mr. Bennett	Yes

The Chair recognized Mr. Bennett, Chairman of Lands, took the floor for discussion and voting under said Committee.

1. Ordinance C-43-17 (Approve a Special Use Permit for Valvoline Instant Oil Change located on Meadow Pond Court for Automotive Services) was given its first reading. Second reading and public hearing will be held on 9/5/17.

2. Ordinance C-44-17 (Amend Ordinance C-83-15, approving a Special Use Permit for Daystarz Child Care located at 3323 Cleveland Avenue, to permit the Playground Relocation) was given its first reading. Second reading and public hearing will be held on 9/5/17.

3. Resolution CR-34-17 (Approve the Development Plan for Valvoline Instant Oil Change located on Meadow Pond Court, West of N. Meadows Drive) was given its reading and public hearing.

Mr. Schottke asked if this was a little backward. He said he feels like the Special Use Permit should be approved before the Development Plan. Mr. Rauch, Dir. of Development, noted that the Code allows applicants to submit both applications at the same time. Usually, the applicant will ask for a delay of the Development Plan to catch up to the Special Use Permit. Mr. Smith, Dir. of Law, stated that if Council approves the Plan, they applicant could build the building but not operate the Use. The applicant's representative said they are willing to take this risk. They are anxious to move forward.

Mr. Bennett asked about the many stipulations on this Development Plan. The applicant's representative said they agree to all stipulations.

Mayor Stage asked about the enhanced landscaping along S.R. 665 and the apron going onto I-71. Mr. Joe Smiley, representative, said they have agreed to add three (3) additional trees at the suggestion of the Urban Forester. He said they are limited due to the high tension wires. Mayor Stage asked about signage. Mr. Smiley said the last stipulation removes the monument sign for this property.

Mr. Bennett reviewed the stacking and circulation of traffic on the site. Mr. Robinette asked if the site would be irrigated. Mr. Smiley said yes. Mr. Rauch, Dir. of Dev., explained that the Code dictates the percentage and location of the irrigation. Mr. Robinette said he would like to stipulate that irrigation be added along S.R. 665. Mr. Smiley said after years of takings there is only five feet in that area. The other representative said the irrigation for the site takes in the entire perimeter of the property.

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

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Robinette	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes

4. Resolution CR-35-17 (Approve the Development Plan for Gantz Road Medical Office Building located at 2005 Stringtown Road) was given its reading and public hearing.

Mr. Steve Brown, filling in for Mr. LaVeque, was present to answer any questions.

Mayor Stage asked about the parking variance. Mr. Rauch said the Code requires 10' and this is proposing 6'. It is the same as Golden Coral and allows for the drive aisles to align. Mr. Rauch also commented that the zoning classification for this use would be 801x, which is permitted in the existing zoning.

Mr. Davis asked about the mention of demolishing the existing building after the new one is completed. Mr. Rauch said they tried to get a more formal commitment from the developer, but could only get a mention of it in the meeting. Mr. Brown said he knows it is intended to be demolished, but can't make that guarantee tonight.

Mayor Stage said he feels there should be something more concrete. He would like an agreement. He suggested postponing this until it is cleared up. Mr. Schottke asked why this wasn't done in Planning Commission. Mr. Rauch said this development is on one site and the existing building is on another. He said there is only so much that can be done, when the plan being presented is for the development of a single parcel.

There being no additional questions or comments, Mr. Berry moved it be postponed Sept. 5, 2017; seconded by Mr. Schottke.

Mr. Berry	Yes
Mr. Robinette	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes

5. Resolution CR-36-17 (Approve the Development Plan for ELW Company Expansion located at 6483 Seeds Road) was given its reading and public hearing.

Mr. Don Plank, attorney for petitioner, was present to answer any questions.

Mr. Bennett read a stipulation that was included to address the landscape deviations, which are noted on a new landscape sheet that was provided after Planning Commission.

Mr. Plank stated that even though the property is zoned residential, it is adjacent to the landfill and doesn't feel it would be developed that way. Mr. Bennett said any development on the adjacent site could shield itself from Mr. Wall's operation.

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

Mr. Robinette	Yes
Mr. Bennett	Yes
Mr. Schottke	Yes
Mr. Davis	Yes
Mr. Berry	Yes

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

1. Ms. Deborah Hackathorn, Civic Point, who is a lobbyist for municipalities, through Frost, Brown, Todd, provided an update on the latest changes that have been approved by the State, that were part of the Budget. Some of those included: allowing businesses to file taxes through the State Gateway; eliminating the throwback provision; $35 million was taken out of the municipal portion of taxes for opioid treatment reduction and another $24 million for Townships and small Villages. So about a $60,000.00 hit may come to Grove City because of these reductions. Council followed up with some questions. Mr. Berry noted that it appears that Grove City may see an overall reduction of $930,000.00 based on these new laws. He said this has been taken away through no fault of the City and it will be a challenge to cover this in city services. Mr. Schottke asked Ms. Hackathorn to monitor a couple of Bills, such as overriding municipal authority with respect to certain livestock in residential areas.

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

1. Mayor Stage commented on events since the last meeting.

2. Mr. Smith reported on the first review of the Councils requests concerning AEP. He said they do here a meeting later this week with AEP representatives. They are gathering information to see if the fees were unjust and a grievance can be filed with the PUCO. He said it looks to be a very difficult case to pose and doesn't believe a lawsuit is possible directly against AEP.

Mr. Berry asked about the additional lines AEP want to place along Southwest Blvd. Mr. Smith said they are trying to negotiate with AEP on this. If we want to bury then, it will cost $300,000.00 to do so. He said they are working as best as they can.

Mr. Smith also stated that the hearing on the liquor permit for One Stop Tobacco Shop took place and they were able to get all the testimony they wanted into the record for consideration. A decision will come later.

3. President Schottke asked Ms. Kelly about the next meeting of Council. Ms. Kelly announced that the next regular meeting of Council would be on Labor Day and Council typically moves their meeting to the next day when it falls on a holiday. With there being no objections of Council, the next meeting will be held on Tuesday, 9/7, in observance of Labor Day.

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

Council adjourned at 8:18 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Roby Schottke

Roby Schottke
President

CITY OF GROVE CITY, OHIO
COUNCIL CAUCUS NOTES

August 21, 2017

Council met at 6:30 p.m. in the Council Caucus Room, City Hall, 4035 Broadway.

Council Members reviewed the Agenda items.

Council retired to the Chambers to begin the Regular meeting.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Roby Schottke

Roby Schottke
Chair