GROVE CITY, OHIO - CITY COUNCIL
Agenda

November 20, 2023	7:00 PM	City Hall

Call to Order | Roll Call | Approval of Minutes | Welcome & Reading of Agenda

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LANDS:

Resolution CR-42-23	Approve the Development Plan for Bluegrass Park Medical Office Building located west of Hoover Road and South of Bluegrass Lane.
Resolution CR-43-23	Approve the Development Plan for Keenland Place located west of Hoover Road and north of Kroger Shopping Center.
Resolution CR-44-23	Approve the Preliminary Development Plan for 4371 Broadway.

FINANCE:

Ordinance C-44-23	Authorizing the City Administrator to reimburse the Developer for Sewer Improvements, specifically materials only cost for upsizing the sewer line, under Section 1101.11 of the Codified Ordinances, and Appropriate $91,743.93 from the Sewer Fund for said improvements. Second reading and public hearing.
Ordinance C-45-23	Authorize the City Administrator to enter into an Agreement with Flock Safety and Appropriate $150,429.00 from the Drug Law Enforcement Fund for the Current Expense of said agreement. Second reading and public hearing.
Ordinance C-46-23	Amend various Sections of Chapter 194 of the Codified Ordinances of the City of Grove City titled Income Tax. Second reading and public hearing.
Resolution CR-45-23	Appoint Members to the Board of Tax Review.
Resolution CR-46-23	Waive the Bidding provisions of Section 139.05 of the Codified Ordinances for various Water Facility Rehabilitation projects.

Call for New Business | Call for Dept. Reports & Closing Comments | Adjourn

Presentation and Overview of 2024 Annual Appropriations ordinance by Mayor Stage & Mr. Boso

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Adjourn

ON FILE	Minutes of: 11-06-23 Council; 11-07-23 Planning Commission

Date: 11/13/23	No.: CR-42-23
Introduced By: Mr. Schottke	1st Reading: 11/20/23
Committee: Lands	Public Notice:
Originated By: Plan. Comm.	2nd Reading:
Sponsor:	Passed: Rejected:
Emergency: 30 Days:	Codified: Code No:
Current Expense:	Passage Publication:

RESOLUTION NO. CR-42-23

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR BLUEGRASS PARK MEDICAL OFFICE BUILDING LOCATED WEST OF HOOVER ROAD AND SOUTH OF BLUEGRASS LANE

WHEREAS, on November 07, 2023, the Planning Commission recommended approval of the Development Plan for Bluegrass Park Medical Office Building, as submitted.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Bluegrass Park Medical Office Buildings located West of Hoover Road and South of Bluegrass Lane, as submitted.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

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Ted A. Berry, President of Council

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Richard L. Stage, Mayor

Passed:
Effective:

Attest: ______________________________
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution is correct as to form.

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Stephen J. Smith, Director of Law

Date: 11/13/23	No.: CR-43-23
Introduced By: Mr. Schottke	1st Reading: 11/20/23
Committee: Lands	Public Notice: ____
Originated By: Plan. Comm.	2nd Reading: ____
Sponsor: ____	Passed: ____ Rejected: ____
Emergency: ___ 30 Days: ___	Codified: ___ Code No: ___
Current Expense: ____	Passage Publication: ____

RESOLUTION NO. CR-43-23

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR KEENLAND PLACE LOCATED WEST OF HOOVER ROAD AND NORTH OF KROGER SHOPPING CENTER

WHEREAS, on November 07, 2023, the Planning Commission recommended approval of the Development Plan for Keenland Place, with the following stipulations:

1. A deviation shall be granted to allow the screening fence along the north property line to exceed the maximum permitted height of five feet (5) by one (1) foot for a maximum of six (6) feet in height.

2. The proposed screening fence shall be painted black to match the medical office building screening and the 4-rail fence along Hoover Road.

3. All shrubs shall be a minimum of 24 inches in height at the time of installation.

4. One lighting fixture shall be installed south of Building 5 to increase lighting levels within the parking lot to be above zero foot candles.

5. The developer shall provide 30 EV chargers in non-garage areas of the parking lot.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Keenland Place located West of Hoover Road and North of Kroger Shopping Center, contingent upon the stipulations set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

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Ted A. Berry, President of Council

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Richard L. Stage, Mayor

Passed:
Effective:

Attest: ______________________________
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

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Stephen J. Smith, Director of Law

Date: 11/13/23	No.: CR-44-23
Introduced By: Mr. Schottke	1st Reading: 11/20/23
Committee: Lands	Public Notice:
Originated By: Plan. Comm.	2nd Reading:
Sponsor:	Passed: Rejected:
Emergency: 30 Days:	Codified: Code No:
Current Expense:	Passage Publication:

RESOLUTION NO. CR-44-23

A RESOLUTION TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR4371 BROADWAY

WHEREAS, on November 07, 2023, the Planning Commission recommended approval of the preliminary development plan for 4371 Broadway, with the following stipulations:

1. Fencing to screen the storage area from Broadway shall be an opaque stained wood fence.

2. The row of six-foot arborvitae shrubs shall extend the entire length of the fence separating the storage area from the parking lot.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby accepts the Preliminary Development Plan for 4371 Broadway, contingent upon the stipulations set by Planning Commission.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

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Ted A. Berry, President of Council

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Richard L. Stage, Mayor

Passed:
Effective:

Attest: ________________________________
Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

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Stephen J. Smith, Director of Law

Date: 10-06-23	No.: C-42-23
Introduced By: Mr. Holt	1st Reading: 10/16/23
Committee: Finance	Public Notice: 10/17/23
Originated By: Mr. Boso	2nd Reading: 11/06/23
Approved:	Passed: Rejected:
Emergency: 30 Days:	Codified: Code No:
Current Expense: XX	Passage Publication:

ORDINANCE C-42-23

AN ORDINANCE TO APPROPRIATE $25,000.00 FROM THE SENIOR NUTRITION FUND FOR CURRENT EXPENSES

WHEREAS, the Senior Nutrition Fund is used to account for the receipts and expenditures of the annual Mayor's Cup Golf Outing as well as the 1st annual Mayor's Pickleball Open; and

WHEREAS, funds raised from the golf outing and pickleball tournament are donated to the LifeCare Alliance Meals-on-Wheels Program; and

WHEREAS, the annual two events raised approximately $20,586 beyond program expenses; and

WHEREAS, this appropriation will allow for a donation of $25,000 to LifeCare Alliance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby appropriated $25,000.00 from the unappropriated monies of the Senior Nutrition Fund to account number 108000.559000 for current expenses.

SECTION 2. This ordinance appropriates for current expenses and shall therefore go into immediate effect.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection, to pay the within ordinance.

Michael A. Turner, Director of Finance

Date: 10-30-23	No.: C-45-23
Introduced By: Mr. Holt	1st Reading: 11/06/23
Committee: Finance	Public Notice: 11/07/23
Originated By: Mr. Boso	2nd Reading: 11/20/23
Approved:	Passed: Rejected:
Emergency: 30 Days: x	Codified: Code No:
Current Expense:	Passage Publication:

ORDINANCE C-45-23

AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH FLOCK SAFETY AND APPROPRIATE $150,429.00 FROM THE DRUG LAW ENFORCEMENT FUND FOR THE CURRENT EXPENSE OF SAID AGREEMENT

WHEREAS, license plate reader technology enables neighborhoods, schools, businesses, and law enforcement to work together to collect visual, audio, and situational evidence across an entire city to solve and prevent crime; and

WHEREAS, the City has been awarded a grant in the amount of $246,429.00 from the Ohio Office of Criminal Justice Services (OCJS) to purchase license plate reader services; and

WHEREAS, the City desires to enter into a multi-year agreement with Flock Safety to provide a connected platform of license plate readers with live video and audio detection, integrated with our computer aided dispatch (CAD) system; and

WHEREAS, the City will receive $246,429.00 from OCJS in this calendar year and $150,429 must be appropriated to execute the agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Administrator is hereby authorized to enter into the attached agreement with Flock Safety.

SECTION 2. There is hereby appropriated $150,429 from the unappropriated monies of the Drug Law Enforcement Fund to account number 109000.576000 for the current expense of entering into a multi-year agreement with Flock Safety.

SECTION 3. This Ordinance appropriates for Current Expenses and shall therefore go into immediate effect.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

Stephen J. Smith, Director of Law

I certify that there is money in the treasury, or is in the process of collection to pay the within ordinance.

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Michael A. Turner, Director of Finance

Flock Safety + OH - Grove City Division of PD

Flock Group Inc.
1170 Howell Mill Rd, Suite 210
Atlanta, GA 30318

MAIN CONTACT:
Justin Wittenmyer
justin.wittenmyer@flocksafety.com
4193085046

flock safety

Company Overview

At Flock Safety, technology unites law enforcement and the communities they serve to eliminate crime and shape a safer future, together. We created the first public safety operating system to enable neighborhoods, schools, businesses, and law enforcement to work together to collect visual, audio, and situational evidence across an entire city to solve and prevent crime.

Our connected platform, comprised of License Plate Recognition (LPR), live video, audio detection, and a suite of integrations (AVL, CAD & more), alerts law enforcement when an incident occurs and turns unbiased data into objective answers that increase case clearance, maximize resources, and reduce crime -- all without compromising transparency or human privacy.

Join thousands of agencies reducing crime with Flock Safety's public safety operating system

2000+	120	1B+	<60%*
communities with private-public partnerships	incident alerts / minute	1B+ vehicles detected / month	<60% local crime reduction in Flock cities

*According to a 2019 study conducted by Cobb County Police Department

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Introduction

Layer Intelligence to Solve More Crime

The pathway to a safer future looks different for every community. As such, this proposal presents a combination of products that specifically addresses your public safety needs, geographical layout, sworn officer count, and budget. These components make up your custom public safety operating system, a connected device network and software platform designed to transform real-time data into a panoramic view of your jurisdiction and help you zero in on the leads that solve more cases, prevent future crimes, and foster trust in the communities you serve.

Software Platform

Flock Safety's out-of-box software platform collects and makes sense of visual, audio, and situational evidence across your entire network of devices.

Out-of-Box Software Features	

Simplified Search	Get a complete view of all activity tied to one vehicle in your network of privately and publicly owned cameras.
	The user-friendly search experience allows officers to filter hours of footage in seconds based on time, location, and detailed vehicle criteria using patented Vehicle Fingerprint ™ technology. Search filters include:
	
	• Vehicle make
	• Body type
	• Color
	• License plates
	    ○ Partial tags
	    ○ Missing tags
	    ○ Temporary tags
	    ○ State recognition
	• Decals
	• Bumper stickers
	• Back racks
	• Top racks

National and Local Sharing	Access 1B+ additional plate reads each month without purchasing more cameras. Solve cross-jurisdiction crimes by opting into Flock Safety's sharing networks, including one-to-one, national, and statewide search networks. Users can also receive alerts from several external LPR databases: *California SVS* *FDLE* *FL Expired Licenses* *FL Expired Tags* *FL Sanctioned Drivers* *FL Sex Offenders* *Georgia DOR* *IL SOS* *Illinois Leads* *NCIC* *NCMEC Amber Alert* *REJIS* *CCIC* *FBI*
Real-time Alerts	Receive SMS, email, and in-app notifications for custom Hot Lists, NCIC wanted lists, AMBER alerts, Silver alerts, Vehicle Fingerprint matches, and more.
Interactive ESRI Map	View your AVL, CAD, traffic, and LPR alerts alongside live on-scene video from a single interactive map for a birdseye view of activity in your jurisdiction.
Vehicle Location Analysis	Visualize sequential Hot List alerts and the direction of travel to guide officers to find suspect vehicles faster.

Out-of-Box Software Features (Continued)	
Transparency Portal	Establish community trust with a public-facing dashboard that shares policies, usage, and public safety outcomes related to your policing technology.
Insights Dashboard	Access at-a-glance reporting to easily prove ROI, discover crime and traffic patterns and prioritize changes to your public safety strategy by using data to determine the most significant impact.
Native MDT Application	Download FlockOS to your MDTs to ensure officers never miss a Hot List alert while out on patrol.
Hot List Attachments	Attach relevant information to Custom Hot List alerts. Give simple, digestible context to Dispatchers and Patrol Officers responding to Hot List alerts so they can act confidently and drive better outcomes. When you create a custom Hot List Alert, add case notes, photos, reports, and other relevant case information.
Single Sign On (SSO)	Increase your login speed and information security with Okta or Azure Single Sign On (SSO). Quickly access critical information you need to do your job by eliminating the need for password resets and steps in the log-in process.

License Plate Recognition

The Flock Safety Falcon® LPR camera uses Vehicle Fingerprint™ technology to transform hours of footage into actionable evidence, even when a license plate isn't visible, and sends Hot List alerts to law enforcement users when a suspect vehicle is detected. The Falcon has fixed and location-flexible deployment options with 30% more accurate reads than leading LPR.*

*Results from the 2019 side-by-side comparison test conducted by LA County Sheriff's Department

Flock Safety Falcon®LPR Camera	Flock Safety Falcon® Flex	Flock Safety Falcon® LR
Fixed, infrastructure-free LPR camera designed for permanent placement. √ 1 Standard LPR Camera √ Unlimited LTE data service + Flock OS platform licenses √ 1 DOT breakaway pole √ Dual solar panels √ Permitting, installation, and ongoing maintenance	Location-flexible LPR camera designed for fast, easy self-installation, which is ideal for your ever-changing investigative needs. √ 1 LPR Camera √ Unlimited LTE data service + software licenses √ 1 portable mount with varying-sized band clamps √ 1 Charger for internal battery √ 1 hardshell carrying case	Long-range, high-speed LPR camera that captures license plates and Vehicle Fingerprint data for increasing investigative leads on high-volume roadways like highways and interstates. √ 1 Long-Rage LPR Camera √ Computing device in protective poly case √ AC Power √ Permitting, installation, and ongoing maintenance

Your Flock Safety Team	
Flock Safety is more than a technology vendor; we are a partner in your mission to build a safer future. We work with thousands of law enforcement agencies across the US to build stronger, safer communities that celebrate the hard work of those who serve and protect. We don't disappear after contracts are signed; we pride ourselves on becoming an extension of your hard-working team as part of our subscription service.	
Implementation	Meet with a Solutions Consultant (former LEO) to build a deployment plan based on your needs. Our Permitting Team and Installation Technicians will work to get your device network approved, installed, and activated.
User Training + Support	Your designated Customer Success Manager will help train your power users and ensure you maximize the platform, while our customer support team will assist with needs as they arise.
Maintenance	We proactively monitor the health of your device network. If we detect that a device is offline, a full-time technician will service your device for no extra charge. *Note: Ongoing maintenance does not apply to Falcon Flex devices.*
Public Relations	Government Affairs Get support educating your stakeholders, including city councils and other governing bodies. Media Relations Share crimes solved in the local media with the help of our Public Relations team.

flock safety

EXHIBIT A

ORDER FORM

Customer:	OH - Grove City Division of PD	Initial Term:	24 Months
Legal Entity Name:	OH - Grove City Division of PD	Renewal Term:	24 Months
Accounts Payable Email:	jgallo@grovecityohio.gov	Payment Terms:	Net 30
Address:	3360 Park Street Grove City, Ohio 43123	Billing Frequency:	Annual Plan - First Year Invoiced at Signing.
		Retention Period:	30 Days

Hardware and Software Products

Annual recurring amounts over subscription term

Item	Cost	Quantity	Total
Flock Safety Platform			**$96,000.00**
Flock Safety Flock OS			
FlockOS ™	Included	1	Included
Flock Safety LPR Products			
Flock Safety Falcon ®	Included	32	Included

Professional Services and One Time Purchases

Item	Cost	Quantity	Total
One Time Fees			
Flock Safety Professional Services			
Professional Services - Standard Implementation Fee	$650.00	6	$3,900.00
Professional Services - Existing Infrastructure Implementation Fee	$150.00	26	$3,900.00

Subtotal Year 1:	$103,800.00
Annual Recurring Subtotal:	$96,000.00
Estimated Tax:	$0.00
Contract Total:	$199,800.00

*Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "**Renewal Term**") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.*

Billing Schedule

Billing Schedule	Amount (USD)
Year 1	
At Contract Signing	$103,800.00
Annual Recurring after Year 1	$96,000.00
Contract Total	$199,800.00

*Tax not included

Product and Services Description

Flock Safety Platform Items	Product Description	Terms
Flock Safety Falcon ®	An infrastructure-free license plate reader camera that utilizes Vehicle Fingerprint® technology to capture vehicular attributes.	The Term shall commence upon first installation and validation of Flock Hardware.

One-Time Fees	Service Description
Installation on existing infrastructure	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.
Professional Services - Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.
Professional Services - Advanced Implementation Fee	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.

FlockOS Features & Description

Package: Essentials

FlockOS Features	Description
Community Cameras (Full Access)	Access to all privately owned Flock devices within your jurisdiction that have been shared with you.
Unlimited Users	Unlimited users for FlockOS
State Network (LP Lookup Only)	Allows agencies to look up license plates on all cameras opted in to the statewide Flock network.
Nationwide Network (LP Lookup Only)	Allows agencies to look up license plates on all cameras opted in to the nationwide Flock network.
Direct Share - Surrounding Jurisdiction (Full Access)	Access to all Flock devices owned by law enforcement that have been directly shared with you. Have ability to search by vehicle fingerprint, receive hot list alerts, and view devices on the map.
Time & Location Based Search	Search full, partial, and temporary plates by time at particular device locations
License Plate Lookup	Look up specific license plate location history captured on Flock devices
Vehicle Fingerprint Search	Search footage using Vehicle Fingerprint™ technology. Access vehicle type, make, color, license plate state, missing / covered plates, and other unique features like bumper stickers, decals, and roof racks.
Flock Insights/Analytics page	Reporting tool to help administrators manage their LPR program with device performance data, user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports.
ESRI Based Map Interface	Flock Safety's maps are powered by ESRI, which offers the ability for 3D visualization, viewing of floor plans, and layering of external GIS data, such as City infrastructure (i.e., public facilities, transit systems, utilities), Boundary mapping (i.e., precincts, county lines, beat maps), and Interior floor plans (i.e., hospitals, corporate campuses, universities)
Real-Time NCIC Alerts on Flock ALPR Cameras	Alert sent when a vehicle entered into the NCIC crime database passes by a Flock camera
Unlimited Custom Hot Lists	Ability to add a suspect's license plate to a custom list and get alerted when it passes by a Flock camera

By executing this Order Form, Customer represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms of Service located at https://www.flocksafety.com/terms-and-conditions

The Parties have executed this Agreement as of the dates set forth below.

FLOCK GROUP, INC.		**Customer: OH - Grove City Division of PD**	
By:	____________	By:	____________
Name:	____________	Name:	____________
Title:	____________	Title:	____________
Date:	____________	Date:	____________
		PO Number:	____________

Date: 10-06-23	No.: C-46-23
Introduced By: Mr. Holt	1st Reading: 11/06/23
Committee: Finance	Public Notice: 11/07/23
Originated By: Mr. Turner	2nd Reading: 11/20/23
Approved: Mr. Boso	Passed:____ Rejected:
Emergency:___ 30 Days: X	Codified:___ Code No:
Current Expense:__________	Passage Publication:

ORDINANCE C-46-23

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF GROVE CITY TITLED INCOME TAX

WHEREAS, House Bill 33 of the 135th General Assembly, the State's general appropriations bill for the biennium, includes Section 803.10, which requires municipalities to adopt certain municipal income tax provisions (that are also adopted within H.B. 33) to authorize State officials to collect and administer municipal income taxes on or before January 1, 2024; and

WHEREAS, it is necessary to amend Chapter 194 of the Codified Ordinances to incorporate these required provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Effective for tax years beginning on or after January 1, 2024, Chapter 194 is hereby amended by Exhibit "A", attached hereto and made a part hereof.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

____
Ted A. Berry, President of Council

Passed:
Effective:

____
Richard L. Stage, Mayor

Attest: ________________________________
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form. ________________________________
Stephen J. Smith, Director of Law

194.02 DEFINITIONS.

J. Add any loss incurred by a pass-through entity owned directly or indirectly by the taxpayer and included in the taxpayer's federal taxable income unless an affiliated group of corporations includes that loss in the group's federal taxable income in accordance with Section 194.05(v)(3)B.

If the taxpayer is not a C corporation, is not a disregarded entity that has made an election described in subsection (c)(48)B., is not a publicly traded partnership that has made the election described in subsection (c)(24)E., and is not an individual, the taxpayer shall compute adjusted federal taxable income under this section as if the taxpayer were a C corporation, except guaranteed payments and other similar amounts paid or accrued to a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deductible expense unless such payments are a pension or retirement benefit payment paid to a retired partner, retired shareholder, or retired member or are in consideration for the use of capital and treated as payment of interest under Section 469 of the Internal Revenue Code or United States treasury regulations. Amounts paid or accrued to a qualified self-employed retirement plan with respect to a partner, former partner, shareholder, former shareholder, member, or former member of the taxpayer, amounts paid or accrued to or for health insurance for a partner, former partner, shareholder, former shareholder, member, or former member, and amounts paid or accrued to or for life insurance for a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deduction.

Nothing in subsection (c)(1) shall be construed as allowing the taxpayer to add or deduct any amount more than once or shall be construed as allowing any taxpayer to deduct any amount paid to or accrued for purposes of federal self-employment tax. (Ord. C10-18. Passed 2-23-18.)

194.03 IMPOSITION OF TAX.

(f) Businesses. This subsection applies to any taxpayer engaged in a business or profession in Grove City, unless the taxpayer is an individual who resides in Grove City or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745 of the ORC.

(1) Except as otherwise provided in subsections (f)(2) and (g), net profit from a business or profession conducted both within and without the boundaries of Grove City shall be considered as having a taxable situs in Grove City for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(4) For the purposes of subsection (f)(1)C. and except as provided in subsection (g), receipts from sales and rentals made and services performed shall be sitused to a municipal corporation as follows:

(g) Net Profit Allocation.

(1) As used in this subsection:

A. "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

1. The taxpayer has assigned the individual to a qualifying reporting location.

2. The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

B. "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

C "Reporting location" means either of the following:

1. A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

2. Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 194.04 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

D. "Qualifying reporting location" means one of the following:

1. The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

2. If no reporting location exists in this state for an employee or owner under subsection (g)(1)D.1., the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

3. If no reporting location exists in this state for an employee or owner under subsection (g)(1)D.1. or 2., the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this section at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this section to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of subsection (f) apply to such apportionment except as otherwise provided in this section.

A taxpayer shall make the election allowed under this section in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this section, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this section prohibits a taxpayer from making a new election under this section after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in subsection (f)(1), all of the following apply to a taxpayer that has made the election described in subsection (g)(2):

A. For the purpose of subsection (f)(1)A., the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

B. For the purpose of subsection (f)(1)B., any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

C For the purpose of subsection (f)(1)C., and notwithstanding subsection (f)(4), any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

(4) Nothing in this section prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in subsection (f)(2). However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a

qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this section, nothing in this section is intended to affect the withholding of taxes on qualifying wages pursuant to Section 194.04 of this Chapter.

194.05 ANNUAL RETURN; FILING.

(g) (2) Any taxpayer that has duly requested an automatic Six (6) month extension for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of Grove City's income tax return. The extended due date of Grove City's income tax return shall be the Fifteenth (15^{th}) day of the Tenth (10^{th}) month after the last day of the taxable year to which the return relates. return shall be the 15th day of the tenth month after the last day of the taxable year to which the return relates. For tax years ending on or after January 1, 2023, the extended due date of Grove City's income tax return for a taxpayer that is not an individual shall be the 15^{th} day of the eleventh month after the last day of the taxable year to which the return relates. An extension of time to file under this subsection is not an extension of the time to pay any tax due unless the Tax Administrator grants an extension of that date.

(5) If a taxpayer receives an extension for the filing of a municipal income tax return under subsection (g)(2), (3), or (4), the tax administrator shall not make any inquiry or send any notice to the taxpayer with regard to the return on or before the date the taxpayer files the return or on or before the extended due date to file the return, whichever occurs first.

If a tax administrator violates subsection (g)(5), the municipal corporation shall reimburse the taxpayer for any reasonable costs incurred to respond to such inquiry or notice, up to $150.

Subsection (g)(5) does not apply to an extension received under subsection (g)(2) if the tax administrator has actual knowledge that the taxpayer failed to file for a federal extension as required to receive the extension under subsection (g)(2) or failed to file for an extension under subsection (g)(2)B.

(6) To the extent that any provision in subsection (G) conflicts with any provision in subsections (N), (O), (P) or (Q), the provisions in subsections (N), (O), (P) or (Q) prevail.

194.07 ESTIMATED TAXES.

(b) (1) A. Taxes withheld ~~for Grove City~~ from qualifying wages shall be considered as paid to the ~~Grove City~~ municipal corporation for which the taxes were withheld in equal amounts on each payment date unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case they shall be considered as paid on the dates on which the amounts were actually withheld.

194.18 INTEREST AND PENALTIES.

(c) (3) A. For tax years ending on or before December 31, 2020, w~~W~~ith respect to returns other than estimated income tax returns, Grove City may impose a penalty of twenty five dollars ($25.00) for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed One Hundred and Fifty Dollars ($150) for each failure.

~~A. No penalty for the failure to file a timely income tax return shall be imposed for the first return not filed timely with the tax administrator, when the first failure to timely file an income tax return occurs after the effective date of this provision.~~

B. ~~The penalty for each failure to file a timely income tax return with a tax administrator after the first return not timely filed shall not exceed twenty five dollars ($25.00).~~ For tax years ending on or after January 1, 2021, with respect to returns other than estimated income tax returns, Grove City may impose a penalty not exceeding $25 for each failure to timely file each return, regardless of the liability shown thereon, except that Grove City shall abate or refund the penalty assessed on a taxpayer's first failure to timely file a return after the taxpayer files that return.

194.27 CORRESPONDENCE FROM THE TAX ADMINISTRATOR.

All of the tax administrator's written correspondence to a taxpayer or other person shall include the name and contact information of an individual designated to receive inquiries regarding the correspondence. The individual may be the tax administrator or an employee of the tax administrator.

194.80 FILING NET PROFIT TAXES; ELECTION TO BE SUBJECT TO SECTIONS 194.80 TO 194.95.

(b)

(1) A taxpayer shall make the initial election on or before the ~~first~~ fifteenth day of the ~~third~~ fourth month after the beginning of the taxpayer's taxable year by ~~notifying~~ providing to the tax commissioner ~~and each~~ a list of all municipal ~~corporation~~ corporations in which the taxpayer conducted business during the previous taxable year, on a form prescribed by the tax commissioner.

~~(2)A.~~ (2) At least quarterly, the tax commissioner shall notify each municipal corporation that a taxpayer lists in its election under division (b)(1) of this section that the taxpayer has made the election.

(3) A. The election, once made by the taxpayer, applies to the taxable year in which the election is made and to each subsequent taxable year until the taxpayer notifies the tax commissioner of its termination of the election.

B. A notification of termination shall be made, on a form prescribed by the tax commissioner, on or before the ~~first~~ fifteenth day of the ~~third~~ fourth month of any taxable year.

D. At least quarterly, the tax commissioner shall notify each municipal corporation reported on a taxpayer's most recent return or declaration filed with the commissioner of the taxpayer's termination of its election.

(4) The tax commissioner shall provide to all municipal corporations imposing a tax on income on or after January 1, 2018, a list of taxpayers that are subject to sections 718.80 to 718.95 of the Revised Code, including the taxpayers' names, addresses, and federal employee identification numbers. The list shall be made available via the portal created under section 718.841 of the Revised Code.

(c)

(2) The Tax Administrator, ~~within ninety days of receiving~~ that receives a ~~taxpayer's~~ notification ~~of election~~ under subsection (b)(2) of this section, shall submit to the tax commissioner and within the time prescribed by division (c)(3) of this section, on a form prescribed by the ~~tax~~ commissioner, the following information regarding the taxpayer and any member of an affiliated group of corporations included on the taxpayer's consolidated tax return, when applicable:

E. Any other information Grove City deems relevant in order to effectuate the tax commissioner's efficient administration of the tax on Grove City's behalf.

(3) A municipal corporation shall submit the information required under division (c)(2) of this section to the tax commissioner within ninety days after the taxpayer files its final return or within fifteen days after the end of the taxable year for which the taxpayer made the initial election under division (b)(1) of this section, whichever occurs first. For the purposes of this section, "final return" means the return filed with the municipal corporation for the taxable year immediately preceding the taxable year for which the taxpayer made the election under division (b)(1) of this section.

(4) If the Tax Administrator fails to timely comply with subsections (c)(1) ~~and~~ ,(2), or (3) of this section, the tax commissioner ~~shall~~ may notify the director of budget and management, who, upon receiving such notification, shall withhold ~~from~~ a portion of each payment made to the municipal corporation under section 718.83 of the Revised Code. The commissioner shall specify the percentage of the payment to be withheld, not to exceed fifty per cent of the amount of the payment otherwise due to the municipal corporation under that section. The director shall compute the withholding on the basis of the tax rate most recently certified to the tax commissioner until the municipal corporation complies with divisions (c)(1) and, (2), and (3) of this section.

If, after any such withholding, the municipal corporation complies with divisions (C)(1), (2), and (3) of this section, the tax commissioner shall notify the director of budget and management, who shall provide payment to the municipal corporation under section 718.83 of the Revised Code of such amounts withheld under this division

194.81 DEFINITIONS.

(10) Add any loss incurred by a pass-through entity owned directly or indirectly by the taxpayer and included in the taxpayer's federal taxable income unless an affiliated group of corporations includes that loss in the group's federal taxable income in accordance with subsection (e)(3)B. of Section 194.86 of this chapter.

If the taxpayer is not a C corporation, is not a disregarded entity that has made the election described in subsection (c)(48)B. of Section 194.02 of this chapter, and is not a publicly traded partnership that has made the election described in subsection (c)(24)E. of Section 194.02 of this chapter, the taxpayer shall compute adjusted federal taxable income under this section as if the taxpayer were a C corporation, except guaranteed payments and other similar amounts paid or accrued to a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deductible expense unless such payments are a pension or retirement benefit payment paid to a retired partner, retired shareholder, or retired member or are in consideration for the use of capital and treated as payment of interest under Section 469 of the Internal Revenue Code or United States treasury regulations. Amounts paid or accrued to a qualified self-employed retirement plan with respect to a partner, former partner, shareholder, former shareholder, member, or former member of the taxpayer, amounts paid or accrued to or for health insurance for a partner, former partner, shareholder, former shareholder, member, or former member, and amounts paid or accrued to or for life insurance for a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deduction.

Nothing in subsection (b) of this section shall be construed as allowing the taxpayer to add or deduct any amount more than once or shall be construed as allowing any taxpayer to deduct any amount paid to or accrued for purposes of federal self-employment tax.

(e) ~~"Taxable year" means the calendar year or the taxpayer's fiscal year ending during the calendar year, or fractional part thereof, upon which the calculation of the taxpayer's adjusted federal taxable income is based pursuant to this chapter. If a taxpayer's taxable year is changed for federal income tax purposes, the taxable year for purposes of Sections 194.80 to 194.95 of this chapter is changed accordingly but may consist of an aggregation of more than one taxable year for federal income tax purposes. The tax commissioner may prescribe by rule an appropriate period as the taxable year for a taxpayer that has had a change of its taxable year for federal income tax purposes, for a taxpayer that has two or more short taxable years for federal income tax purposes as the result of a change of ownership, or for a new taxpayer that would otherwise have no taxable year.~~

~~(f)~~ "Assessment" means a notice of underpayment or nonpayment of a tax issued pursuant to Section 194.90 of this chapter.

194.83 CERTIFICATION OF AMOUNTS TO BE PAID TO MUNICIPALITIES.

(b) If the tax commissioner determines that the amount of tax paid by a taxpayer and distributed to Grove City under this section for a taxable year exceeds the amount payable to Grove City under Sections 194.80 to 194.95 of this chapter after accounting for amounts remitted with the annual return and as estimated taxes, the commissioner shall proceed according ~~to subsections (a) and (b) of~~ Section 5703.77 of the ORC.

718.841. WEB PORTAL INFORMATION SHARING.

(a) The department of taxation shall create and maintain a world wide web portal capable of securely exchanging information between the department and municipal corporations.

(b) The web portal created pursuant to division (a) of this section shall be used by both the department and municipal corporations to securely exchange information as required under sections 718.80 to 718.95 of the Revised Code. The tax commissioner shall establish the procedures by which municipal corporations may access the web portal and the format in which information must be submitted.

(c) If the web portal is unavailable for any reason, the tax commissioner and municipal corporations shall provide the information as required under sections 718.80 to 718.95 of the Revised Code through another secure format. If the commissioner determines it reasonably necessary, the commissioner may extend the time within which information must be provided by not more than forty-five days. If the commissioner extends the time within which information must be provided, any event attaching a penalty for failure to provide such information shall be extended accordingly.

(d) The tax commissioner may modify the web portal created pursuant to division (a) of this section to enable the exchange of information between the commissioner and municipal corporations under Chapter 5745. and division (D) of section 5747.50 of the Revised Code and as otherwise required or permitted by law.

(e) The tax commissioner may adopt rules governing the use of the web portal created pursuant to division (a) of this section.

194.85 FILING OF ANNUAL RETURN; REMITTANCE: DISPOSITION OF FUNDS.

(a)

(2) ~~If a taxpayer has multiple taxable years ending within one calendar year, the taxpayer shall aggregate the facts and figures necessary to compute the tax due under this chapter, in accordance with Sections 194.81, 194.82, and, if applicable, 194.86 of this chapter onto its annual return.~~

~~(3)~~ The remittance shall be made payable to the treasurer of state and in the form prescribed by the tax commissioner. If the amount payable with the tax return is ten dollars or less, no remittance is required.

(b) The tax commissioner shall immediately forward to the treasurer of state all amounts the commissioner receives pursuant to Sections 194.80 to 194.95 of this chapter. The treasurer shall credit ~~ninety-nine and one-half per cent (99.5%) of~~ such amounts to the municipal income tax fund ~~and the remainder to the municipal income tax administrative fund established under Section 5745.03 of the ORC~~.

194.90 ASSESSMENTS AGAINST TAXPAYER.

(d)

(1) Except as provided in division (d)(2) of this section, all ~~All~~ money collected under this section shall be credited to the municipal income tax fund and distributed to Grove City based on the assessment issued under this section.

(2) The attorney general may assess collection costs as authorized under section 109.08, 109.081, or 131.02 of the Revised Code on amounts collected under this section, which shall be credited to the attorney general claims fund created under section 109.081 of the Revised Code.

Date: 11-13-23	No.: CR-45-23
Introduced By: Mr. Holt	1st Reading: 11-20-23
Committee: Finance	Public Notice:
Originated By:	2nd Reading:
Sponsor : Council	Passed: Rejected:
Emergency: 30 Days:	Codified: Code No:
Current Expense:	Passage Publication:

RESOLUTION CR-45-23

A RESOLUTION TO APPOINT MEMBERS TO THE BOARD OF TAX REVIEW

WHEREAS, Section 194.21 of the Codified Ordinances establishes a Board of Tax Review for the purpose of hearing appeals from any income tax ruling or decision at the request of the taxpayer; and

WHEREAS, the Mayor shall appoint one member; and

WHEREAS, City Council is required to appoint two members; and

WHEREAS, the Council appointees to the Board of Tax Review may not be employees, elected officials, or contractors with the City at any time during their term or in the five (5) years immediately preceding the date of appointment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby appoints Michael Farnsworth and Cindi Sgalla to the Board of Tax Review.

SECTION 2. These appointments shall be a two (2) year term.

SECTION 3. This Resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this Ordinance
is correct as to form.

Stephen J. Smith, Director of Law

Date: 11/20/23	No.: CR-46-23
Introduced By: Mr. Holt	1st Reading: 11/20/23
Committee: Finance	Public Notice: 0 / /23
Originated By: Mr. Smith	2nd Reading: 0 / /23
Approved: Mr. Boso	Passed:____ Rejected:
Emergency:___ 30 Days:____	Codified:___ Code No:
Current Expense:__________	Passage Publication:

RESOLUTION CR-46-23

A RESOLUTION TO WAIVE THE BIDDING PROVISIONS OF SECTION 139.05 OF THE CODIFIED ORDINANCES FOR VARIOUS WATER FACILITY REHABILITATION PROJECTS

WHEREAS, earlier this year, the City bid a water altitude valve replacement for the Windsor Park Water Tower; and

WHEREAS, the City received no bids; and

WHEREAS, in an effort to attract contractors, the City wants to add the work onto the State Route 665 Water Booster Station; and

WHEREAS, together, the City will solicit the best price for the projects; and

WHEREAS, in lieu of formal bidding, the City wishes to accept the lowest and best quote for the water facility rehabilitation projects set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The bidding provisions of Section 139.05 of the Codified Ordinances are hereby waived, and the City is authorized to accept the lowest and best quote for the Water Facility Rehabilitation Projects.

SECTION 2. The resolution shall take effect at the earliest opportunity afforded by law.

____
Ted A. Berry, President of Council

Passed:

____
Richard L. Stage, Mayor

Effective:

Attest: ______________________________
Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

____
Stephen J. Smith, Director of Law

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

November 06, 2023 Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 p.m. in City Hall, 4035 Broadway.

Roll was called and the following members were present:

Roby Schottke *Mark Sigrist* *Ted Berry* *Randy Holt* *Christine Houk*

1. Mr. Berry moved to approve the minutes of the previous meeting, as written; seconded by Ms. Houk.

Mr. Schottke	Yes
Mr. Sigrist	Yes
Mr. Berry	Yes
Mr. Holt	Yes
Ms. Houk	Yes

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

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

1. Ordinance C-41-23 (Accept the Plat of Courtyards at Mulberry Run, Section 1) was given its second reading and public hearing.

Mr. Alex Benson, representing petitioner, was present to answer any questions.

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

Mr. Sigrist	Yes
Mr. Berry	Yes
Mr. Holt	Yes
Ms. Houk	Yes
Mr. Schottke	Yes

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

1. Ordinance C-42-23 (Appropriate $25,000.00 from the Senior Nutrition Fund for Current Expenses) was given its second reading and public hearing.

Mayor Stage stated that this was the 34th year for the golf outing and the 1st year for the pickleball tournament for LifeCare Alliance. He said these proceeds assist the greater Grove City area.

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

Mr. Berry	Yes

Mr. Holt	Yes
Ms. Houk	Yes
Mr. Schottke	Yes
Mr. Sigrist	Yes

2. Ordinance C-43-23 (Amend Section 161.10 of the Codified Ordinances titled Employee Status, Number of Employees per Department, Pay Grades) was given its second reading and public hearing.

   Mr. Holt explained that this is a housekeeping measure, as the increase in this department last month was incorrect and did not reflect the increase of one (1) person.

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

Mr. Holt	Yes
Ms. Houk	Yes
Mr. Schottke	Yes
Mr. Sigrist	Yes
Mr. Berry	Yes

3. Ordinance C-44-23 (Authorize the City Administrator to Reimburse the Developer for Sewer Improvements, specifically materials only cost for upsizing the sewer line, under Section 1101.11 of the Codified Ordinances and Appropriate $91,743.93 from the Sewer Fund for said improvements) was given its first reading. Second reading and public hearing will be held on November 20, 2023.

4. Ordinance C-45-23 (Authorize the City Administrator to enter into an Agreement with Flock Safety and Appropriate $150,429.00 from the Drug Law Enforcement Fund for the Current Expense of said agreement) was given its first reading. Second reading and public hearing will be held on November 20, 2023.

5. Ordinance C-46-23 (Amend Various Sections of Chapter 194 of the Codified Ordinances titled Income Tax) was given its first reading. Second reading and public hearing will be held on November 20, 2023.

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

1. Ms. Christi McClellan, Rensch Rd., asked if there were any updates on the Trapp Family property on Rensch Road. Mr. Boso, City Admin., stated that the Administration has received nothing from the Trapp family or their attorney. She then asked how many people are on the Lands Committee and is the public invited to those meetings. Mr. Schottke explained that every Council Member is on the Lands Committee, as they meet as a committee of the whole. All meetings are open to the public. She then asked if it was true that Grove City residents could vote on Township Trustees, but Township residents could not vote for the Mayor or City Council Members. Mr. Schottke explained that the City is part of Jackson Township and has voting rights. The unincorporated areas of the Township only vote for the trustees. Ms. McClellan asked if that should change. Mr. Berry said the only way that could change is if the unincorporated areas annex into the City. It was explained that city residents pay township taxes.

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

1. Mayor Stage submitted the October Mayor's Court monthly report and Mr. Berry moved to accept same; seconded by Mr. Schottke.

Ms. Houk	Yes
Mr. Schottke	Yes
Mr. Sigrist	Yes
Mr. Berry	Yes
Mr. Holt	Yes

The Mayor noted that there was a Lands meeting this evening as part of the overall meeting – when Mr. Schottke was recognized for the Lands committee. He said there are no other meetings. He announced that the 2024 Budget will be presented to Council no later than 11/15 for review and consideration. He shared that Election Day is tomorrow and offered blessings to all who stepped up to run for elected office. He announced that there will be a Veteran's Day ceremony on Saturday.

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

Adjourned at 7:32 p.m.

___________________________________ ____

Tami K. Kelly, MMC
Clerk of Council

Ted A. Berry
President

MEETING MINUTES
Planning Commission

November 7, 2023 – City Hall

The meeting was called to order at 1:30 p.m.

Roll was taken, and the following members were present: Mr. Jim Rauck, Mr. David Frea, Chair Julie Oyster, Mr. Michael Farnsworth, and Mr. Larry Titus. Staff members present Kyle Rauch, Development Director; Kim Shields, Community Development Manager; Dash Logan, Senior Planner; Terry Barr, Development Planner; Terry Ellis, Development Assistant, Jesse Shamp, Frost Brown Todd; Kevin Koesters, Public Service Deputy Director; Matt Dicken, Public Service Superintendent; Laura Scott, Planning and Zoning Manager; Roby Schottke, Council Member; Tami Kelly, Clerk of Council; and Scott Shaffer, EMH&T.

Chair Oyster asked for a moment of silence and the Pledge of Allegiance.

Organizational Items:
Chair Oyster asked for approval of the October 3, 2023, Planning Commission meeting minutes. Mr. Farnsworth moved to approve the minutes. Mr. Titus seconded the motion, and the minutes were approved 4-0, Mr. Frea abstained.

New Items:
ITEM #1 – Bluegrass Park Medical Office Building – Final Development Plan **PID # 202310040035**

Mr. Barr presented the Development Department's findings. He stated the proposed application is the Development Plan for the Bluegrass Park Medical Office Building, part of the Bluegrass Park PUD approved in 2020. The proposed 22,075-square-foot medical office is located on a 2.5-acre parcel on Hoover Road with one access point off the Birch Bark Trail extension. The site will have 121 parking spaces proposed on the outer portion of the site, which exceeds the required number of 74 spaces per the approved zoning text. The proposed building has three tenant spaces and will be 22,075 square feet and measure 20 feet in height. The building will be finished primarily with masonry brick (dark and light gray) on all four sides.

Accent metal panel siding (dark walnut) is proposed around the center entryway of the building. Mr. Barr noted that while the building has been designed to include façade offsets around the building entrances, staff believes that additional elements such as black metal canopies over the windows on the south and east elevations would further break up the mass of the building.

Plans provided show landscaping around the building and throughout the site including shrubs, trees, perennials, and ornamental grasses that meet all landscape requirements per the zoning text. Additionally, a 5-foot black cedar fence will be installed along the north and west property lines for screening as permitted by the zoning text.

Mr. Barr indicated that staff believes the proposed development meets all applicable PUD Analysis and GroveCity2050 principles and recommends Planning Commission make a recommendation of approval to City Council for the Development Plan with the stipulation noted in the staff report regarding the addition of canopies over the windows on the south and east sides of the building.

Rebecca J. Mott, Plank Law Firm LPA, 411 E. Town St., Floor 2, Columbus, OH was present to speak on the item. She provided an overview of the uses and reviewed the building architecture in detail. She mentioned the addition of the darker brick along the Hoover Road façade endcap. She mentions that based on the architectural elements provided and the zoning text requirements that the applicant would like to have the stipulation removed from the project.

Mr. Titus asked Ms. Mott to show them the elevations on her display board. Chair Oyster asked staff if they would like to comment on the canopy stipulation. Kim Shields, Community Development Manager, responded they thought it would break up the longer façade massing and windows.

Mr. Frea asked if the replacement trees in the Hoover Rd. tree scape would be full-sized trees. Ms. Mott responded they would be.

Mr. Rauck asked if the dumpster could be moved to allow for cross-lot access if the sites to the north were to develop. Ms. Mott replied that the north and west property lines will be entirely fenced in, and the furthest north section of the Bluegrass Park development. Also, there are no plans to create more development in that area.

Mr. Titus stated he believes the building is beautiful as it is, and he likes it with the canopies over the doorways.

Hearing no questions or discussion from Planning Commission or the public, Mr. Titus moved to recommend approval of the Final Development Plan to City Council as submitted. Mr. Frea seconded the motion, and the item was approved 5-0.

ITEM #2 – Keeneland Place — Final Development Plan **PID # 202310040034**

Mr. Barr presented the Development Department's findings. This application is for a multi-family residential development, Keeneland Place, along Hoover Road. The property was rezoned to PUD-R in 2020, and City Council Approved the ordinance to purchase land for the Quail Creek Boulevard extension on the site in 2023. The proposed development is located on a 25.21-acre parcel on Hoover Road, with access shown from a temporary loop roadway connecting to the Birch Bark Trail extension. One 26-foot-wide access point to the multi-family development will be located at the center of the loop roadway to serve as the main entrance to the apartments. Additionally, a 20-foot-wide emergency access drive with removable bollards is located to the south of the site off the loop road. Due to the regional nature of these improvements, the applicant has and will continue to coordinate with the city regarding construction in the area.

A total of 14 multi-story apartment buildings are proposed throughout the site. 685 parking spaces are provided, with 595 surface parking spaces and 90 garage spaces which meet the requirements per the approved zoning text. Per the approved zoning text, the site is required to have a 5-foot opaque fence along the north property line that will connect with the proposed fence for the Bluegrass Park Medical office building. The applicant is requesting a deviation from this standard to allow for a 6-foot fence to be constructed in place of the required 5-foot fence due to the residential use of the site. Staff are supportive of the increase to 6 feet for the opaque fence as it does not exceed the maximum height for privacy fences as permitted in the zoning code. Per the submitted material, the proposed fence is pressure-treated cedar. Staff recommends that the fence be painted black to match the fence proposed with the medical office building. A monument sign is proposed on the south side of the multi-family access road near the clubhouse. Additionally, an entryway sign is proposed at the northwest corner of the Hoover Road and Birch Bark Trail intersection.

The proposed site has three different building types. All of these are three stories and are finished with a combination of brown brick, almond color Lap siding and Board and Batton siding, black Shingles, white Single Hung Vinyl windows, and black Aluminum guardrails for balconies. A clubhouse is also proposed for the site. Additionally, a dog park and Pickleball court are located on the western side of the development. A landscape plan was submitted showing proposed landscaping within the development. Plans show a combination of trees, shrubs, and ornamental grasses planted around all residential structures and the clubhouse.

Mr. Barr noted that staff believes the proposed development meets all applicable PUD Analysis and Grove City 2050 principles and recommends Planning Commission make a recommendation of approval to City Council for the Development Plan with the deviations and stipulations noted in the staff report regarding the fence, landscaping and parking lot lighting.

Don Plank, Plank Law Firm LPA, 411 E. Town St., Floor 2, Columbus, OH, was present to speak on the item. He explained some of the background of the project including the Quail Creek Boulevard and Birch Bark Trail locations, stormwater basin, parkland, and temporary site access.

Mr. Titus asked about the size of each apartment and how much they rent for. Mr. David Ruma 485 Metro Place S., Dublin, OH., responded they are one and two bedrooms, and rent will vary according to material costs, averaging $1200 to $1600.

Mr. Frea asked what their target demographic is, if there would be a fence around the pond, and if the two smaller ponds adjacent to the property would be removed. Mr. Ruma responded that residents are a mix of ages, but most typically ranging from 25-40 years old. Mr. Plank answered that no fence would be around the pond. He mentioned it will be a functional pond to serve the complex, roadway, and out parcels along Hoover Road with roadway protections to prevent cars from going into the pond. He said the smaller ponds belong to Kroger and that the city will have to talk to them about pond removal. Ms. Shields commented that staff are currently in talks with area property owners over regional elements including stormwater management.

Mr. Frea feels that two EV charging stations need to be installed per building for a total of 30 in the parking lot. Mr. Ruma responded that all the garages have oversized electric panels with a pathway to add chargers and that the panels' life cycle is about 5-7 years. They are trying to be prepared and add as needed and not do more than is necessary today. Mr. Ruma mentions that they have similar communities with 324 units with six charging spots and they are never all full, with 2 or 3 usually in use at a time.

Mr. Frea also feels that buildings #2, 5, and 6 have no green space to get out into, and to take down trees for #6 is disappointing. He also feels the density is too high but likes the location near commercial and other multi-family developments. He questioned the green space per building. Ms. Shields replied that the zoning text notes that open spaces is approved with the development plan and that the agreement associated with the purchase of the Quail Creek Boulevard right-of-way indicates that if between 2.1-2.6 acres of wooded land in the west portion of the site is preserved, then the open space requirements are fulfilled.

Hearing no questions or discussion from Planning Commission or the public, Mr. Frea moved to add a stipulation to staff's recommended stipulations:

1. The developer shall provide 30 EV chargers in non-garage areas of the parking lot.

Chair Oyster seconded the motion, and the stipulation was approved 4-1, Mr. Titus voting no.

Hearing no questions or discussion from Planning Commission or the public, Mr. Titus moved to recommend approval of the development plan to City Council with the following deviations and stipulations:

1. A deviation shall be granted to allow the screening fence along the north property line to exceed the maximum permitted height of five feet (5) by one (1) foot for a maximum of six (6) feet in height.

2. The proposed screening fence shall be painted black to match the medical office building screening and the 4-rail fence along Hoover Road.

3. All shrubs shall be a minimum of 24 inches in height at the time of installation.

4. One lighting fixture shall be installed south of Building 5 to increase lighting levels within the parking lot to be above zero footcandles.

5. The developer shall provide 30 EV chargers in non-garage areas of the parking lot.

Mr. Farnsworth seconded the motion, and the item was approved 5-0.

ITEM #3 – 4371 Broadway – Preliminary Development Plan **PID # 202310040032**

Mr. Logan presented the Development Department's findings. He stated the applicant is requesting approval of a Preliminary Development Plan in association with a future request to rezone 2.73 acres at 4371 Broadway to allow for a range of office and commercial uses, and the operation of a flooring business. The property is currently zoned SD-4 (Miscellaneous) which is limited in permitted uses and would not permit the proposed flooring business, only permitted in the IND-1 district. Staff recommended the applicant rezone the property to PUD-I, which would allow for the establishment of specific development standards and uses for the site, allowing for the operation of the applicant's flooring business while removing more impactful land uses permitted under the IND-1 zoning. The Preliminary Development Plan is the first step of the Planned Unit Development (PUD) process, with Rezoning and Final Development Plan applications required in the future.

The GroveCity2050 Future Land Use and Character Map designates this site as Tech Flex, which recommends a range of research, office, clean manufacturing, and light industrial uses in an environment designed to foster growth. Primary uses identified for the Tech Flex designation include Light Industrial and Office, with Commercial designated as a secondary use. The proposed use of this site for the operation of a flooring business aligns with the future land use goals and objectives outlined in GroveCity2050.

The business will utilize the two existing buildings on site. The front building will be used for retail and office space for the proposed business. The parking lot will remain to be used for customer and employee parking. The existing warehouse located behind the site fencing is proposed to be used for storage. Plans note that storage, work van parking, and the dumpster will all be located around the perimeter of the warehouse, with the existing gravel parking area to remain as is. Currently, a six-foot-high chain link fence separates the front of the site from the gravel area, which is proposed to be replaced with a new fence. While not specified in the materials, during discussions with the applicant, the applicant indicated that a six-foot chain-link fence with privacy slats would be installed. However, to be more compatible with recent redevelopments in the area, the fence screening the storage area from Broadway should be a continuous, opaque, stained wood fence to provide adequate screening of the gravel storage area from Broadway.

Per Chapter 1136.05 of code, when there is a change of use, all exiting non-complying parking and drive aisles are required to be brought into compliance with the requirements in code, and plans show that the parking lot at the front of the site will be brought into compliance. The required 10-foot parking and drive aisle setback will be established along the northern property line, with one 2” caliper tree and two 18” deciduous shrubs planted for every 40 lineal feet of the property line. Two parking lot peninsulas are proposed to be installed, each containing a 2” caliper tree. Additionally, a row of 6-foot arborvitae shrubs, 4 spaced 5 feet on center will be planted along the outside of the fence separating the storage area from the parking area. However, the row of arborvitae as shown does not extend the entire length of the fence and will need to be extended to the south to provide supplemental landscaping along the fencing that faces Broadway.

Mr Logan concluded stating that as the application can meet all relevant PUD analyses, the proposed uses are in line with those identified in the GroveCity2050 Community Plan, and after review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Preliminary Development Plan with the two stipulations noted in the staff report regarding fencing and supplemental landscaping.

Alexsandr Yakhnitskiy, Yak Consulting LLC, 1366 Dyer Rd., Grove City, OH was present to speak on the item. He stated the business next door has opaque chain link fencing, and that it is more secure in his opinion. Due to commercially available gates, wood fence doesn’t make sense since the gate needs metal rails to slide. He stated even with a wood fence, the gate will still be metal and feels that the gate will not look good. He stated the shrubs can be extended, but in the future, an additional driveway is proposed into the gated area in the location shrubs would be required.

Chair Oyster asked for the timing of the property being used for the business. Mr. Yakhnitskiy replied that the owner would begin using the property as soon as the zoning allowed. The plan is to use the existing buildings once zoned, with additional buildings in the future.

Mr. Titus stated that at his business, he is currently installing a decorative, swing-up metal gate that he can give him the information on after the meeting. Mr. Titus stated he felt the wooden fence with a decorative gate would look good in this context.

Mr. Farnsworth asked if the flooring business was a retail business. Mr. Yakhnitskiy replied the business is both retail as well as an installation business.

Mr. Frea stated he is pleased to see the property upgraded and agrees that the fencing should be wooden. He asked staff if the zoning would give the owner rights to build on the property without coming before City Council. Mr. Logan responded that during preliminary discussions, the applicant had indicated that they may add additional buildings in the future, so a future zoning text may allow for additional buildings but would require a development plan.

Mr. Frea asked if either of the curb cuts proposed could be removed. Mr. Logan replied that neither are proposed to be removed.

Hearing no questions or discussion from Planning Commission or the public, Mr. Frea moved to recommend approval of the Preliminary Development Plan to City Council with the following stipulations:

1. Fencing to screen the storage area from Broadway shall be an opaque stained wood fence.

2. The row of six-foot arborvitae shrubs shall extend the entire length of the fence separating the storage area from the parking lot.

Mr. Farnsworth seconded the motion, and the item was approved 5-0.

There being no additional discussion, Chair Oyster adjourned the meeting at 2:19 p.m.

Terry Ellis, Development Assistant	Chair Julie Oyster