CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

May 20, 2019 Regular Meeting

The regular meeting of Council was called to order by Clerk of Council Kelly at 7:00 p.m. in the Council Chambers, City Hall, 4035 Broadway.

Roll was called and the following members were present:

Roby Schottke *Christine Houk* *Jeff Davis* *Ted Berry*

1. Ms. Kelly, Clerk of Council, opened the floor for nominations for a Temporary Chair for the evening's meeting.

   Mr. Davis moved to appoint Mr. Berry as Temporary Chair; seconded by Mr. Schottke.

Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes

2. Mr. Berry moved to dispense with the reading of the minutes from the previous regular meeting and approve as written; seconded by Ms. Houk.

Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

3. Mr. Berry moved to excuse Mr. Robinette and Mayor Stage; seconded by Mr. Davis.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes

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

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

1. Ordinance C-22-19 (Approve an Amendment to the Zoning Text for Meadow Grove Estates North as approved by C-119-05) was given its first reading. Second reading and public hearing will be held on July 01, 2019.

2. Ordinance C-23-19 (Authorize a Development Agreement and an Infrastructure Agreement with Towsend Construction Company concerning the Redevelopment of approximately 212 acres of Real Property located in the City) was given its first reading. Second reading and public hearing will be held on June 03, 2019.

3. Ordinance C-24-19 (Authorize the City Administrator to enter into an Agreement for the Construction and Maintenance of a New Railroad Crossing with the Indiana & Ohio Railway Company) was given its first reading. Second reading and public hearing will be held on June 03, 2019.

4. Ordinance C-25-19 (Authorize the City Administrator to enter into an Agreement Granting a Temporary Easement with Mark and Colleen Haughn) was given its first reading. Second reading and public hearing will be held on June 03, 2019.

5. Resolution CR-19-19 (Approve a Certificate of Appropriateness for Plum Run Winery for a Patio Enclosure) was given its reading and public hearing.

   Mr. Ray Smolinski, owner, was present to answer any questions. He agreed to the stipulations set by Planning Commission.

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

Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes

6. Resolution CR-20-19 (Approve the Development Plan for The Grove City Veterinary Hospital located at 4350 Grove City Road) was given its reading and public hearing.

   Ms. Andrea Mayberry, owner, was present and agreed to the stipulations set by Planning Commission.

   Ms. Shields, Dev. Dept., explained that the Staff recommended the parking be relocated to the North and West of the existing driveway in order to maintain the transitional/rural character of the area, as well as the large tree in the front of the home. The Planning Commission members agreed to leave the parking in front of the home but stipulated that it be shifted to the east in order to try and keep the large tree.

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

Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes

7. Resolution CR-21-19 (Approve the Development Plan for Silco Fire & Security located at 2345 Southwest Blvd.) was given its reading and public hearing.

   Mr. Tony Cerny, representative for Silco, was present and agreed to all the stipulations set by Planning Commission.

   Mr. Tom Tonti, property owner to the south, shared concerns over screening at their property line, the storm drainage, and lighting. He would like to see the mound extended on each end and additional landscaping added, as the existing trees are scrub trees. He said 70% of their residents are seniors and he is looking for help to shield this property and protect his residents.

Ms. Shields, Dev. Dept., addressed all the issues in Mr. Tonti's letter. She said they did not receive a lot of detail with the application, but Storm water will need to comply with Code. She said they didn't get a tree inventory list to know if the existing tree line is scrub trees, as Mr. Tonti indicated, but the landscaping on the plan meets the Code requirements. She said the purpose for the addition is to give Silco more storage inside the building. If this is a concern, Council could add a stipulation for No Outdoor Storage, if desired.

Mr. Schottke asked if Silco intended to have outdoor storage and Mr. Cerny indicated there is no intent for outdoor storage. Mr. Tonti said this is a residential area to the south and asked for a stipulation against any outdoor storage. He also said the existing tree line is all scrub/junk trees and he asked that landscaping be enhanced. Mr. Cerny said there are some substantial trees and said they have no problem extending the mounding, but want to preserve the good trees. He said they could look at it in the field.

Mr. Schottke moved to amend Section 1 to include the following stipulations: 1. Additional trees/screening shall be installed, east of the new mounding; seconded by Mr. Berry.

Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

Mr. Schottke moved to add an additional stipulation under Section 1: 2. There shall be no outdoor storage on the site; seconded by Mr. Berry.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes

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

Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes

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

1. Ordinance C-17-19 (Creating a Designated Outdoor Refreshment Area for the Grove City Town Center and Enacting Regulations) was given its second reading and public hearing.

Ms. Connie Tucker, Director of Father Heart Ministry, said she has been praying for the Town Center. She said this ordinance is of spiritual concern for her. There are about 9 bars now in such a small space. She said this will make it easier for younger people to be exposed to alcohol. She asked how this would benefit the residents of Grove City and the bar owners. She asked them to tone down the alcohol.

Mr. Andy Furr, Town Center Inc. Director, said 35 other organizations have created a DORA in Central Ohio. He said it is an economic tool to enhance the area and business for the local establishments. He said they have had many meetings on this and they are requesting a few changes to the ordinance: 1. Permit the DORA for six days per week. The other two changes are to have Council approve all aspects of the DORA rather than an Administrative Director, as this is a Council decision, per law.

Mr. Smith, Dir. of Law, explained that a DORA allows the waiver of the open container law in the designated area, following the rules, in an approved cup. Certain Special Events would be exempt and the DORA will not operate at the times of those events.

Mr. Boso, City Admin., stated that the requested amendment for cups isn't necessary as he believes they can agree on the cup. With respect to the number of days, most DORA's are for special events. This goes beyond special events and believes the three day allowance is a good way to start; and the final changes requested are agreeable to the Administration.

Council Members shared their thoughts. The consensus was that three days is a good place to start. Given the ability to amend the program at any time, the regulations could be changed to add additional days once there has been time to evaluate the program.

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

Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes

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

1. Resolution CR-22-19 (Waive the Provisions of Section 529.07(b)(3) of the Codified Ordinances for the Annual Homecoming Celebration on July 26, 2019 on the streets of the Town Center) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that this waves the open container for a specific event. The DORA will not be in effect for this event.

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

Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

2. Resolution CR-23-19 (Appropriate Fee Simple Title for the Columbus Street Extension and Related Improvements) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that this is the first step in the process for eminent domain under Ohio Law. It only allows for a 30 day offer letter to be sent to the property owners that will start the discussions of acquiring the property needed for the extension of Columbus Street.

Mr. Roger Burket, Grassle Rd., expressed his opposition of taking ground from any property owner. He said this may be the first step, but appropriating ground is the ultimate bullying and intimidation of Property Owners. He suggested changing the word "appropriate". Mr. Smith explained why this word is used and how the process will flow.

Ms. Houk stated that since 2014 she has shared her apprehension of this project. She said she would love to hear about the traffic impact; hear from the Library and about keeping pedestrians safe; about the economic development piece and a pedestrian friendly corridor. She said there is nothing else that will come back to Council for this. She said there were so many good conversations that could have happened getting to these issues today, but moving forward she will separate her frustration from voting on the content of each piece of legislation.

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

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes

The Temporary Chair recognized Ms. Houk, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-18-19 (Appropriate $140,000.00 from the General Fund for the Current Expense of a Sidewalk Program) was given its second reading and public hearing.

Ms. Fitzpatrick, Dir. of Service, explained that this appropriates the balance of the money needed to complete Homecomer Dr. They are evaluating Broadway now and will budget for that portion in the 2020 Budget.

Mr. Burket, Grassle Rd, voiced his concern over telling residents they must do this. This "no choice" approach is aggravating to the property owner. He has heard comments that property owners like this and then comments that if the City doesn't make the owner fix the sidewalk, it won't get done. He said those are contradictory and feels Council should turn this down and re-evaluate this program. He then shared language from a door hanger that is placed on owners doors. He said an EMH&T Associate said owners are not to take the door hanger literally. He said the first time took 2.5 weeks; the next time took nine (9) weeks to complete rather than 1-2 weeks as indicated on the door hanger. If the trend continues, Homecomer Dr. may take 16 weeks to complete.

Mr. Davis commented that if City Staff or Contractors have not provided proper customer service, he takes that very seriously and it needs addressed. He then respectfully disagreed with Mr. Burket, as he believes the Program has been successful. He said many of those sidewalks were in great disrepair and unsafe. It has been beneficial and incredibly positive for the community. The program provides for the most economical way for the property owners.

Mr. Berry concurred with Mr. Davis and said many residents have cleaned up other aspects of their property after the sidewalk was fixed.

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

Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes

2. Ordinance C-19-19 (Authorize an Agreement with the Central Ohio Transit Authority and Appropriate $180,000.00 from the General Fund for On-Demand Micro-Transit Services) was given its second reading and public hearing.

Mr. Havener, Dev. Dept., explained this new, on-demand, service program. He said this will help to better connect businesses to riders. Mr. Davis asked how we will measure the success of this program. Mr. Havener said many matrixes will be used with business owners and COTA to chart the success.

Mr. Schottke said we have provided seed money for many programs. He said he believes this is the same and the intent is for private industry to take this over in the future. He said he thinks the zones need expanded to include some key business locations, such as Manheim. He said helping people with transportation improves employment and people's lives. He suggested expanding Zone One, at least, along Stringtown Road. Mr. Havener said they are open to expansion once the Program proves itself.

Mr. Doug Arsenault, COTA, was present to answer any questions. Mr. Berry asked if they will run on Saturdays. Mr. Arsenault said they are starting on weekdays and will adjust according to need. Mr. Schottke said the hours of operation don't accommodate the second shifters getting home and third shifters getting to work. He asked if this would ever be able to accommodate this problem. Mr. Arsenault said the micro-transit service is being created to compliment the existing, fixed route COTA system. He said that is a different challenge to fix, than the first-mile/last-mile challenge. Early morning transit will require partnerships with many businesses and they are looking to solve that challenge.

Mr. Berry said the only area that will be supported by this program are the areas in blue on the map. He said his vote is based on the plan and the economics of it. He said there have been no letters of intent or partnerships with private businesses provided to support this Program. He said he is not against COTA, but $180,000.00 is a lot of money and we could supply more rides through Uber or Lyft with this money.

Mr. Davis said he will support this tonight but agrees with Mr. Berry, in that this is not sustainable at this cost. Models of transportation are changing rapidly and COTA is going to have to figure out a more modern way of getting people where they need to go. Mr. Arsenault said this is about demonstrating to businesses and residents that mobility matters. This is to demonstrate that a need exists and the private sector needs to step up to the plate. However, COTA needs to show them the way, so they will support those transportation needs.

Mr. Boso, City Admin., said many people have struggled with the First Mile/ Last Mile. This is the first program between a government entity and a Public Transit Authority. He said $180,000.00 is a large amount, but those businesses came to Grove City looking for help getting people to their establishments. He said those businesses provide the City $6 million in tax dollars and the $180,000.00 is a small amount to get employees to these employers.

Ms. Houk said transportation is a real issue. The conversation of workforce development and retention is a popular one. She said we can change the culture in Grove City and this program is on the forefront of the mobility and infrastructure conversation. It is a piece for changing that culture. She said when we talk about bringing employers into the city, getting people to and from work has to be part of the conversation.

Mr. Berry asked what the percentage of the cost COTA intends to have in place by next year from private businesses. Mr. Arsenault said their goal is to have it fully funded by private industry, in time. This is a demonstration to show the need and to grow the pilot. Mr. Berry asked for a commitment of 50% funded by private industry by next year. Mr. Arsenault said with assistance from the City as their partner, COTA would work toward that goal.

Mr. Roger Burkett, Grassle Road, agreed with Mr. Berry, in general. He said why doesn't COTA raise the rider fares to pay for the Program.

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

Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	Yes

3. Ordinance C-20-19 (Authorize the City Administrator to enter into an Agreement with the American Federation of State, County and Municipal Employees Local 1116, Ohio Council 8, AFL-CIO) was given its second reading and public hearing.

Mr. Boso, City Admin., provided an overview of the changes in the contract.

Mr. Berry said he knows the vote was 13 to 11 in favor and one of the concerns was over health care. He commented that he believes it is fundamentally unfair for someone to work side-by-side with someone else and have a different insurance rate. He suggested striking the provision to require that insurance premiums be 20% for new employees. Mr. Berry moved to strike that provision. Motion died due to a lack of a second.

Mr. Boso said the Union did approve this program. Any changes would have to go back to the Union for approval. Mr. Smith concurred. He said Council could vote on any amendments and then postpone the ordinance to the next meeting, so the Union could approve any of those amendments. Mr. Boso said the administration strives to get the contract ratified by the majority of members and in this case, they have.

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

Ms. Houk	Yes
Mr. Davis	Yes
Mr. Berry	No
Mr. Schottke	Yes

4. Ordinance C-21-19 (Amend Section 139.05 of the Codified Ordinances of the City of Grove City titled Bidding Purchases and Procedures) was given its second reading and Mr. Davis moved it be postponed to 6/3; seconded by Ms. Houk.

Mr. Davis	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Ms. Houk	Yes
Mr. Robinette	Yes

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

1. Mr. Smirthwate, resident, asked Ms. Houk and Mr. Berry to help him with a rendering and 3D model of a park on the old library. Council suggested that before Mr. Smirthwate go to that expense, they encouraged him to attend the meeting tomorrow night concerning our parks. He also offered comments about extending Columbus Street and the DORA legislation. He said we are so concerned about bringing people down to the Town Center, that a park would be a wonderful way to accomplish this.

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

1. Ms. Shields gave a quick update on the 2050 Implementation Committee. She said the Dev. Dept. has been working to implement the Plan and has checked off 31 of the 65 points. She said there has been some concern over the Staff's recommendation on the composition of the committee and said they would like to hear from Council before proceeding. Mr. Schottke said he asked for the update and wanted to make sure we weren't kicking the can down the road on this issue. He shared his opinion on the make-up of the Committee. Since not all Council Members were present, Council will consider this on June 3.

   Mr. Davis asked about the Zoning Code revisions. Ms. Shields said there were some concerns on Title One, but they are working on Title Two. Mr. Davis asked about the timeline. Ms. Shields said Westerville is doing this and has a two of four year timeline. She said they know Council wanted to get this complete by the end of the year and that is their current goal, but it is very ambitious to do so. Mr. Davis said that doesn't sound reasonable. He said the Chapters seem intertwined and may need to be done together. Ms. Shields said they can be reviewed individually, but they are intertwined and is a package deal.

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

Council adjourned at 9:15 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Ted Berry

Ted Berry
Temporary Chair