CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

December 07, 2015 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*

1. Ms. Klemack-McGraw moved to excuse Ms. Lanese; seconded by Mr. Bennett.

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

2. Ms. Klemack-McGraw moved to dispense with the reading of the minutes from the previous regular meeting and approve as written; seconded by Mr. Bennett.

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

3. President Berry recognized Mayor Stage who administered the Oath of office to Cindi Fitzpatrick as Dir. of Service.

4. 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-92-15 (Amend Section 121.01 of the Codified Ordinances titled Council Salary) was given its first reading. Second reading and public hearing will be held on 12/21/15.

2. Ordinance C-93-15 (Unappropriate $4,400,000.00 from the General Fund for the Current Expense of entering into a Development Agreement with Pizzuti and Declaring an Emergency) was given its first reading.

   Mr. Smith, Dir of Law, explained that when this money was appropriated, it was explained that this would be unappropriated when the Bonds were sold. This brings the money back into the City's account as the Bonds will now pay for the project.

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

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

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

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

3. Ordinance C-94-15 (Reduce the Appropriation Amount for Various Funds and to Declare an Emergency) was given its first reading.

Mr. Turner, Dir of Finance, explains that this is a housekeeping measure also. The County issues a Certificate of Estimated Resources and we can appropriate up to that amount. However, if we do not receive funds at or above that amount, it is necessary to reduce the amount. That is what has happened with the three funds in this ordinance.

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

Mr. Bennett moved it be approved as an emergency measure; seconded by Ms. Klemack-McGraw.

Ms. Klemack-McGraw	Yes
Mr. Berry	No
Mr. Bennett	Yes
Mr. Davis	Yes

Ms. Kelly, Clerk of Council, explained that this ordinance did not pass as an emergency and a second reading for the next meeting needed to be announced.

Mr. Berry said he was reading the wrong ordinance and asked that the question be reconsidered. Mr. Davis moved to reconsider the motion to approved C-94-15 as an emergency; seconded by Ms. Klemack-McGraw.

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

Mr. Bennett moved that this ordinance be approved as an emergency measure; seconded by Mr. Davis.

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

4. Ordinance C-95-15 (Amend Section 161.09 of the Codified Ordinances titled Fringe Benefits) was given its first reading. Second reading and public hearing will be held on 12/21/15.

5. Ordinance C-96-15 (Authorize the City Administrator to Enter into an Economic Development Agreement with Mount Carmel Health System) was given its first reading. Second reading and public hearing will be held on 12/21/15.

6. Resolution CR-74-15 (Authorize a Then and Now Certificate for the Payment of $5,142.03 for Professional Services) was given its reading and public hearing.

Mr. Turner, Dir. of Finance, explained that the Purchase Order was not opened before the County had the work completed. Since it is over $3,000.00, Council approval is needed.

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

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

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

1. Ordinance C-97-15 (Temporarily Amend Section 161.10 of the Codified Ordinances titled Employee Statue, Number of Employees per Department, Pay Grades and Declaring an Emergency) was given its first reading.

Mr. Smith, Dir. of Law, explained that the Code allows for 50 police officers and the Administration has been made aware of a retirement that will take place in April. There is a current Civil Service list that can be used, however that will take them over the 50 mark for a few months. This temporary increase allows for the replacement officer to get into the December Academy session. Otherwise, the next academy doesn't begin until next July. If this is not passed as an emergency, the December deadline will not be able to be met.

Mr. Berry asked if there was any reason not to make this a permanent change. Mr. Boso, City Admin., said all Council is doing is authorizing the strength of force. The Administration believes that the strength of force is adequate and recommends that it is left at 50. He said this is the first time there has been an overlap in timing and doesn't think it is highly likely in the future.

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

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

Mr. Davis moved it be approved as an emergency measure; seconded by Ms. Klemack-McGraw.

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

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

Ordinance C-84-15 (Approve the Rezoning of 35 acres located North of Orders Road and West of Haughn Road from SF-1 to PUD-R) was given its second reading and public hearing.

Mr. Jim Lipnos, Homewood Corp., was present to answer any questions. Mr. Berry asked how many retention ponds are in the development. Mr. Lipnos said two. Mr. Berry voiced concern over having a bike path around those ponds when they are so close to the homes. Mr. Bennett also shared concern over the ponds being so close to the resident's property line. After much discussion, it was determined that these issues could be addressed in the development plan.

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

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

2. Ordinance C-86-15 (Approve an M-1 Zoning Classification for 21.86 acres located at 1345, 1351, 1393 Stringtown Road Upon its Annexation to the City) was given its second reading and public hearing

Mr. Paul Gododdi, Daimler Group; was present to answer any questions.

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

3. Ordinance C-87-15 (Vacate a 20' Sanitary Sewer Easement located South of I-270 and West of Gantz Road) was given its second reading and public hearing.

Mr. Boso, City Admin., explained that this easement was accepted as part of a former development that did not go through. A new easement will be accepted with the new development on the property.

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
Mr. Davis	Yes

4. Ordinance C-88-15 (Accept the annexation of 1.5 acres of Hoover Road right-of-way located north of Orders Road) was given its second reading and public hearing.

Ms. Kelly, Clerk of Council, explained that this is all roadways and will connect the City's corporation limits along Hoover Road.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Lanese	Yes
Mr. Davis	Yes

5. Ordinance C-89-15 (Approve a Special Use Permit for a Dog Grooming and Boarding facility for Pinnacle Pets located on Farm Bank Way) was given its second reading and public hearing.

Mr. Rich Ireland, Dublin Building Systems, was present to answer any questions. Mr. Berry asked how large the fenced area will be. Mr. Robinette, owner, said they are still working on this and will show it on the Development Plan.

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

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

6. Ordinance C-90-15 (Approve a Special Use Permit for a Pet Store for Petland located at 2740 – 2744 London-Groveport Rd) was given its second reading and public hearing.

Mr. Anthony Samples, Petland, was present. He said this will be a full pet and supply store. Mr. Berry asked what types off animals they will sell. Mr. Samples said they have puppies, rabbits, guinea pigs, hamsters, fish, reptiles. Mr. Berry asked if other pet stores in Grove City sell puppies. Mr. Boso said the Special Use does not differentiate between animals. It just says animals.

Mr. Davis asked Mr. Samples to explain a little bit about their operation. Mr. Samples said they have 70 stores in the United States, with 10 being company owned and the rest franchises. Most of their stores have a full line of pets, but some do not. Some are only offer dry goods. Mr. Davis asked if he is aware of the criticisms out there and asked what protections and quality assurances they offer. Mr. Samples said all of their puppies are sourced by USDA approved breeders. He said there about 10,000 breeders in the U.S., but only 1,700 with USDA licenses and inspected by them. He said they will not source from a breeder who has had a violation in the last two years. In addition, he said they inspect the breeders themselves.

Mr. Berry said the other pet stores in the City do not sell puppies or cats. They work with rescue operations and/or adopt and he has an issue with the selling of puppies. Mr. Samples said they also work with shelters and rescues. He said they not only find homes for pure breeds but mixed breeds as well. Mr. Berry said he has no issue with Petland selling dry goods, just not puppies.

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	No
Mr. Bennett	Yes

7. Ordinance C-91-15 (Approve a Special Use Permit for a Day Care Center for Tahna's Busy Bees located at 4461 Broadway) was given its second reading and public hearing.

There being no representative present to answer questions, Ms. Klemack-McGraw moved it be postponed to 12/21/15; seconded by Mr. Davis.

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

8. Resolution CR-66-15 (Approve the Development Plan for Holton Park located North of Orders Road and West of Haughn Road) was given its reading and public hearing.

Mr. Jim Lipnos, Homewood Corp; was present to answer questions. Ms. Klemack-McGraw reviewed the five stipulations set by Planning Commission and Mr. Lipnos agreed to all five.

Mr. Berry said this is where their earlier comments should have been stated. Based on those comments, he moved that Section 1 be amended to include the following stipulation: *1. This Council does not require a path on the sides of the ponds that face a residential area*; seconded by Mr. Davis.

Mayor Stage asked where the bike trail will go. Mr. Berry said anywhere other than on the side of the pond that faces residential. He said there would be no bike path on the north side of pond 2 and no bike path on the south side of pond 2. It could go in and around the interior area. Mayor Stage said he just wants to make sure Staff understands because this becomes their guide. Discussion took place over connectivity with existing bike trails and a crossing over the creek. Mr. Keller said there is an existing culvert that could be used to create a crossing. Mr. Lipnos agreed to that. After additional questions and concerns over this development, it was suggested that this be postponed.

A voted was called on the motion to amend Section 1.

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

Mr. Bennett moved it be postponed to 12/21/15; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Mr. Davis	Yes
Ms. Klemack-McGraw	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. Mr. Michael Hardin, resident, said he lives at Jody Dr. and requested that Council consider an ordinance to mandate recycling of all residents. He feels it is time and environmentally correct.

Mr. Bennett asked of the Gemini Project has started. Mr. Boso said they have not submitted their construction drawings yet. Mr. Bennett explained that the Gemini project will automatically remove recyclables from the trash stream, once it is built and operational.

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

1. Mayor Stage said we had a great weekend with the Christmas Parade, Toy Drive and Food Drive. He said we closed on the Bond for Pizzuti with a very good rate, so we can start reimbursing the schools right away. He noted on this anniversary of Pearl Harbor, he recognized the Grove City Sailor who is entombed in the Arizona and the one soldier still living in Grove City from WWII. He said while we did not object to any liquor permits this year, they may next year if any establishments sell to minors. He noted five violations in Oct. He then provided Council with the 2016 appropriation detail and ordinance. He explained that this is their program of work for the year. He said they feel very good about the proposed budget. The income tax collections are 5.3% above 2014 and the net profit is also up 5.3%. He said we have a budget that is balanced, with 98% of the expenditures are from the tax collection.

2. Mr. Bennett announced that there will be a Special Meeting of Council on Monday, 12/14 at 6:00 p.m. to review the 2016 Annual Appropriation Ordinance.

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

Council adjourned at 8:12 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Ted A. Berry
Chair