



GROVE CITY, OHIO - CITY COUNCIL Agenda

May 6, 2024

7:00 PM

Regular Meeting

Call to Order

Roll Call

Approval of Minutes

Welcome & Reading of Agenda

LANDS:

- | | |
|----------------------------|--|
| <u>Ordinance C-14-24</u> | Approve the Rezoning of 0.61+ acres located at the southeast corner of Park and Elm Streets from IND-1 to PUD-R with zoning text. Second reading and public hearing. |
| <u>Ordinance C-20-24</u> | Accept the Annexation of 0.897+ acres located at 2232 Edwards Road in Jackson Township to the City of Grove City, Ohio. First reading. |
| <u>Resolution CR-12-24</u> | Approve the Development Plan for Park & Elm Duplex & Triplex located at the southeast corner of Park and Elm Streets. |

SERVICE:

- | | |
|--------------------------|---|
| <u>Ordinance C-21-24</u> | Amend various Sections of the Codified Ordinances to Increase the Penalties for Distracted Driving and Violations in a Crosswalk that result in harm to pedestrians. First reading. |
|--------------------------|---|

FINANCE:

- | | |
|----------------------------|---|
| <u>Ordinance C-18-24</u> | Appropriate \$545,000.00 from the Brown's Farm Tax Increment Equivalent Fund for the Current Expense of making payments in accordance with the TIF Agreement and other necessary expenditures. Second reading and public hearing. |
| <u>Ordinance C-19-24</u> | Approve the purchase contract with E & S Ferguson Properties, LLC and Appropriate \$150,000.00 from the General Fund for the purchase of 3447 Grant Avenue. Second reading and public hearing. |
| <u>Ordinance C-22-24</u> | Appropriate \$250,000.00 from the General Fund for the Current Expense of Gantz Park Recschool Center Construction. First reading. |
| <u>Resolution CR-20-24</u> | Waive the provisions of Section 153.12 of the Ohio Revised Code and Accept the Bids for the Gantz Park Recschool Center. |
| <u>Resolution CR-21-24</u> | Authorize participation in the Ohio Department of Transportation Contract for Road Salt. |

Call for New Business

Call for Dept. Reports & Closing Comments

Adjourn

ON FILE

Minutes of: 04/15/24 Council and 04/22/24 BZA

Date: 03/12/24
Introduced By: Burroughs
Committee: Lands
Originated By: Plan. Comm.
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-14-24
1st Reading: 03/18/24
Public Notice: 03/19/24
2nd Reading: 05/06/24
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-14-24

AN ORDINANCE FOR THE REZONING OF 0.61± ACRES LOCATED AT THE SOUTHEAST CORNER OF PARK AND ELM STREETS FROM IND-1 TO PUD-R w/TEXT

WHEREAS, a petition was filed with the Planning Commission of the City of Grove City praying for the recommendation of said Commission in regard to the rezoning of certain premises hereinafter described; and

WHEREAS, the Planning Commission approved the rezoning on March 05, 2024; and

WHEREAS, a copy of the ordinance, together with a map and plat and the report of the Planning Commission has been on file in the Clerk's office for thirty days for public inspection.

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

SECTION 1. The following described premises are rezoned from IND-1 (Light Industry) to PUD-R (Planned Unit Development – Residential) with Zoning Text:

Situated in the State of Ohio, County of Franklin, City of Grove City and being a part of Virginia Military Survey 1388 *and being all of Lots 68, 69, 70 of AG Grants Beulah Subdivision, as recorded in Official Records, Plat Book 4, page 205, Recorder's Office, Franklin County, Ohio*, and being more fully described in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. The comprehensive zoning map is hereby amended to conform to the provisions of this ordinance.

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

Christine Houk, 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

Date: 04/29/24
Introduced By: Ms. Burroughs
Committee: Lands
Originated By: Co. Comm.
Approved: _____
Emergency: 30 Days: X
Current Expense: _____

No.: C-20-24
1st Reading: 05/06/24
Public Notice: 05/07/24
2nd Reading: 06/17/24
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE NO. C-20-24

AN ORDINANCE TO ACCEPT THE ANNEXATION OF 0.897+ ACRES LOCATED AT 2232 EDWARDS ROAD IN JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

WHEREAS, a petition for the annexation of 0.897+ acres, more or less, in Jackson Township was duly filed by Steven Rinehart on behalf of Rinehart Jacob Edwards LLC; and

WHEREAS, said petition was considered by the Board of County Commissioners of Franklin County, Ohio on February 06, 2024; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceeding in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on February 16, 2024.

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

SECTION 1. The proposed annexation, as applied for in the petition of Steven Rinehart on behalf of Rinehart Jacob Edwards LLC, being the owner(s) of the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on January 03, 2024 and which said petition was approved for annexation to the City of Grove City by the County Commissioners on February 06, 2024, be and the same is hereby accepted.

Said territory is described as follows: *Situated in the State of Ohio, County of Franklin, Township of Jackson and being part of Virginia Military Survey No. 8231. A copy of the legal description of the property being annexed is attached hereto as "Exhibit A" and made a part hereof as if fully written herein.*

SECTION 2. The zoning on this annexation shall be SF-1, Single Family Residential, and shall be placed in Ward 5. A map is attached as "Exhibit B" and made a part hereof.

SECTION 3. The City Clerk be and she is hereby authorized and directed to make three copies of the ordinance to each of which will be attached a copy of the map showing this annexation, a copy of the original petition, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof. The clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and such other things as may be required by law.

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

Christine Houk, 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

Date: 03/12/24
Introduced By: Burroughs
Committee: Lands
Originated By: Plan. Comm.
Sponsor:
Emergency: 30 Days:
Current Expense:

No.: CR-12-24
1st Reading: 03/18/24
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-12-24

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR PARK & ELM DUPLEX AND TRIPLEX LOCATED AT THE SOUTHEAST CORNER OF PARK AND ELM STREETS

WHEREAS, on March 05, 2024, the Planning Commission recommended approval of the Development Plan for Park & Elm, a duplex and triplex, 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 Park & Elm, a duplex and triplex, located at the southeast corner of Park and Elm Streets, 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.

Christine Houk, President of Council

Richard L. Stage, Mayor

Passed:
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

Date: 04-29-24
Introduced By: Ms. Anderson
Committee: Safety
Originated By: Mayor Stage
Approved:
Emergency: 30 Days: XX
Current Expense:

No.: C-21-24
1st Reading: 05/06/24
Public Notice: 05/07/24
2nd Reading: 05/20/24
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-21-24

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE CODIFIED ORDINANCES TO INCREASE THE PENALTIES FOR DISTRACTED DRIVING AND VIOLATIONS IN A CROSSWALK THAT RESULT IN HARM TO PEDESTRIANS

WHEREAS, in 2023, to address distracted driving issues, the City of Grove City enacted Ordinance C-18-23 to prohibit texting while driving; and

WHEREAS, Section 303.99 of the Grove City Codified Ordinances currently provides increased financial penalties for violations that occur while the driver is distracted; and,

WHEREAS, the City wishes to increase penalties for distracting driving where serious injury or death occur; and

WHEREAS, the City wishes to increase penalties for injuries that occur to pedestrians while in a crosswalk.

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

SECTION 1. Section 303.99, titled General Traffic Code Penalties, is hereby amended as follows:

303.99 GENERAL TRAFFIC CODE PENALTIES.

(b) Violations committed while distracted.

(1) As used in this section and each section referenced in division (b)(2), **(3) and (4)** of this section, all of the following apply:

A. “Distracted” means doing either of the following while operating a vehicle:

1. Using an ~~an handheld~~ electronic wireless communications device, as defined in R.C. § 4511.204, **in violation of that section;** ~~except when utilizing any of the following;~~

~~a. The device’s speakerphone function;~~

~~b. A wireless technology standard for exchanging data over short distances;~~

~~c. A “voice-operated or hands-free” device that allows the person to use the electronic wireless communications device without the use of either hand except to activate, deactivate, or initiate a feature or function;~~

d. ~~Any device that is physically or electronically integrated into the motor vehicle.~~

(3) If an offender violates R.C. § 4511.03, 4511.051, 4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 4511.73, or any substantially equivalent municipal ordinance, while distracted and the distracting activity is a contributing factor to the commission of the violation, and results in physical harm to a pedestrian, as defined in R.C. § 4511.01(X), or physical harm to property except a motor vehicle, as defined in R.C. § 4511.01(B), a Misdemeanor of the Second Degree.

(4) If an offender violates R.C. § 4511.03, 4511.051, 4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 4511.73, or any substantially equivalent municipal ordinance, while distracted and the distracting activity is a contributing factor to the commission of the violation, and results in the death of a person, a Misdemeanor of the First Degree.

SECTION 3. Section 371.01, titled Right-Of-Way in Crosswalk, is hereby amended as follows:

(g) If the offender commits the offense and results in physical harm to a pedestrian, as defined in R.C. § 4511.01(X), a Misdemeanor of the Second Degree.

(h) If the offender commits the offense and results in the death of a person, a Misdemeanor of the First Degree.

SECTION 4. This Ordinance shall take effect at the earliest opportunity allowed by law.

Christine A. Houk, 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: 04/09/24
Introduced By: Mr. Sigrist
Committee: Finance
Originated By: Mr. Boso
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: C-18-24
1st Reading: 04-15-24
Public Notice: 04-16-24
2nd Reading: 05-06-24
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-18-24

AN ORDINANCE TO APPROPRIATE \$545,000.00 FROM THE BROWN'S FARM TAX INCREMENT EQUIVALENT FUND FOR THE CURRENT EXPENSE OF MAKING PAYMENTS IN ACCORDANCE WITH THE TIF AGREEMENT AND OTHER NECESSARY EXPENDITURES

WHEREAS, the City has created the Brown's Farm Tax Increment Equivalent Fund for the deposit of service payments distributed to the City; and

WHEREAS, the City expects to receive net service payments in the amount of \$575,000.00; and

WHEREAS, in accordance with the Tax Increment Financing Agreement between the City and Wilcox Communities authorized by Ordinance C-31-19, the City agreed to repay 50% of service payments to the developer until \$425,000 plus accrued interest has been paid in full; and

WHEREAS, appropriation of the funds is necessary to reimburse the developer \$285,000 according to contractual obligation, pay Franklin County Auditor \$10,000 collection costs, and procure professional engineering services for the Orders Road Reclamation and Widening project in the amount of \$250,000.

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

SECTION 1. There is hereby appropriated \$545,000.00 from the unappropriated monies of the Brown's Farm Tax Increment Equivalent Fund to account number 208000.559000 for the current expense of contractual obligations and other necessary expenditures.

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

Christine Houk, 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

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: 04/09/24
Introduced By: Mr. Sigrist
Committee: Finance
Originated By: Mr. Boso
Sponsor:
Emergency: 30 Days:
Current Expense:

No.: C-19-24
1st Reading: 04-15-24
Public Notice: 04-16-24
2nd Reading: 05-06-24
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-19-24

AN ORDINANCE TO APPROOVE THE PURCHASE CONTRACT WITH
E & S FERGUSON PROPERTIES LLC AND APPROPRIATE \$150,000.00
FROM THE GENERAL FUND FOR THE PURCHASE OF 3447 GRANT AVE.

WHEREAS, the City of Grove City has the opportunity to purchase Parcel Number 040-000224-00 located at 3447 Grant Avenue for \$150,000.00, as set forth in Exhibit A; and

WHEREAS, an appropriation to secure this purchase is necessary.

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

SECTION 1. Council hereby approved the purchase contract with E&S Ferguson Properties LLC attached as Exhibit A.

SECTION 2. There is hereby appropriated \$150,000.00 from the unappropriated monies of the Brown's Farm Tax Increment Equivalent Fund to account number 208000.559000 for the current expense of contractual obligations and other necessary expenditures.

SECTION 3. This ordinance appropriates for current expenses and shall therefore go into immediate effect.

Christine Houk, 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

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

C-19-24
Exhibit A

REAL ESTATE PURCHASE AGREEMENT

THIS REAL ESTATE PURCHASE AGREEMENT (the "Agreement") is made and entered into on the ____ day of _____, 2024 (the "Effective Date"), by and between **E & S FERGUSON PROPERTIES LLC** ("Seller"), whose address is 3447 Grant Avenue, Grove City, Ohio 43123, and **THE CITY OF GROVE CITY, OHIO**, an Ohio municipal corporation ("Buyer"), whose address is 4035 Broadway, Grove City, Ohio 43123.

Background Information

A. Seller is the owner of a certain tract of real property located at 3447 Grant Avenue, Grove City, Ohio 43123, and known as Franklin County Auditor's Tax Parcel No. 040-000224-00, containing approximately .09 acres. ("Property").

B. Buyer desires to purchase the Property from Seller, which is legally described on Exhibit "A" and depicted on Exhibit "B" both of which are attached to this Agreement (the "Property").

C. Seller desires to sell to Buyer, and Buyer desires to purchase from Seller, all of Seller's right, title and interest in the Property, at the price and on the terms and conditions hereinafter set forth.

Statement of Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to the foregoing Background Information and as follows:

1. **Agreement.**

On the terms and conditions set forth below, Seller hereby agrees to sell to Buyer, and Buyer hereby agrees to purchase from Seller, the Property.

2. **Amount of Purchase Price.**

The purchase price for the Property shall be One Hundred and Fifty Thousand Dollars (\$150,000), payable to Seller at Closing, in immediately available funds or by cashier's check, adjusted by all prorations, credits, allowances and other adjustments.

3. **Contingent Agreement.**

Buyer shall not be obligated to close under this Agreement until it receives the approval of the Grove City Council for all obligations under this Agreement.

4. General Warranty Deed and Other Documents.

Seller shall, at the Closing, convey fee simple title to the Property to Buyer by a duly and validly executed, recordable general warranty deed, free and clear of all liens and encumbrances, except as provided herein. The Parties agree to execute any and all supplemental instruments or documents necessary to vest Buyer with the rights, titles, and interests described in Exhibit A and depicted in Exhibit B or to fulfill the intent of this Agreement.

5. Closing Date.

The purchase and sale of the Property shall be closed (the "Closing") on _____ (the "Closing Date"), which Closing Date may be extended by mutual agreement of the parties. The Closing shall be at such time and place as Buyer and Seller may mutually agree upon.

Following Closing, Seller shall have the right to continue to store materials and possessions on the Property until August 15, 2024. If Buyer needs access to the entire Property prior to August 15, 2024, Buyer shall have the right, at its sole cost and expense, to move the current materials and possessions to another secure location until retrieved by Seller.

6. Warranty of Title.

Seller shall, and hereby do, warrant that the Property Interest described in Exhibit A and depicted in Exhibit B is free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable.

7. Brokers.

Buyer and Seller hereby warrant and represent to each other that neither has engaged or dealt with any broker or agent, for a fee, in regard to this Agreement. Thus, no real estate broker fee shall be paid under this Agreement. Seller hereby agrees to indemnify Buyer and hold Buyer harmless against any liability, loss, cost, damage, claim and expense (including, but not limited to, attorneys' fees and costs of litigation) which Buyer shall ever incur or be threatened with because of any claim of any broker or agent claiming through Seller, whether or not meritorious, for any such fee or commission.

8. Miscellaneous.

(a) Governing Law. This Agreement is being executed and delivered in the State of Ohio and shall be construed and enforced in accordance with the laws of the State of Ohio. For all litigation, disputes and controversies which may arise out of or in connection with this Agreement, the undersigned hereby waive the right to trial by jury and consent to the jurisdiction of the courts in the State of Ohio.

(b) Entire Agreement. This Agreement constitutes the entire contract between the parties hereto, and may not be modified except by an instrument in writing signed by the parties hereto, and supersedes all previous agreements, written or oral, if any, of the parties.

(c) Time of Essence. Time is of the essence of this Agreement in all respects.

(d) Assignment. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, legal representatives, successors and assigns.

(e) Invalidity. In the event that any provision of this Agreement shall be held to be invalid, the same shall not affect in any respect whatsoever the validity of the remainder of this Agreement.

(f) Waiver. No waiver of any of the provisions of this Agreement shall be deemed, nor shall the same constitute a waiver of any other provision, whether or not similar, nor shall any such waiver constitute a continuing waiver. No waiver shall be binding, unless executed, in writing, by the party making the waiver.

(g) Headings. The section headings contained in this Agreement are for convenience only and shall not be considered for any purpose in construing this Agreement. As used in this Agreement, the masculine, feminine and neuter genders, and the singular and plural numbers shall be each deemed to include the other whenever the context so requires.

REST OF PAGE LEFT INTENTIONALLY BLANK, SIGNATURE PAGE TO
FOLLOW

IN WITNESS WHEREOF, the parties have hereunto subscribed their names on the day and year first aforesaid.

**E & S FERGUSON PROPERTIES LLC
(SELLER):**

By:_____

Title:_____

BUYER:

The City of Grove City, Ohio,
an Ohio municipal corporation

By: _____
Charles W. Boso, Jr.
City Administrator

Approved as to Form:

Stephen J. Smith
Law Director, City of Grove City

CERTIFICATION OF FUNDS

I hereby certify that the funds required to meet the City's obligation, payment, or expenditure under this Agreement have been lawfully appropriated or authorized for such purpose and are free from any obligation now outstanding.

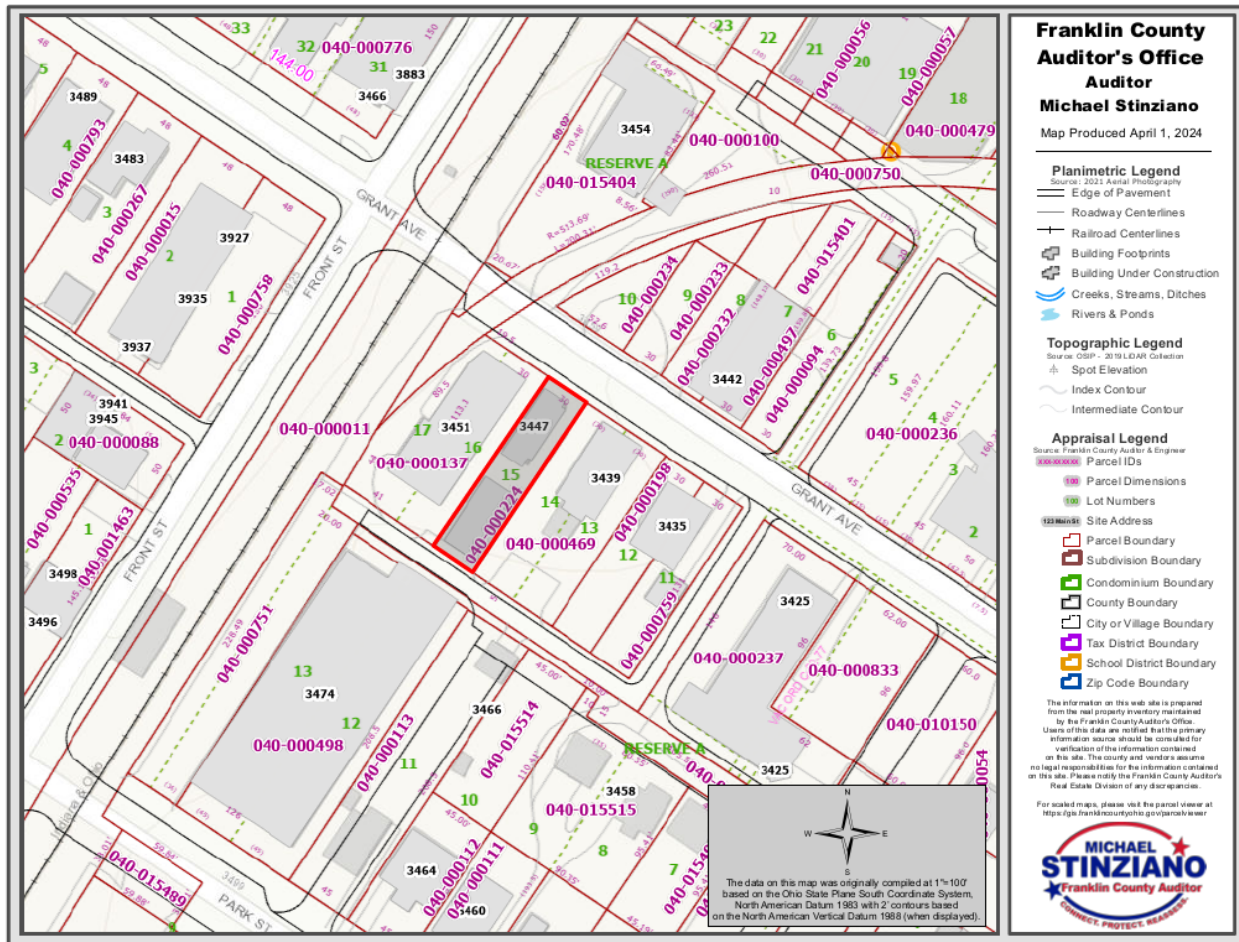
Michael Turner, Director of Finance

Date

Exhibit A

Being Lot Number Fifteen (15) of GEORGE GANTZ ET AL ADDITION to Grove City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 6, page 116, Recorder's Office, Franklin County, Ohio.

Exhibit B



0127090.0607160 4849-5816-8361v2

Date: 04-29-24
Introduced By: Mr. Sigrist
Committee: Finance
Originated By: Mr. Boso
Approved: _____
Emergency: 30 Days:XX
Current Expense: _____

No.: C-22-24
1st Reading: 05/06/24
Public Notice: 05/07/24
2nd Reading: 05/20/24
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-22-24

AN ORDINANCE TO APPROPRIATE \$250,000.00 FROM THE GENERAL FUND FOR THE CURRENT EXPENSE OF GANTZ PARK RECSCHOOL CENTER CONSTRUCTION

WHEREAS, the City published invitations to bid for the Gantz Park Recschool Center; and

WHEREAS, the City received four bids that were more than the ten percent limit over the architects estimate under state law; and

WHEREAS, City Council has approved a resolution to waive the provisions of Section 153.12 of the Ohio Revised Code and accept the lowest bid received for the Gantz Park Recschool Center; and

WHEREAS, the 2023 and 2024 annual appropriations approved by City Council include funds in the amount of \$1,650,000 for the Gantz Park Recschool Center; and

WHEREAS, an additional appropriation of funds in the amount of \$250,000 is necessary to award a contract to the lowest bidder.

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

SECTION 1. There is hereby appropriated \$250,000.00 from the unappropriated monies of the General Fund to be transferred to the Capital Improvement Fund and appropriated to account number 305000.603245 for the current expense of awarding a contract for the construction of the Gantz Park Recschool Center.

SECTION 2. This Ordinance appropriates for Current Expenses and shall therefore go into immediate effect.

Christine A. Houk, 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: 04-29-24
Introduced By: Mr. Sigrist
Committee: Finance
Sponsored By: Mr. Boso
Approved:
Emergency: 30 Days:
Current Expense:

No.: CR-20-24
1st Reading: 05/06/24
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION CR-20-24

A RESOLUTION TO WAIVE THE PROVISIONS OF SECTION 153.12 OF THE OHIO REVISED CODE AND ACCEPT THE BIDS FOR THE GANTZ PARK RECSCHOOL CENTER

WHEREAS, under the Home Rule Amendment (Article XVIII, Section 7) to the Ohio Constitution, the City has adopted bidding rules and requirements that are different from State law; and

WHEREAS, following these requirements, the City bid the Gantz Park Recschool Center; and

WHEREAS, the City received four bids that were in excess of the ten percent limit over the architects estimate, under State law; and

WHEREAS, it is in the best interest of the City accept the lowest bid for this project.

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

SECTION 1. The provisions of Section 153.12 of the Ohio Revised Code are hereby waived.

SECTION 2. The City hereby accepts the lowest bid received for the Gantz Park Recschool Center, attached hereto as "Exhibit A".

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

Christine Houk, President of Council

Richard L. Stage, Mayor

Passed:

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

Date: 04/29/24
Introduced By: Mr. Sigrist
Committee: Finance
Originated By: Ms. Fitz.
Approved: Mr. Boso
Emergency: 30 Days:
Current Expense:

No.: CR-21-24
1st Reading: 05/06/24
Public Notice:
2nd Reading:
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-21-24

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION CONTRACT FOR ROAD SALT

WHEREAS, the City of Grove City, Ohio, County of Franklin, (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s annual winter road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt

of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

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

SECTION 1. This participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

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

Passed:
Effective:

Attest:

I Certify that this
resolution is correct as to form.

Christine Houk, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, Clerk of Council

Stephen J. Smith, Director of Law