**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, MARCH 3, 2015**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, March 3, 2015 at 6:00 PM with Mayor Marty Follis presiding. Members present were Don Nielsen, Marty Dyer and Ivan Devitt. Member, Ed Trumbull was absent. Also present was City Manager, Bill Keefer; Attorney, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS**:

Ms. Judith Read addressed the Council to report that she was absent from the last City Council meeting due to the fact that she lives on a steep drive and that even though the Street Department done a wonderful job on clearing the street she still couldn’t get out of the driveway. Read mentioned that when she finally did get out she was overwhelmed by the different individuals who recognized the fact that she was not at the meeting, and questioned her reasoning why. Read expressed thanks to all of those concerns.

Mr. Robert Huggins addressed the Council to report that the Zoning Ordinances are a contract between the city and the individual property owners and when zones are established the property owners make investments, build facilities, establish homes and construct businesses based on those zoning restrictions and approved uses. Huggins noted that rezoning is not to be taken lightly because it is a violation of the agreement and a break of trust between the city and the adjacent affected property owners. My first involvement was the issue of “Vacation Rental Homes’ (VRH) in an R-1 District. When I reviewed this it was such an obvious violation of the R-1 district regulations that I because convinced that something nefarious was about to happen so I attacked the issue from every angle and in doing so the City Attorney and the City Manager apparently took this as an insult. But it has now been eight (8) months since the city received the first complaint and the VRH, in blatant violation of the ordinance, is still taking reservations. Huggins added that the Planning and Zoning and the City Council must demand that each request be justified by the existing criteria of “Public necessity, convenience and general welfare which requires its passage” as specified by existing ordinance and that all criteria is carefully followed and met.

Devitt made the motion to approve the minutes from the previous meeting. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the purchase order register. Seconded by Nielson. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to designating the week of April 13-17, 2015 as the annual citywide Spring cleanup week. Bottoroff reported that every year the City of Grove generally holds a curbside residential Spring Clean-Up each April to coincide with the Great American Clean-Up and the ODOT Trash-off. In addition to the curbside pick-up, tires may be dropped off at the Wastewater Treatment Plant facility that entire week instead of on one day only (as done in the past). Bottoroff noted that in addition to the week-long clean-up, the Adopt-A-Street crews will be cleaning up their designated areas on Saturday, April 11th. Dyer made the motion to designate the week of April 13-17, 2015 as Spring cleanup week. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding approval of an Ordinance amending Section 14-402 of the Code of Ordinances of the City of Grove as it relates to access driveways. Bottoroff reported that the City of Grove subdivision regulations require all access driveways connecting to a public street to be constructed in accordance with the 1999 Standard Specifications, and subsequent amendments thereto, as prepared by the Oklahoma State Department of Transportation. The City code mirrors all requirements for access driveways standards set-forth in the subdivision regulations, except the requirements for construction of access driveways. Bottoroff added that it is important that these requirements be placed in the City codes to assure all access driveways connecting with a public street are constructed in a manner that provides proper drainage, adequate surfacing and safety. Devitt made the motion to approve the Ordinance amending Section 14-402 of the Code of Ordinances of the City of Grove as it relates to access driveways. Seconded by Dyer. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of an Ordinance amending Part 5, Building Regulations, by adding Chapter 11 pertaining to storage containers. Bottoroff reported that these mobile storage containers and portable onsite storage containers are becoming a popular way to obtaining additional storage space for both residential and commercial uses. Bottoroff felt like it is important for the City to have control over where these types of containers are allowed within the community. The proposed Ordinance allows placement within Industrial Zoned District, but regulates these types of containers in all other zoned districts. Mr. Rick Howard owner of Grand Lake Glass located at 6716 Highway 59 North addressed the Council to report that he currently has a temporary portable storage unit adjacent to his facility, and that it is his intentions to frame, trim and paint that project to match his current scheme. Howard added that his long range plans is to add a permanent structure onto his existing facility but due to the declining economy it is not feasible at this time. Howard added that by the City passing this Ordinance it would place an undue burden on him. The Council entertained questions, comments and concerns from Staff and Howard. After much discussions, Dyer made the motion to table this item for further review and consideration from the Staff and Council. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

In regards to the Emergency Clause for the above-mentioned Ordinance, Dyer made the motion to take no action. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Field Use Agreement with the Grove Soccer Club for use of city soccer fields at the Sports and Recreational Complex. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to proposed regulations for Vacation Rental Homes. Keefer reported that the Staff and the Planning and Zoning Commission have been working on this project of vacation rental homes for some time. This effort was in response to opposition and concerns that were expressed by several neighbors to a property located at 1101 Dogwood that was being used as a vacation rental property. Several neighbors have attended numerous Council & Planning Commission meetings voicing their opposition as well as advocating that this usage is not allowed for in an area zoned R-1 Single Family Residential. Sometime ago, Bottoroff prepared a draft ordinance that outlined a permitting process and regulations that would address the vacation rental homes issue within our Zoning Regulations. The City Council was provided a copy of the draft ordinance as was the Planning Commission. This ordinance was revised several times to reflect questions, and issues that were presented by the property owners of 1101 Dogwood as well as the surrounding neighbors. Discussion of this issue was placed on hold in order for the City Attorney and Staff to review additional information provided by Mr. Bob Huggins. After further review and discussion, the City Attorney rendered an opinion that the use of the property located at 1101 Dogwood (as well as any other properties located with the corporate limits) as a vacation rental property should be put on hold until further notice from the city. In turn, Staff is requesting some direction from the Governing Body on this issue before moving forward. Depending upon the Council’s direction, Staff would propose the concept of allowing a property to be used as a vacation rental if granted a specific use permit. The process to acquire a specific use permit would include public hearings and approval from both the Planning Commission and the City Council. If a specific use permit is granted, the property would be subject to compliance with the regulations that has been previously identified including but not limited to:

1. density of VRH’s in community
2. maintaining a license
3. having a local contact person
4. maximum occupancy limits
5. parking restrictions
6. noise regulations
7. sewer regulations, and
8. signage restrictions

The Council entertained questions, comments and concerns from the following individuals:

* J.P. Martin
* Robert Huggins
* Shirley Allen
* Rick Howard
* Mr. Page

Keefer noted that should the Council move forward with this issue, a draft ordinance would go to the Planning Commission for their review and consideration. The Ordinance would them come before the Council for consideration upon recommendation from the P&Z Commission. Dyer made the motion to authorize the Staff to proceed with the specific use permit as discussed. Seconded by Devitt. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**WARD REPORTS**:

Nielsen and Devitt expressed thanks to the Street Department crews for the quick response on clearing the street during the recent weather.

Devitt added that he heard thanks from citizens on the pothole repairs along Shundi.

At 6:59 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.