

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

February 20 2018

Regular Meeting

The regular meeting of Council was called to order by President Robinette 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* *Steve Robinette* *Jeff Davis* *Ted Berry*

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

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

2. The Chair read the agenda items and they were approved by unanimous consent.
3. The Chair recognized Mayor Stage who administered the Oaths of Office to: Audit Committee – Paul Alexeeff; Civil Service – Robert Gardner; Historical Commission – Karen Lane, Ginger Thrush; Park Board – Brenda Hritz; Tree Commission – Jack Moore, Maureen Cahill; KGCB – Staci Patzer, Marc Flemming, Mary LeSturgeon, Michelle Fulks, Mike Lilly.

The Chair recognized Mr. Steve Jackson, Historical Commission Member, who presented Council with their 2017 Annual Report.

4. State Rep. Laura Lanese reported on Interstate road repairs. I-71 should have one solid, new strip of pavement by September. She said she knows how bad it is down in this area and they are working on it.
5. Mr. Robinette moved that Council retire into Executive Session as permitted by R.C. 121.22(G)(3) “Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action”; seconded by Mr. Davis.

At 7:51 Council came out of Executive Session and resumed the regular meeting.

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

1. Ordinance C-06-18 (Authorize the purchase of property located at 4037 Arbutus Ave. and Appropriate \$120,000.00 from the General Fund for said purchase and related expenses) was given its second reading and public hearing.

Mayor Stage explained that this property is very strategic to the Safety Complex and is in the best interest of the City to acquire. He said in all likelihood the home would come down, as it is in poor condition.

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

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

2. Ordinance C-07-18 (Authorize the purchase of property located at 4011 First Street and Appropriate \$75,000.00 from the General Fund for said purchase and related expenses) was given its second reading and public hearing.

Mayor Stage said this is another strategic piece of property. He said they are envisioning that this particular block will have some significant improvements, including the Fifth/Third site. He feels it is important to protect this real estate and have it as part of the City's inventory.

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

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

3. Ordinance C-10-18 (Repeal and Replace Chapter 194 of the Codified Ordinances titled Income Tax) was given its first reading. Second reading and public hearing will be held on March 5, 2018.
4. Resolution CR-05-18 (Waive the provisions of Section 139.05 of the Codified Ordinances titled Bidding Purchases and Procedures for the real and personal property damaged in the 1/6/18 Fire at the Service Department) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that we are currently in negotiations with the Insurance Company on the damaged property. Waiving this provision will give the Administration more flexibility in replacing some of the damaged vehicles and equipment with used items, if possible.

Mr. Robinette asked if this covered the Vehicles or the building. Mr. Smith said this will cover both real and personal property. Mr. Robinette asked if we had a total cost. Mr. Smith said not yet. They are still working with the insurance company.

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

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

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

1. Resolution CR-06-18 (Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Wine & Arts Festival on June 15 – 16, 2018 in the Town Center) was given its reading and Ms. Houk explained that Mr. Furr, Dir. of Town Center Inc., requested this be postponed to March 5.

Mr. Davis moved it be postponed to 3/5/18; seconded by Mr. Robinette.

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

2. Resolution CR-07-18 (Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Bourbon Festival on August 11, 2018 in the Town Center) was given its reading and Ms. Houk explained that Mr. Furr, Dir. of Town Center Inc., requested this be postponed to March 5.

Mr. Davis moved it be postponed to 3/5/18; seconded by Mr. Schottke.

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

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

1. Mr. Berry asked Ms. Fitzpatrick, Dir. of Service, to explain the sidewalk Repair Process. Ms. Fitzpatrick explained the steps taken concerning sidewalk repairs.

Mr. Berry asked Mr. Smith to explain what can be appealed. Mr. Smith explained that once a sidewalk is completed, the total costs are sent to the property owners and they have the right to appeal the cost of the work. Since the work was declared the sidewalk necessary to be repaired, there is no argument on if the work should have been done. The Ohio Law states that the home owner had the ability to object to the cost and Council shall review the written objection and consider it. Once those objections are considered, Council has the ability to amend the affected ordinance to address the cost for the property who appealed, if they so choose.

Mr. Schottke confirmed that the City Code states that sidewalks are the property owner's responsibility to manage and maintain. Any repairs would be 100% their responsibility. Mr. Smith said that was correct and cited the Sections of the Ohio Revised Code and City Code that references this.

Mayor Stage stated that in this case, the City has invoked the Assessment process on these sidewalks to allow homeowners to pay for the cost of the sidewalk repairs over time, interest free.

2. Mr. Berry recognized Mr. & Mrs. Wolf, 3168 Ranke Ct., to hear their appeal of the Sidewalk Assessment for their property.

Mr. Tom Wolf expressed their frustration over this issue. He said once they got a letter that said there would be a lien on their property for the cost, they took that as a threat and called the City. He said they never received a notice about this repair. Mr. Smith said the Ohio Revised Code requires notices to be sent to the Tax Mailing Address. For most of us, that is a mortgage company. The Clerk goes one step further and sends a letter to the street address. It is also placed in the newspaper for two consecutive weeks. Mr. Berry asked if Mr. Wolf had a complaint with the cost. Mr. Wolf said yes. He stated that there was nothing wrong with the sidewalk. They believe the price is excessive because it didn't need replaced. He said the misalignment was not enough to be a hazard. It could have been raised to fix the problem. Mr. Berry asked if the City repairs panels in any other way than full replacement. Ms. Fitzpatrick said the policy is to replace the panel. Other types of repair, such as raising, are not guaranteed. Mr. Berry asked if this was a complaint driven assessment. Ms. Fitzpatrick said it was done some time ago and believes it was. Mr. Berry asked who else on the street was issued a letter. Ms. Fitzpatrick said she would have to go back and look. Mr. Berry said he would like to postpone this issue to get more information. The panel that was repaired due to the street tree was discussed. Mr. Berry pointed out that the City has credited the assessment for one panel. Mr. Wolf argued that the tree would have caused more damage to more than one panel. Ms. Fitzpatrick stated that this is reviewed by our Urban Forester who has knowledge of tree root systems. It was determined that one panel was damaged by the street tree and the City has assumed 100% of the cost for that panel.

After further discussion, Mr. Berry moved to amend the cost to the Wolf property and reduce it by \$170.00 for one additional panel; no second. The motion died due to the lack of a second.

After a lengthy discussion over the discrepancies of the city's contribution to the sidewalk program versus a complaint driven sidewalk repair, Council thanked the Wolf's for reviewing their appeal and will take it under advisement.

2. Ordinance C-08-18 (Levying Special Assessments for the Construction of Various Sidewalks in the City of Grove City – Tamara Dr. et al.) was given its second reading and public hearing.

Mr. Berry asked if there were any problems with postponing this item. Mayor Stage asked what would be the reason to postpone this since the work has already been done. Mr. Robinette said it would give time to gather more information.

There being no additional questions or comments, Mr. Berry moved it be postponed to 3/5/18; seconded by Mr. Schottke.

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

3. Ordinance C-09-18 (Levying Special Assessments for the Construction of Various Sidewalks in the City of Grove City – 2017 Sidewalk Program) was given its second reading and public hearing.

Mr. Davis asked what we are binding the Property owner's to. Ms. Fitzpatrick said the property owners were notified that they would be required to pay 50% of the cost of the sidewalk repairs. Mr. Davis suggested looking at the Sidewalk Program along with the complaint driven sidewalk repairs to determine what contribution the City makes overall. He wants a discussion on the overall

sidewalk repairs. Mr. Schottke said the parameters were already set for this 2017 Sidewalk Program. Mr. Smith confirmed this and stated that properties were notified of that contribution earlier in the process.

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
Mr. Robinette	Yes

4. Ordinance C-11-18 (Vacate an Unused Waterline Easement located west of Edwards Road) was given its first reading. Second reading and public hearing will be held on March 5, 2018.
5. Ordinance C-12-18 (Vacate an Unused Waterline Easement located on the 7 Star Entertainment parcel) was given its first reading. Second reading and public hearing will be held on March 5, 2018.
6. Resolution CR-08-18 (Declaring the Necessity of Constructing Certain Sidewalks on Louise Avenue, Louise Place, Sheldon Place, Thomas Avenue, Homecomer Drive, Dennis Lane and requiring that abutting property owners construct same) was given its reading and public hearing.

Mr. Roger Burkett, Grassle Rd, said whoever wrote this estimate should not have a job. There are only four out of the fourteen panels that need repaired. He said he feels the estimate is bogus. He said the 50% contribution and assessment to pay over 20 years without interest is great, if you need a sidewalk. He asked this be delayed until the estimate can be reviewed by someone else.

Mr. Robinette said he believes this should be delayed before we lock in the contribution. Mayor Stage said he doesn't know what will change. If Council wants to pay for more sidewalks, they can appropriate more money to do so. Mr. Schottke said he feels they are starting to micromanage the procedure and process of the Administration. Mr. Berry said he agrees, but Mr. Davis & Mr. Robinette have a point with looking at the sidewalks as a whole, that includes complaint driven repairs. He said in this year, Council would need to do another appropriation anyway.

Mr. Davis asked if there was a process to deal with Mr. Burket's complaint. Ms. Fitzpatrick said yes. Once property owners are notified of the necessity to repair, the Service Department does go out and meet with individual homeowners if they call in and have questions. This has been done with Mr. Burket before and adjustments have and can be made before the work is bid.

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

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

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

1. Ordinance C-13-18 (Approve the Annexation of 0.501 acres located 4047 Casa Blvd. into the City of Grove City) was given its first reading. Second reading and public hearing will be held on March 5, 2018.

Mayor Stage said we have notified the Property Owner's Attorney that the Administration will not support the annexation until the property is brought into compliance with City standards.

2. Ordinance C-14-18 (Approve the Special Use Permit for a Drive Thru for The Shoppes at 665 located at 2811 London-Groveport Road) was given its first reading. Second reading and public hearing will be held on March 5, 2018.
3. Resolution CR-09-18 (Approve the Development Plan for The Shoppes at 665 located at 2811 London-Groveport Road) was given its reading and public hearing.

Mr. Schottke reviewed the stipulations & deviations with the applicant and the representative preventatives agreed to all of them.

Mr. Mike Boso, Chief Building & Zoning Official, stated that there is an issue with the floodplain. When Meijer was developed there was a conditional letter of map revision done to move a stream to a new location. After that is moved, there would be a letter of map revision that needs completed. That has never been done. He said there is floodplain on this parcel, however, their plan does not show it. He said they just want to make sure that is address in order to comply with Section 1329 of the City Code. Mr. Schottke asked who would address it. Mr. Boso said whoever owns it, is responsible. He said this could delay their occupancy permit until it is completed.

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

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

4. Resolution CR-10-18 (Approve the Development Plan for Concord Fabricators Addition located at 6511 Seeds Road) was given its reading and public hearing.

Ms. Rebecca Mott, attorney for petitioner, was present to answer any questions. Mr. Schottke reviewed the deviations set by Planning Commission and Ms. Mott said they do agree to all of them.

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

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

5. Resolution CR-11-18 (Approve the Preliminary Development Plan for The Ashford of Grove City located South of Southwest Blvd. and West of Broadway) was given its reading and public hearing.

Ms. Nicole Boyer, applicant, was present to answer any questions. Mr. Schottke reviewed the

stipulations set by Planning Commission. Ms. Boyer agreed to these and said they are already working with the Development Dept. on them.

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

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

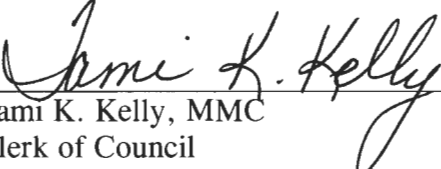
The Chair asked that any new business to be brought before the attention of Council be done so at this time.

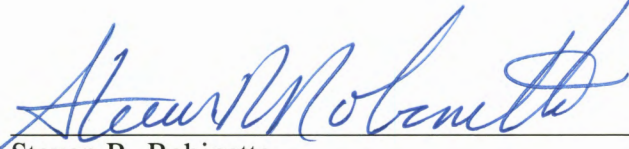
1. Ms. Kacie Waugh stated that her client took advantage of the nice weather today and cleaned up the property on Casa Blvd. She asked that the City Staff check it and let her know of anything else needs addressed.
2. Ms. Kelly submitted a Liquor Permit for Board & Brush Creative Studio located at 3306 Columbus Street. This is a new D1 permit. Council had no objections to this permit.

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

1. Mayor Stage commented on the incident in Westerville. He said they sent two officers to assist over the week; he announced a new company going into the old Gap building called CTDI.
3. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:40 p.m.


Tami K. Kelly, MMC
Clerk of Council


Steven R. Robinette
President

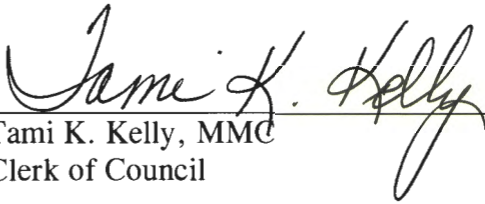
CITY OF GROVE CITY, OHIO
COUNCIL CAUCUS NOTES

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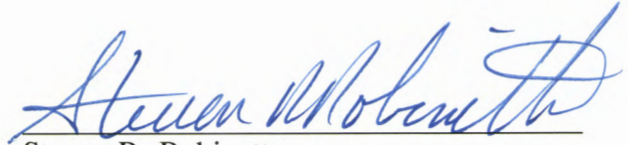
Council met at 6:30 p.m. in the Council Caucus Room, City Hall, 4035 Broadway.

Council Members reviewed the Agenda items.

Council retired to the Chambers to begin the Regular meeting.



Tami K. Kelly, MMC
Clerk of Council



Steven R. Robinette
Chair