

CITY OF GROVE CITY, OHIO

COUNCIL MINUTES

August 19, 2024

Regular Meeting

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

Roll was called and the following members were present:

Jodi Burroughs, Melissa Anderson, Mark Sigrist, Christine Houk, Ted Berry, Randy Holt, Rodney Dew

1. Ms. Houk moved to approve the minutes of the 8/5 & 8/12 meetings and approve as written; seconded by Ms. Burroughs.

Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes

2. The Chair recognized Mayor Stage who administered Oaths of Office to: Zachary White, Lucas Huffman, Heidi Kondrath and Shahannah Franklin as Police Officers.

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

The Chair recognized Ms. Burroughs, Chair of Lands, for discussion and voting under said Committee.

1. Ordinance C-27-24 (Amend the Zoning Text for 15.831+ acre parcel located North of Hibbs Road as adopted by Ord. C-05-01) was given is second reading and public hearing.

Mr. Rauch, Dir. of Dev., explained that in 2001 the six (6) acre lot was allowed one (1) home. That house has been built and the owner wants to split the lot in half and build one more home.

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

Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes

2. Ordinance C-30-24 (Accept the Plat of Farmstead, Phase 11) was given is first reading. Second reading and public hearing will be held on 09-03-24.

3. Ordinance C-31-24 (Accept the Plat of Farmstead, Subarea H – Phase 4) was given its first reading. Second reading and public hearing will be held on 09-03-24.
4. Ordinance C-32-24 (Amend Section 1135.09(b)12A of the Codified Ordinances to include a new section for Marijuana and to declare an emergency) was given its first reading.

Mr. Smith, Dir. of Law, explained that earlier this year Council changed the Code to allow for medical and recreational marijuana. At that time, it was unknown what the regulations would be or when the State would start issuing licenses. Now, licenses are being approved quickly. He said he was asked to put together requirements to mitigate the impact for surrounding property owners for this unknown use. He shared his research and said he came up with the submitted list, some of which are State requirements. He explained each regulation, including if it was State Law or a City regulation, and the reasons for each.

Ms. Rebecca Mott, attorney representing SLH Cleveland LLC, Shang-ri-la Dispensary, who requested that Council remove “d” and “s” because the City already has safeguards, protections and conditions in their Code concerning Drive-thru’s. They believe the existing Code is enough. Additionally, she shared a concern over “c” and the inclusion of single-family residence. She asked that this also be removed, so as not to treat marijuana stores any differently from another retail store.

Mr. Smith stated that Ms. Mott is correct about the Code requiring a Special Use Permit for a drive thru and if there were no regulations in this ordinance, a dispensary would need to obtain a special use permit for a drive-thru. He said the addition of single-family residential is for properties zoned single-family and would be from property line to property line. Finally, he said the Administration does not like asking for emergencies, but with applications coming in, this must be done as an emergency.

Council reviewed each requirement in Section 1135.09(b)12G9 a – v, in detail.

There were no issues with “a” or “b”.

For “c” – Ms. Burroughs stated that stand alone day cares were discussed in caucus. Mr. Smith said they are not included in the State requirements. Mr. Berry moved to add “childcare centers” to “c”; seconded by Ms. Anderson.

Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes

Ms. Houk said she feels “single-family use” is exclusionary and is somewhat discriminatory to say that only a single-family residential use properties would not want a dispensary as a neighbor. Mr. Berry agreed and feels it should just be “residential”. Mr. Holt asked if single-family residential was not included, would Council still have the opportunity to approve or disapprove a special use permit at a later time. Mr. Smith said yes – Council has the ability to vary from various laws. However, if you do it on a case-by-case basis, it would create some uncertainty. Mr. Holt said he has a problem with the finite measurement. Mr. Smith said they used 500’ to be consistent with all the other State requirements, but Council can select a different measurement for single-

family.

Mr. Sigrist moved to amend “c” to strike the words “single-family” and leave residential; seconded by Ms. Houk.

Mr. Berry moved to amend the amendment to include the word “use”, making it “residential use”; seconded by Ms. Houk.

Ms. Houk	Yes
Mr. Holt	No
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	No
Ms. Anderson	Yes
Mr. Sigrist	Yes

The vote was taken on the main motion, which will now amend “c” to say “residential use”.

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes

Mr. Holt moved to strike “residential use” from “c”; seconded by Ms. Burroughs.

Mr. Berry	No
Mr. Dew	No
Ms. Burroughs	No
Ms. Anderson	No
Mr. Sigrist	No
Ms. Houk	No
Mr. Holt	Yes

Mr. Holt moved to amend “c” to state that the boundary for residential use be 250’ rather than 500’ by including “, or within 250’ of a residential use”; seconded by Ms. Burroughs.

Mr. Berry commented that there are already residences in the area and Council is being asked to approve this as an emergency. He said he feels it should be more restrictive now.

Mr. Holt said he has moved 14 times and each time does his due diligence to know what can be around him. He said these homes are already close to commercial and while he believes there should be a limit, he doesn’t want it too restrictive.

Mayor Stage said if a liquor permit gets changed, the public gets to vote on those changes. With a dispensary, there is no prescient – they just get placed anywhere with

no notice to the public. He supports the 500' requirement, in order to safeguard the residents.

Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	No
Ms. Houk	No
Mr. Holt	Yes
Mr. Berry	No

With respect to "d", Mr. Holt asked if that was contiguous with walk-up or drive-thru. Mr. Smith said this is for curb-side delivery. All transactions would need to be conducted inside.

Before continuing with the discussion on "d", Mr. Berry moved to amend "c" to remove the sentence that "or within 250' of a residential uses"; seconded by Ms. Houk.

Ms. Burroughs	No
Ms. Anderson	No
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	No
Mr. Berry	Yes
Mr. Dew	Yes

Returning to the discussion for "d", Council discussed pro's and con's for allowing curb-side pick-up. Mr. Smith said the intent of the legislation was for everyone to conduct business inside the store. After further discussion, Ms. Burroughs moved to strike "d" in its entirety; seconded by Mr. Dew.

Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes

There were no issues with regulations "e – h".

With respect to "i", Mr. Holt said it sounds discriminatory and moved it be removed; seconded by Ms. Burroughs.

Mayor Stage said there are some logistical issues with these establishments and asked it remain for now. He said it could be changed at a later date.

Mr. Sigrist	No
Ms. Houk	No
Mr. Holt	Yes
Mr. Berry	No

Mr. Dew	No
Ms. Burroughs	No
Ms. Anderson	No

There were no issues with regulations “j – s”.

With respect to “t”, Mr. Berry moved to add “, work or volunteer at an establishment”; seconded by Ms. Houk.

Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes

With respect to “v”, Mr. Sigrist moved to add “The Special Use Permit shall be valid for one (1) year from the date of issue and may be renewed”; seconded by Mr. Berry.

Mr. Holt	No
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	No
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes

Mr. Berry commented that there was a request to add something that would prohibit the sale of infused candy that are packaged to look like candy. Mr. Smith said no products can be seen outside the store and minors cannot go in the store. Mr. Berry said he is only concerned about children finding these at home and feels it should be in a properly marked bag. Council discussed this and felt it was better to let the industry handle it, at this time.

Mayor Stage asked the Safety Director to ask a question. Mr. Teaford said they did not request that no firearm be permitted on the grounds. Mr. Smith said the State of Ohio regulates firearms and when local municipalities try, it opens them up to liability. He asked that he be permitted to research this before adding such a restriction.

Mr. Smith explained that he just found that individuals 18 and over, with a medical card are allowed to utilize a dispensary. He suggested adding a new regulation to permit individuals 18 – 21 years of age who produce a medical card to enter a dispensary.

Mr. Berry moved to add a new regulation stating: “Individuals between 18 – 21 are permitted to enter and purchase medical marijuana with an Ohio State Driver’s License or State ID **and** a State issued Ohio Medical Marijuana Card.”; seconded by Mr. Dew.

Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes

Ms. Mott, attorney, requested to speak again about “s”. She asked that “s” be reconsidered. She handed out an Ohio Administrative Rules and reiterated her point that drive thru’s should be treated the same for all retailers. She said she feels this regulation is discriminatory and a drive-thru is a critical component for dispensaries.

Mayor Stage stated that this is for recreational marijuana. He wants them put on notice that we are prohibiting drive thru’s. He said we are in an experimental state.

There being no additional questions or comments, Ms. Burroughs moved to approve C-32-24, as amended; seconded by Ms. Houk.

Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

Ms. Kelly, Clerk of Council, explained that this ordinance was written as an emergency and asked if Council wished to entertain that emergency request. If so, they would need to rescind their approval.

Ms. Burroughs moved to rescind the previous motion; seconded by Ms. Houk.

Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes

Ms. Burroughs moved that the rules of council be suspended and the waiting period waived; seconded by Ms. Houk.

Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes

Ms. Burroughs moved it be approved as an emergency measure; seconded by Ms. Houk.

Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes

5. Resolution CR-25-24 (Approve the Development Plan for the Harris Property located north of State Route 665 and West of Borror Road) was given its reading and at the written request of the petitioner, Ms. Burroughs moved it be postponed to 09/03/24; seconded by Mr. Dew.

Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

Ms. Burroughs moved to add Resolution CR-35-24; seconded by Ms. Anderson.

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes

6. Resolution CR-35-24 (Permit a Temporary Mural located at 3500 Southwest Blvd. in celebration of America 250) was given its reading and public hearing.

Mr. Alex Mallison & Tracy Pabst, American Nitrile, were present to explain that they would like to install the proposed sign/mural and unveil it at their 2nd Annual Wing Fest on Sept. 14. He said they hope to donate over \$100,000.00 to Ghost of War. This event will be hosted by themselves and America 250. He said they are the only manufacturing business selected to participate in the America 250 mural. Ms. Pabst said they have the opportunity to be the first municipality in Ohio to mark the 250th anniversary of our Nation. She said this mural is a testament to Grove City's dedication to honoring our veterans and American Nitrile's role in supporting those that serve. It will be a standout feature to the America 250 - Ohio Celebration, highlighting our communities to Service Members and the strength of U.S. based industries. Mr. Mallison noted that this sign is out of compliance in size by over 400 sq. ft.

Ms. Houk asked if it was too late to change the wording from "those that serve" to "those who serve". Mr. Mallison said yes. Ms. Houk said this is a little bit of marketing and signage for the business rather than for the America 250 event. On any other day, this request would be very tricky for her.

Mr. Berry agreed with Ms. Houk. He said a precedence could be set when we do these kinds of things.

Ms. Burroughs said she would like it to look like a true mural rather than a marketing sign. She asked if it could be changed after the Wing event. Mr. Mallison said with a due date of 2026, it may be too tight to change it, but they could change it later.

Ms. Anderson asked if they have business signage elsewhere. Mr. Mallison said they do have a ground sign. Ms. Anderson said the 250th mural has more to it than is being used here. She said she understands why Council feels it is a marketing sign.

After additional concerns were shared, Mr. Mallison suggested approving this now and working with the City to make changes.

Ms. Houk moved to amend the renewal date in Section 1 to 2/19/2025; seconded by Ms. Burroughs.

Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes

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

Mr. Dew	Yes
Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

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

1. Ordinance C-29-24 (Authorize the City Administrator to convey Excess Personal Property that is no longer needed for City business) was given its second reading and public hearing.

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

Ms. Burroughs	Yes
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes

2. Resolution CR-34-24 (Authorizing the City Administrator to Seek Financial Assistance from the State

Capital Improvement Program/Local Transportation Improvement Program for funding of the McDowell Road Improvement Project) was given its reading and public hearing.

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

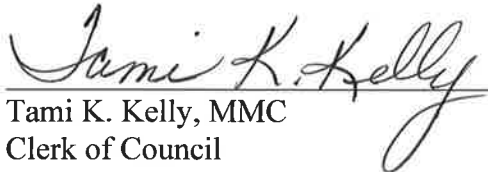
Ms. Anderson	Yes
Mr. Sigrist	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Dew	Yes
Ms. Burroughs	Yes

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

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

1. Mayor Stage reported on weekend events. He said we just keep it going with little things that matter.
2. Ms. Fitzpatrick reported in the upcoming Labor Day events which will include a concert on Friday and a Family Movie Night with a Drone Show afterwards on Saturday at Beulah Park.
3. After closing comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Adjourned at 9:26 p.m.


Tami K. Kelly, MMC
Clerk of Council


Christine Houk
President of Council

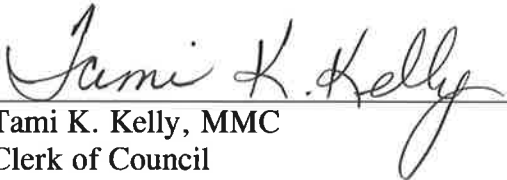
CITY OF GROVE CITY, OHIO
COUNCIL CAUCUS NOTES

August 19, 2024

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

Council Members reviewed the Agenda items.

Council retired to the Chambers to begin the Regular meeting.


Tami K. Kelly, MMC
Clerk of Council


Christine Houk
President of Council